



July 14, 2026

The Honorable Julian Cyr
Massachusetts State House
24 Beacon Street, Room 111
Boston, MA 02133

The Honorable Michael J. Finn
Massachusetts State House
24 Beacon Street, Room 39
Boston, MA 02133

The Honorable Rebecca L. Rausch
Massachusetts State House
24 Beacon Street, Room 215
Boston, MA 02133

The Honorable Christine P. Barber
Massachusetts State House
24 Beacon Street, Room 167
Boston, MA 02133

The Honorable Peter J. Durant
Massachusetts State House
24 Beacon Street, Room 520
Boston, MA 02133

The Honorable Kenneth P. Swezey
Massachusetts State House
24 Beacon Street, Room 237
Boston, MA 02133

Re: Significant concerns with several sections of S.3064/H.5518, *An Act to build resilience for Massachusetts communities* (aka the “Mass Ready” Act)

Dear Senators Cyr, Rausch and Durant, and Representatives Finn, Barber and Swezey:

Thank you for your commitment to providing Massachusetts’ communities with capital authorizations and resources needed to strengthen our resilience to the consequences of climate change. We appreciate your leadership with the Conference Committee for the environmental bond, S.3064/H.5518.

While the undersigned organizations support the funding of environmental programs to enhance climate resiliency, this letter focuses on key outside sections affecting local home rule authority to protect wetlands and water resources. We leave comments on funding provisions to the Environmental Bond Coalition and organizational partners.

We are submitting this letter to share our concerns on several outside sections of S.3064 regarding proposed changes to municipal authority on local by-laws or ordinances that help ensure clean water and safe, climate resilient communities. We applaud the House of Representatives for removing these provisions from its version of Mass Ready. We respectfully urge the Conference Committee to retain the elimination of these sections in H.5518.

Massachusetts faces dual crises of a lack of affordable and mid-range housing and climate change that are impacting communities across the Commonwealth. We support a complementary approach that achieves the Commonwealth's goals for both housing and climate resilience.

One aspect of achieving the balance between housing and climate goals is ensuring that land use rules allow development and protect natural resources. If housing is constructed too close to wetlands and without adequate stormwater management, it can cause flooding on the property and on adjacent properties. Inadequately treated stormwater and wastewater are the two largest causes of water pollution statewide. Local water resource protection rules are designed to address these widespread impairments and to protect our water supplies, waterways, and beaches from pollution.

The provisions proposed in the Senate version of Mass Ready would upset that balance between development and protection by removing the authority of communities to adopt by-laws or ordinances that both protect the environment and allow development. Local environmental rules are essential to protect local water supplies and reduce risks to communities from flood hazards, at a time when those risks are escalating and causing widespread economic harm. Upholding these rules is essential to ensure that housing development is prioritized and accelerated in places and ways that are safe, healthy, and resilient.

We respectfully urge the Conference Committee to not include the following sections in the final Mass Ready Act:

- **S.3064, SECTION 60 (lines 2298-2303).** The Senate SECTION 60 exempts priority housing projects from local wastewater disposal rules that are more stringent than state Title 5 standards. Local environmental by-laws/ordinances are based on science and local conditions. 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 protections will adversely affect local water quality. **We support the House version, H.5518, which deleted this section from the Mass Ready Act. We urge this Committee not to include S.3064, SECTION 60, in the final bill.**
- **S.3064, SECTION 68 (lines 2639-2640) and SECTION 69 (lines 2687-2692).** These sections exempt priority housing projects from local wetlands by-laws/ordinances that exceed the requirements of the Wetlands Protection Act (WPA) and regulations. Legal decisions including by the Massachusetts Supreme Judicial Court (SJC) require that municipal by-laws **MUST** be stronger than the state regulations¹. These provisions in S.3064 create a conflict between development of

¹ Lovequist v. Conservation Commission of Town of Dennis, 379 Mass. 7
<https://law.justia.com/cases/massachusetts/supreme-court/1979/379-mass-7-2.html>

much-needed housing and the protection of water supplies and flood risk management. [The House version, H.5518, SECTIONS 54 and 55 amended S.3064 SECTIONS 68 and 69.](#) **We urge this**

Committee not to include the portions of S.3064 SECTIONS 68 and 69 that exempt priority housing projects from wetlands by-laws/ordinances in the final bill.

