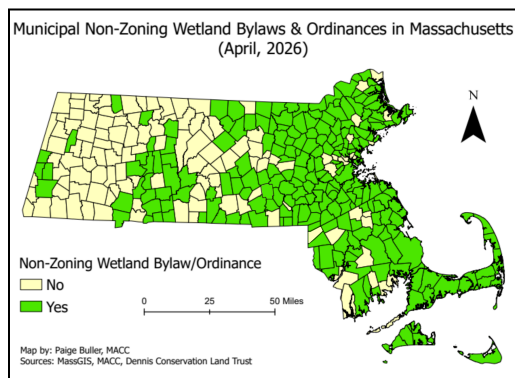


ACTION ALERT!

Don't let the Mass Ready Act penalize municipalities that protect wetlands, drinking water, and open space using local bylaws and ordinances.



Did you know The Mass Ready Act, S.3064 (AKA the Environmental Bond Bill), could make it more difficult for over 220 municipalities with wetland protection bylaws to get state environmental funding? *Did you know* there is a belief that state wetland regulations should be the only regulations for all 351 municipalities in the state? Unfortunately, state wetland regulations have not kept pace with climate change. State wetland regulations were last updated in 2014; proposed 2023 updates have not been finalized. As a “Home Rule” state, we have more than 220 cities and towns with local wetland bylaws that close critical regulatory gaps, including:

- **“No-Build” Zones:** Stricter buffer zones that provide essential flood mitigation, minimize nutrient loading, protect wildlife habitat, and provide resilience against extreme heat.
- **Isolated Wetland Protections:** Local wetland bylaws provide stronger safeguards for isolated wetlands, intermittent streams, and vernal pools.
- **Stormwater Management:** To meet legal stormwater permit obligations and to manage nutrient pollution, municipalities must enact local stormwater bylaws. Municipalities that do not have a required stormwater bylaw/ordinance in place will be sanctioned by the US Environmental Protection Agency (USEPA) for failure to adopt a stormwater bylaw. This could result in a Catch-22 circumstance: the municipality would be ineligible (or penalized) for receiving Environmental Bond Bill grants because they have water protection bylaws, and they would be sanctioned by the USEPA if they do not have a stormwater bylaw.
- Read MACC's [fact sheet on the importance of local wetland bylaws](#) for more information.

Contact your legislators at the Massachusetts State House! Call for the removal of Sections 60 & 108 (and the modification of Sections 68 & 69) from the Mass Ready Act to make sure your community can continue to receive funding for:

- Municipal vulnerability preparedness
- Water infrastructure/PFAS
- Drinking water revolving funds
- Dams, seawalls, jetties & nature-based solutions
- Investments in air, water, land resource protection, climate adaptation & decarbonization
- Solid waste facility closures
- Forestry, tree plantings, and heat island management
- Land acquisitions, protections, parks, and trails
- Hazardous materials cleanups
- Many other environmental grant programs

ACTIONS NEEDED:

**Call or send a letter to your State Representatives and Senators.
Draft messages are available below.**



Mass Ready Act Action Alert - Talking Points

Use our talking points to call your state representative and senator and talk to the legislative aide. Tell them the Mass Ready Act needs several changes. Find your legislator [HERE](#). Read just the parts in **RED** to keep it short.

Hello. My name is **[Insert your name]** and I live at **[Insert your address]**. I am calling you about S.3064 – the Mass Ready Act, also known as the Environmental Bond Bill.

This bill is in the House Ways and Means Committee. I support much of the bill because it helps fund important environmental programs. However, there are some unintended consequences due to two amendments that were added in the last days of the Senate review. The amendments will effectively prevent municipalities from enforcing local water protection bylaws/ordinances that exceed state standards for priority housing projects. On top of that, the amendments will penalize those municipalities when applying for funding from this \$3.6 billion Environmental Bond Bill, even when the grants have nothing to do with priority housing projects. Restricting these funds will undermine other important public policy goals such as repairing dams and seawalls and making our communities more flood resilient.

It is important that the following Sections be eliminated from S.3064:

- **SECTION 60 (lines 2298-2303).** This section exempts Priority Housing projects from local wastewater disposal rules that are more stringent than state Title 5 standards. The view that local environmental bylaws are not based on science is a fallacy. At a time when the number of impaired water bodies is increasing, and the occurrence of potentially toxic cyanobacteria blooms is on the rise, reducing environmental protection will adversely affect local water quality. **Remove SECTION 60 from the bill.**
- **SECTION 68 (lines 2630-2640) and SECTION 69 (lines 2684-2692).** These sections exempt priority housing projects from local wetlands bylaws that exceed the requirements of the Wetlands Protection Act (WPA) and regulations. State law requires that municipal bylaws **MUST** be stronger than the state regulations. The view that local environmental bylaws are not based on science is a fallacy. Studies show that water quality from stormwater and wildlife habitat are better protected by increased distances to development. **Remove the portions of SECTIONS 68 and 69 that exempt Priority Housing projects from wetlands bylaws from the bill.**
- **SECTION 69 (lines 2656-2786).** **Statements restricting or eliminating use of local wetland bylaws that are stricter than state wetland regulations should be removed from the bill.**
- **SECTION 108 (Lines 3516-3529).** All Environmental Bond Bill grants to municipalities (or municipal planning agencies) would have a preference modifier added ***for communities that adopt non-restrictive zoning and wastewater and wetlands rules that do not exceed state standards***. Why are we penalizing municipalities that work hard to protect water supplies and wetlands and have passed local bylaws and ordinances, by impeding their chances to obtain funding for important environmental and infrastructure programs under this bill? Even when the grants have nothing to do with priority housing projects, restricting these funds will undermine other important public policy goals that protect water quality and make our communities more flood resilient. It makes no sense. **Remove this Section and this penalty from the bill.**

