



Massachusetts Association of Conservation Commissions

protecting wetlands, open space and biological diversity through education and advocacy

November 13, 2025

The Honorable Maura Healey
Massachusetts State House
24 Beacon Street, Room 280
Boston, MA 02133

RE: Wetlands/Climate Resilience 1.0 Regulations Need to be Promulgated Now!

Dear Governor Healey:

The Massachusetts Association of Conservation Commissions (MACC) and our conservation commission members across the Commonwealth write to strongly urge you to promulgate Massachusetts Department of Environmental Protection's (MassDEP's) Wetlands Protection Act Regulations (310 CMR 10.00). These regulations were last updated on October 24, 2014, and the new climate resilience changes were proposed in December 2023, but they still have not been enacted. The time to act is now: please issue the final Wetlands Protection Act regulation updates before the end of the year.

We recognize the strong leadership of this administration working to balance the many needs of energy, housing, transportation, and climate resiliency, and we greatly appreciate these efforts. It is time to complete the important "foundation" to your resiliency goals by publishing the updated wetlands regulations.

We greatly appreciate the hard work by the many great employees at MassDEP and the Executive Office of Energy & Environmental Affairs (EEA) on programs and initiatives to help communities become more resilient, and these regulations are fundamental to those efforts. The [ResilientMass Plan](#) and recently released [ResilientCoasts](#) Strategy both recognize the critical importance of standards for development in the coastal floodplain and updating the stormwater standards as essential actions to support resilience. As noted in the *ResilientCoasts Final Plan*, every dollar invested in resilience delivers about \$13 in avoided damage and recovery costs.

MACC's Members across Massachusetts

MACC is a statewide non-profit organization that supports more than 2,000 volunteer conservation commissioners in their mission to preserve wetlands and open space. Each of the 351 cities and towns in Massachusetts has a conservation commission responsible for administering the state Wetlands Protection Act and municipal wetland bylaws and ordinances, as well as managing municipally owned conservation land. Our association protects Massachusetts' natural resources through our education and advocacy efforts, and we have been doing this work since 1961.

Importance of Wetlands

Healthy wetlands are a core pillar of climate resiliency efforts that minimize impacts from stormwater flooding and sea level rise, protect groundwater and surface water quality, and protect wildlife habitats which enhance biodiversity. This administration has a strong commitment to environmental protection and climate resilience, and we commend your vision, and the hard work of MassDEP's thoughtful approach to developing the revised Wetlands Protection Act and Water

Quality Certification regulations (aka “Climate Resilience 1.0 Regulations”). At the same time, it is important to recognize that these wetlands regulations need to be brought up to speed to match the increasing effects of climate change. The regulations that we have in place now are not sufficient to protect our natural resources from the effects of climate change nor to address the necessary steps needed to protect our vulnerable infrastructure. Climate and weather-related incidents, particularly in the coastal flood zone, have resulted in billions of dollars in damage, not accounting for the collateral impacts to the resources as a result of these incidents.

As noted on the [MassDEP website](#), the proposed Climate Resilience 1.0 regulation revisions have two main objectives:

- Promote coastal resiliency against worsening impacts of storms, flooding, and sea level rise through standards to protect the coastal floodplain (Land Subject to Coastal Storm Flowage or “LSCSF”) from damage.
- Promote resiliency against increasing flooding, storm damage, and runoff pollution through updated stormwater management standards that incorporate current science and replace outdated (60-year-old) precipitation data.

Environmental Timelines

The Climate Resilience 1.0 regulations have lingered in limbo for more than 1.5 years. Coastal floodplains have been without performance standards for decades. This timeline is not one that should be delayed any longer. Here are the details:

- **2018- 2020.**
MassDEP convenes Land Subject to Coastal Storm Flowage and Stormwater Management Advisory Committees, obtaining input on multiple iterations of draft regulations from a wide range of stakeholders including engineers and wetlands consultants, developers, municipalities and nonprofit organizations including MACC.
- **December 2023.**
MassDEP publishes draft Climate Resilience 1.0 regulations.
- **December 2023 - April 30, 2024.**
Public comment period.
MassDEP held three informative & well-attended, virtual “Office Hour” meetings along with several Public Hearings with significant participation and interactions with the regulated community.
- **April 30, 2024.**
Comment period closed.
MassDEP received approximately 280 comment letters and 800 support letters.
MACC submitted 23 pages of comments on Climate Resilience 1.0 regulations. A copy of MACC’s April 30, 2024 comment letter is available on our [website](#).
- **November 10, 2025.**
In the past 1.5 years, the Climate Resilience 1.0 regulations still have not been promulgated. This is unacceptable for an administration adept at completing many important climate, energy, housing, and transportation efforts.

