



Testimony Submitted by Linda Orel, Executive Director, Massachusetts Association of Conservation Commissions in opposition to S.363, *An Act incorporating wetland stewardship and scenic resources into wetland protection*

**Before the Joint Committee on Environment, Natural Resources and Agriculture
July 14, 2011**

The Massachusetts Association of Conservation Commissions (MACC) thanks Chairman Pacheco and Chairwoman Gobi for the opportunity to testify against H.363, *An Act incorporating wetland stewardship and scenic resources into wetland protection*.

MACC represents the 2,400 Conservation Commissioners in the 351 cities and towns of the Commonwealth, charged with protecting the natural resources of their communities under the Conservation Commission Act (G.L. Ch.40 §8c) and administering and enforcing the Wetlands Protection Act (G.L. Ch.131 §40). MACC's mission is to promote strong, workable, science-based laws and regulations regarding wetlands, other water resources, open space, and biological resources.

MACC strongly opposes *An Act incorporating wetland stewardship and scenic resources into wetland protection*. S.363, if enacted, would effectively destroy the Massachusetts Wetlands Protection Act, our major water resource protection law and the oldest wetlands law in the US. This legislation purports to be based on current science and federal wetlands policy - but it is contrary to both. It would severely undermine vital protections for wetlands and water resources, while creating major conflicts with federal permitting and mitigation requirements. MACC supports policy and regulatory reforms that would improve the efficiency and effectiveness of the state wetlands regulatory program. In fact, MACC is currently an active member of the DEP-appointed Regulatory Reform Group, which is examining current DEP procedures, programs and policies and recommending changes that may streamline permitting. MACC also supports state initiatives to restore Massachusetts wetlands and waterways and to help them adapt to the effects of climate change. However, drastic changes in state law such as those proposed in this bill are neither necessary nor helpful toward those goals. Under this legislation:

- Most wetlands would lose all protection;
- Most vernal pools would lose all protection;
- Wetlands could be freely replaced with lakes and ponds, thus losing most of their values (such as pollution prevention and flood control);
- Expensive, extensive work by consultants would be required for many project approvals above and beyond current requirements;
- Critical buffer zones supporting adjacent wetlands would be almost entirely unregulated; and
- Communities' home rule authority over wetlands would be decimated.

This perennially filed bill has been wisely rejected by the Environment, Natural Resources and Agriculture Committee for more than a decade. MACC urges the Committee to again give it an unfavorable report.

If you have questions, please contact Linda Orel, Executive Director at Linda.Orel@maccweb.org or 617-489-3930.

Thank you for the opportunity to testify on this legislation.