



Andrew Gottlieb
Executive Director

November 9, 2022

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Secretary Bethany A. Card
Executive Office of Energy and Environmental Affairs
MEPA Office
Attn: Tori Kim
100 Cambridge Street, 10th Floor
Boston, MA 02114

RE: Proposed Amendments to Massachusetts Environmental Policy Act Office
Regulations

Dear Secretary Card:

The Association to Preserve Cape Cod (APCC) writes in support of amendments to the Massachusetts Environmental Policy Act (MEPA) Office regulations for ecological restoration projects as described in the proposed new 301 CMR 11.01(2)(b)4.

Founded in 1968, APCC is the leading nonprofit environmental advocacy and education organization for the Cape Cod region, working for the adoption of laws, policies and programs that protect, preserve and restore Cape Cod's natural resources.

This proposed revision to MEPA regulations provides an important benefit by exempting qualifying ecological restoration projects from MEPA review. The proposed amendment would satisfy the original intent of 2013 Wetlands Protection Act regulations that establish a Restoration Order of Conditions for such projects by now creating a streamlined notice to be filed with the MEPA Office prior to the project applicant seeking a Restoration Order of Conditions from the local conservation commission. Following the filing of a notice of a Restoration Order of Conditions and 20-day comment period, the secretary of EEA has the discretion to then require the preparation of a project Environmental Notification Form or, if the project meets the qualifications for a MEPA exemption, the project applicant can instead proceed with the Restoration Order of Conditions application.

Full MEPA review can be a time-consuming process that can create a burden on the



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project applicant and cause unnecessary delays in projects whose purpose is to improve natural ecological functions and which have no adverse impact on the environment. The proposed change in MEPA regulations will simplify the MEPA review process for those projects that provide a direct public benefit by restoring natural resources. APCC strongly supports the proposed amendment and urges its adoption by the MEPA Office.

Sincerely,

A handwritten signature in blue ink, consisting of a stylized 'A' followed by a long horizontal stroke.

Andrew Gottlieb
Executive Director