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August 26, 2021

Via Electronic Mail

The Honorable John J. Cronin, Chair
Senate Committee on Municipalities and Regional Government
24 Beacon Street, Room 504
Boston, MA 02133

The Honorable Lori A. Ehrlich, House Chair
House Committee on Municipalities and Regional Government
24 Beacon Street, Room 504
Boston, MA 02133

RE: Testimony in support of H.2198, *An Act Relative to the Protection of Wetlands and Water Resources in Chapter 40B Applications*

Dear Chair Cronin, Chair Ehrlich, and Members of the Joint Committee on Municipalities and Regional Government:

Thank you for the opportunity to submit testimony in support of H.2198, *An Act Relative to the Protection of Wetlands and Water Resources in Chapter 40B Applications*, on behalf of the Blackstone River Watershed Association (BRWA).

The BRWA was established in 1969 and has since played an instrumental role in cleaning up what was described as an "industrial river" in the 19th and 20th centuries. Although still threatened by industrial and increasingly residential pollution sources, the health of the Blackstone's river system continues to improve. The BRWA's mission is to engage, educate and advocate for improved water quality in the Blackstone River watershed, focusing on the 382 square miles of the 640 square miles located in south-central Massachusetts.

We believe this Bill is necessary to close an important loophole that currently allows some developers to bypass critical environmental protections. We request your support of H.2198, *An Act Relative to the Protection of Wetlands and Water Resources in Chapter 40B Applications*.

We recognize the significant and continuing need for affordable housing in the Commonwealth, and we support programs that facilitate development of affordable homes when appropriately sited. Affordable housing units in wetlands, floodplains and areas with poor drainage are a disservice to both the residents and the environment. For decades, Environmental Justice communities have suffered disproportionately from poor land use practices, and those inequities should not be further perpetuated by overriding local wetlands protections.

Vibrant, Healthy, Free-flowing Waterways in the Blackstone Valley, Treasured by All

Local environmental laws and regulations are designed to protect the natural environment, water quality, public health, safety, and welfare for all communities, including those living in affordable homes. As climate change impacts increase with more intense storms, floods, heat waves and droughts, it is more important than ever that affordable housing (and all construction) abide by municipal wetlands protection bylaws, ordinances, and regulations. Wetlands and wetland buffer zones enhance flood storage capacity, protect water quality, sequester carbon, and help minimize impacts from severe storms. Green spaces and vegetated buffers adjacent to wetlands and waterways allow for the recharge of stormwater into the ground, minimize heat island effects, protect drinking water supplies, and provide areas for outdoor recreation and habitat.

Waiving local environmental protections allows development to extend through wetland buffers, which are adjacent to surface water and into wetlands, eliminating protections for residents and environmental health. Removal of mature trees and wetland vegetation and soils, installation of extensive impervious pavement and buildings, and placement of stormwater management facilities and septic systems close to waterbodies and wetlands can have serious impacts both on-site, downgradient, and downstream. Affordable housing should not be located in environmentally sensitive areas where conventional development is not permitted.

We support incentives for developers of affordable and other housing to follow the principles of Low Impact Development. These approaches are superior in the handling of stormwater, protection of open space, protection of existing trees and forests, reduction of the developed footprint, and promotion of community through clustering of units and higher density development on a smaller footprint. Affordable housing could lead the way in promoting Low Impact Development with the right regulatory and financial incentives.

Many critical wetlands in the Blackstone River watershed have been paved over or encroached upon. We cannot afford to lose more. There is plenty of land that has already been altered available for redevelopment, and those areas should be prioritized for affordable housing. Continuing to sacrifice our most sensitive environmental areas does not help anyone in the long-term.

We respectfully urge the Joint Committee on Municipalities and Regional Government to provide a favorable report on H.2198, *An Act Relative to the Protection of Wetlands and Water Resources in Chapter 40B Applications*. Thank you for your consideration of this matter.

Sincerely,



JoAnne Holahan

President

Blackstone River Watershed Association