We note that as of November 10, 2025, the [MassDEP's website](#) states the regulations will be promulgated “this spring”; we wonder: “which spring?”. The website states:

“Proposed Wetlands Resilience 1.0 Draft Regulations

MassDEP is proposing revisions to the Wetlands regulations and corresponding revisions to the 401WQC regulations to improve the Commonwealth's resilience to impacts of climate change. Following Information Sessions and Public Hearings, MassDEP added Office Hour Sessions for stakeholder Q&A and extended the Public Comment period from March 1 to April 30, 2024.

FEbruary 2025 UPDATE: *The proposed draft Wetlands and Waterways Regulations and the Stormwater Handbook are moving forward, with an expectation to promulgate Final Regulations this spring. MassDEP will update this webpage periodically. Thank you for your interest”.*

We recognize the significant effort required to review and consider the hundreds of comment letters that MassDEP received related to Climate Resilience 1.0 regulations in April 2024. Balancing the need for robust, modern environmental regulations while addressing stakeholder concerns is indeed challenging work, and we appreciate MassDEP's careful deliberation. However, the time to act is now, in 2025, before the beginning of a new year.

Timelines for Other Regulatory Programs

Timelines are strictly maintained for other programs and MACC applauds the speed of regulation implementation in the energy sector. For example, the Department of Energy Resources (DOER) issued the draft Small Clean Energy Infrastructure Facility Siting and Permitting regulations (225 CMR 29.00) in September 2025 and they anticipate issuing the regulations within six months, on March 1, 2026.

- **September 15, 2025.**
Draft DOER regulations Small Clean Energy Infrastructure Siting & Permitting regulations (225 CMR 29.00) published.
Comment period opens.
- **October 17, 2025.**
Comment period ends. No extensions to the comment period were provided in order to maintain regulatory deadlines.
- **March 1, 2026.**
Final regulations for 225 CMR 29.00 will be enacted/promulgated.

These regulations will have a significant impact on the operations of municipal permitting; MACC is working to help educate and prepare conservation commissions for these regulatory changes and applaud the fast-paced efforts by state agencies. If the DOER regulations can be pushed through within 6 months, then *the wetlands protection act regulations certainly should be implemented within 2 years, before the end of 2025.*

Other Delayed Environmental Regulations

We also want to point out that there are two other sets of important regulations pertaining to work by conservation commissions that have not been promulgated. We urge EEA to finalize and

promulgate these regulations:

- The *Wetlands Protection Act regulations*, 310 CMR 10.00. In November 2019, MassDEP proposed revisions to the wetlands' regulations, related to notifications, date of issuance and the Wetland Plant List. The comment period closed on [January 30, 2020](#) but the regulations have not been finalized. The [MassDEP website](#) states (as of February 29, 2020):

“MassDEP is reviewing all comments received during the comment period (ended January 30, 2020) and is evaluating options to proceed; we expect it may take several months to develop our decision.”

- The *Open Space Act regulations*, 301 CMR 52.00, will protect Article 97 lands. The draft regulations were issued for public comments in late 2024-early 2025, and the comment period closed on [January 22, 2025](#). Final regulations have not yet been promulgated.

Next Steps

In summary, the Climate Resilience 1.0 regulations support many of the climate and biodiversity goals of the Healey-Driscoll Administration and are essential tools to help protect our communities and natural resources from flooding, sea level rise, and other aspects of a changing climate.

Our members, the conservation commissioners, conservation agents, and environmental consultants across the Commonwealth, are eager to implement updated wetland regulations as they continue their critical work protecting Massachusetts' wetland resources. They have been waiting for more than a year and a half for these regulations to be promulgated.

You can expect to hear directly from conservation commissioners who want you, EEA, MassDEP, and legislators to understand the importance of immediate promulgation of these long overdue regulations.

The time to act is now! We respectfully urge your office, EEA, and MassDEP to issue final Wetlands Climate Resilience 1.0 regulations now, before the end of 2025.

Thank you for your leadership on environmental issues and your consideration of this important matter. We look forward to seeing these regulations released!

Sincerely,

Massachusetts Association of Conservation Commissions



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