We support building housing in areas with adequate water, sanitary and transportation services, and away from wetlands and floodplains.

Thank you.

Mass Ready Act Action Alert - Draft Letter

Via Electronic Mail

TO: Aaron.M.Michlewitz@mahouse.gov

CC: dorothy.mcglincy@maccweb.org

Via Paper Mail

The Honorable Representative Aaron Michlewitz, Chair
House Ways and Means Committee
State House, Room 243
24 Beacon Street
Boston, MA 02133

RE: Opposition to some sections in S.3064, An Act to build resilience for Massachusetts communities

[Insert: date]

Dear Chair Michlewitz and Members of the House Ways and Means Committee:

I am writing to you as **[Insert: a resident of _____; a member of conservation commission, or other group, as appropriate]** to provide comments about S.3064, An Act to build resilience for Massachusetts communities (also known as the Mass Ready Act, and the Environmental Bond Bill). This bill is being evaluated by your committee. Please consider my concerns about several sections in the bill.

S.3064 is a significant bill that proposes \$3.6 billion in bond funding for important environmental programs, but there are some unintended consequences due to two amendments that were added in the last days of the Senate review. The amendments effectively prevent municipalities from enforcing local water resource protection bylaws/ordinances that exceed state standards for priority housing projects, and on top of that, the amendments penalize those municipalities when applying for any of the funding in the Mass Ready Act/Environmental Bond Bill, even when the grants have nothing to do with priority housing projects. Restricting these funds will undermine other important public policy goals such as repairing dams and seawalls, making our communities more flood resilient, and removing PFAS from our water supplies.

It is important that these sections, or portions of the sections, should be eliminated from S.3064:

- SECTION 60 (lines 2298-2303). This section exempts Priority Housing projects from local wastewater disposal rules that are more stringent than state Title 5 standards. The view that local environmental regulations are not based on science is a fallacy. At a time when the number of impaired water bodies is increasing, and the occurrence of potentially toxic cyanobacteria blooms is on the rise, reducing environmental protection will adversely affect local water quality. **Remove SECTION 60 from the bill.**
- SECTION 68 (lines 2630-2640) and SECTION 69 (lines 2684-2692) – These sections exempt Priority Housing projects from local wetlands bylaws that exceed the requirements of the Wetlands Protection Act (WPA) and regulations. By law, all these bylaws MUST be stronger than the state regulations. The view that local environmental regulations are not based on science is a fallacy. Studies show that water quality from stormwater and wildlife habitat are better protected by increased distances to development. **Remove the portions of SECTIONS 68 and 69 that exempt Priority Housing projects from wetlands bylaws from the bill.**
- SECTION 69 (lines 2656-2786). **Statements restricting or eliminating use of local wetland bylaws that are stricter than state wetland regulations should be removed from the bill.**

- SECTION 108 (Lines 3516-3529) ***All Environmental Bond Bill grants to municipalities (or municipal planning agencies) would have a preference modifier added for communities that adopt non-restrictive zoning and wastewater and wetlands rules that do not exceed state standards.*** Why are we penalizing municipalities that work hard to protect water supplies and wetlands and have passed local bylaws and ordinances, by impeding their chances to obtain funding for important environmental and infrastructure programs under this bill? Even when the grants have nothing to do with priority housing projects, restricting these funds will undermine other important public policy goals such as repairing dams and seawalls and making our communities more flood resilient. It makes no sense. **Remove this Section and this penalty from the bill.**

As written, the bill will potentially impact residents in the future priority housing, as well as the community, by creating new and avoidable risks of flooding and contaminated water resources if existing local wetland and wastewater protections are eliminated. We support building housing in areas with adequate water, sanitary, and transportation services, but not in areas that might impact water quality or be impacted by flooding risks.

Thank you for your consideration of these issues. If you have any questions or need additional information, please contact Massachusetts Association of Conservation Commissions (MACC) Executive Director, Dorothy (Dot) McGlincy at dorothy.mcglincy@maccweb.org.

Sincerely,

[Insert your name]

[Insert your address]

[Insert your organization, as applicable]