



Massachusetts Association of Conservation Commissions

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

Testimony in Opposition to H.724

An Act providing for more efficient wetlands

Joint Committee on Environment, Natural Resources and Agriculture

June 4, 2019

Thank you, Senate Chair Gobi, House Chair Pignatelli, and members of The Joint Committee on Environment, Natural Resources and Agriculture for the opportunity to testify **in opposition to H.724**, *An Act providing for more efficient wetlands*.

My name is Dorothy McGlincy. I am the Executive Director of the Massachusetts Association of Conservation Commissions (MACC). MACC is the professional association of Massachusetts conservation commissions and other environmental experts. Each of the 351 cities and towns in Massachusetts has a conservation commission. MACC has more than 2,800 members across the state.

Massachusetts' conservation commissions are the municipal boards responsible for administering the state Wetlands Protection Act, municipal wetland bylaws and ordinances, and 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.

H. 724 has an up-beat title that does not reflect the potential impact of this bill. MACC believes that this bill could undermine the foundations of Home Rule in Massachusetts and will not improve the state of wetlands in our commonwealth. It is quite likely it will negatively impact our natural environment.

MACC has heard from many of our members who oppose this bill because it will not streamline wetlands permitting and will impact home rule authority. This bill would require a municipality to submit local wetland bylaws and ordinances to the MassDEP prior to bylaw/ordinance adoption by the municipality. This legislation

also requires the municipal wetland bylaw/ordinance meet several restrictive requirements:

- It must be a “recommended best practice technique”,
- It must be “necessary to protect unusual local resources that warrant special or enhanced protection”, and
- Must not conflict with the Wetlands Protection Act and regulations.

In addition, appeals of a decision made under a local wetland ordinance or bylaw would be made to MassDEP.

This proposed process of review and approval by MassDEP, and appeals to MassDEP, will add steps and red tape to wetland protections. MassDEP staff are already overworked, understaffed, and underfunded. We believe this legislation will result in increased costs to MassDEP for the review of local wetlands bylaws/ordinances, and increased bureaucratic process that would not improve environmental protection. This bill could undermine the foundations of Home Rule in Massachusetts and will not improve the state of wetlands in our commonwealth. We respectfully ask for an unfavorable report on H 724.

Thank you for your time and consideration of this matter.