- **S.3064, SECTION 108 (Lines 3516-3529) - Grant Preference Modifier.** This section would condition access to all state grant funding under the bond by creating a “preference modifier” for municipalities adopting “non-restrictive” zoning and land use policies, including wastewater and wetlands regulations, that do not exceed state minimum standards. By creating a financial incentive to weaken local water protections, this amendment would place communities in the untenable position of choosing between critical, and already limited, public funding and the health of their water supplies, rivers, lakes, and estuaries. [The House version, H.5518, deleted this section from the Mass Ready Act.](#) **We support the House version and urge this Committee to remove the preference modifier, and SECTION 108 from S.3064 in the final bill.**

According to the Bureau of Climate and Environmental Health of the Massachusetts Department of Public Health, more than 400,000 people in Massachusetts live in the 100-year floodplain², with affordable housing disproportionately located in high-risk areas. The risks on the coast are extensive. These hazards and costs are increasing with climate change, including sea level rise and increasingly intense precipitation events. State resiliency plans and programs prioritize local actions to reduce these hazards, including adoption of local wetlands, floodplain, and water resource protection by-laws³. Every \$1 invested in climate resilience yields \$13 in benefits through avoided costs and economic benefits⁴.

State environmental standards are designed to establish a baseline level of protection; they are not intended to serve as a ceiling. For decades, the state has been encouraging communities to protect their water supplies and floodplains through local by-laws⁵. If allowed to remain in the Mass Ready Act, these provisions would turn back the clock on those local protections at a time when they are needed more than ever.

Safe, resilient, and sustainable housing depends fundamentally on clean water, effective wastewater management, and protection from flooding and stormwater impacts. We strongly recommend that the final version of Mass Ready remove these harmful provisions and uphold the ability of municipalities to protect their water resources and prevent flood risks. We welcome the opportunity to meet with you to discuss any of the issues outlined in this letter.

Thank you for your time and consideration of these issues.

² <https://www.mass.gov/doc/climate-hazard-assessment-profile-inland-flooding/download>

³ <https://www.mass.gov/orgs/resilientmass>

⁴ U.S. Chamber of Commerce, The Preparedness Payoff: The Economic Benefits of Investing in Climate Resilience (2024): <https://www.uschamber.com/security/the-preparedness-payoff-the-economic-benefits-of-investing-in-climate-resilience>

⁵ <https://www.mass.gov/guides/floodplain-management>;
<https://www.mass.gov/lists/groundwater-wellhead-protection-and-surface-water-supplies>

Sincerely,

Sam Anderson
Senior Director of Government Affairs
Mass Audubon
sanderson@massaudubon.org

Anna Darrow
New England Policy Manager
Appalachian Mountain Club

Andrew Gottlieb
Executive Director
Association to Preserve Cape Cod

Laura Jasinski
Executive Director
Charles River Conservancy

Emily Norton
Executive Director
Charles River Watershed Association

Chris Redfern
Executive Director
Friends of the Middlesex Fells Reservation

Erin Bonney Casey
Executive Director
Ipswich River Watershed Association

Kristin DeBoer
Executive Director
Kestrel Land Trust

Dorothy A. McGlincy
Executive Director
Massachusetts Association of Conservation Commissions

Philip Guerin
Executive Director
Massachusetts Coalitions for Water Resources Stewardship

Katy Coburn
Executive Director
Massachusetts Land Trust Coalition

David McGlinchey
Executive Director
Massachusetts Rivers Alliance

John Keeley
President
Massachusetts Society of Municipal Conservation Professionals

Jennifer Pederson
Executive Director
Massachusetts Water Works Association

Patrick Herron
Executive Director
Mystic River Watershed Association

Steve Long
Director of Policy and Partnerships
The Nature Conservancy in Massachusetts

Ian Cooke
Executive Director
Neponset River Watershed Association

Samantha Woods
Executive Director
North and South Rivers Watershed Association

Heather Clish
Policy Director
The Trustees of Reservations

Meghan Jeans
Executive Director
Westport River Watershed Alliance