

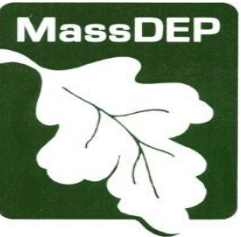
ACEC/MA Water Energy Environment Committee

Updates from MassDEP

November 13, 2025

Gary Moran, Deputy Commissioner, gary.moran@mass.gov

Kathleen Baskin, Assistant Commissioner, kathleen.baskin@mass.gov

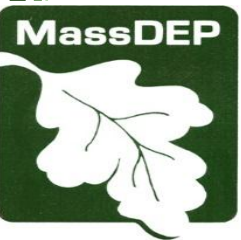


Permit Streamlining



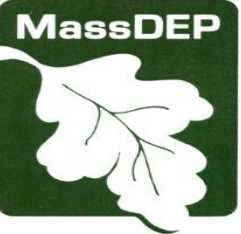
Permit Streamlining

- Chapter 91 – Waterways
 - Practitioner Group
 - Clarifying Guidance Documents
 - Proposed Regulation Updates - concurrent 91 review with MEPA , eliminate need for local approvals for 91 license application
 - Expanded Online Resources
- Wetlands / Waterways Permit Streamlining Evaluation - joint EEA/DEP initiative
 - Review state wetlands/waterways requirements for inconsistencies/redundancies; streamline submittal/review processes
 - DEP with MEPA, DFW, DMF, CZM
 - Internal & external stakeholder recommendations: clarify definitions, enhance tiered or streamlined permitting, develop technical guidance, consider centralized online permitting portal



Permit Streamlining

- Updated Wetlands Restoration Regulations (“Resilience 1.5”)
 - Eliminate duplicate submittal requirements
 - Include additional beneficial projects to list of project types eligible for streamlining
 - Eliminate Water Quality Certificate requirement for beneficial projects (i.e. hand-pulling invasives)
- Housing & Wastewater
 - Evaluate use of Innovative Septic Systems for Multi-Family Developments
 - Evaluate/Update Wastewater Design Flows for Multi-family Housing
 - Evaluate/Revise DEP Policies for Groundwater Discharge Permitting (wastewater treatment systems discharging to the ground)
- Appeal Reform

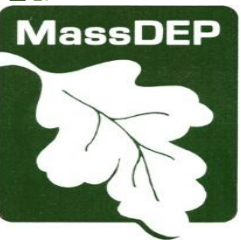


MassReady: Healey-Driscoll Administration's Environmental Bond Bill



MassReady: Environmental Bond Bill: Water-Related Authorization to Borrow

- \$385M: State Revolving Fund/Clean Water Trust: \$250M for general SRF capacity; \$135M is for “base CWT”
- \$120M: PFAS, including private well imminent hazard response
- \$27.8M authorization for air, water, land resource protection

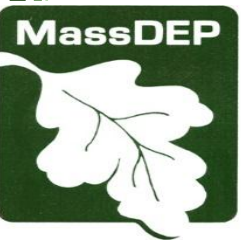


MassReady: Environmental Bond Bill:

“Outside Sections” (cont.)

- **Wetlands Streamlining**

- Electronic filing of Notice of Intent, Request for Determination of Applicability, posting of wetlands hearing notices
- Reduces abutter notifications to within 100 feet
- DEP specify projects to be approved via RDA (no NOI) & whether a NOI needs public hearing; conservation agent/chair administratively approve minor-impact projects
- New interest “Resilience for changing climate conditions” under Wetlands Protection Act
- Establishes General Order of Conditions for priority housing, nature-based solutions, ecological restoration, and resilience projects (via regulation).
- Linear project wetland applications in 3 or more municipalities will go directly to DEP.
- Appeals of priority housing, nature-based solutions, eco-restoration, resilience, and work in buffer zone to go directly to Superior Court



MassReady: Environmental Bond Bill: “Outside Sections”

- Chapter 91 Fastlane

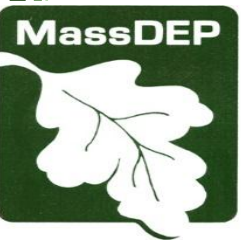
- Governor designates signatory for licenses
- DEP determines appropriate public notice of application (e.g. electronic)
- Application will not need local certification that project would not violate local zoning bylaws
- DEP can establish General License/Permit for priority housing projects, culvert placement, nature-based solutions via regulation

- MEPA Streamlining

- Exemptions for priority housing and nature-based solutions

- Municipal Culverts

- Permit fast-tracking & design standards

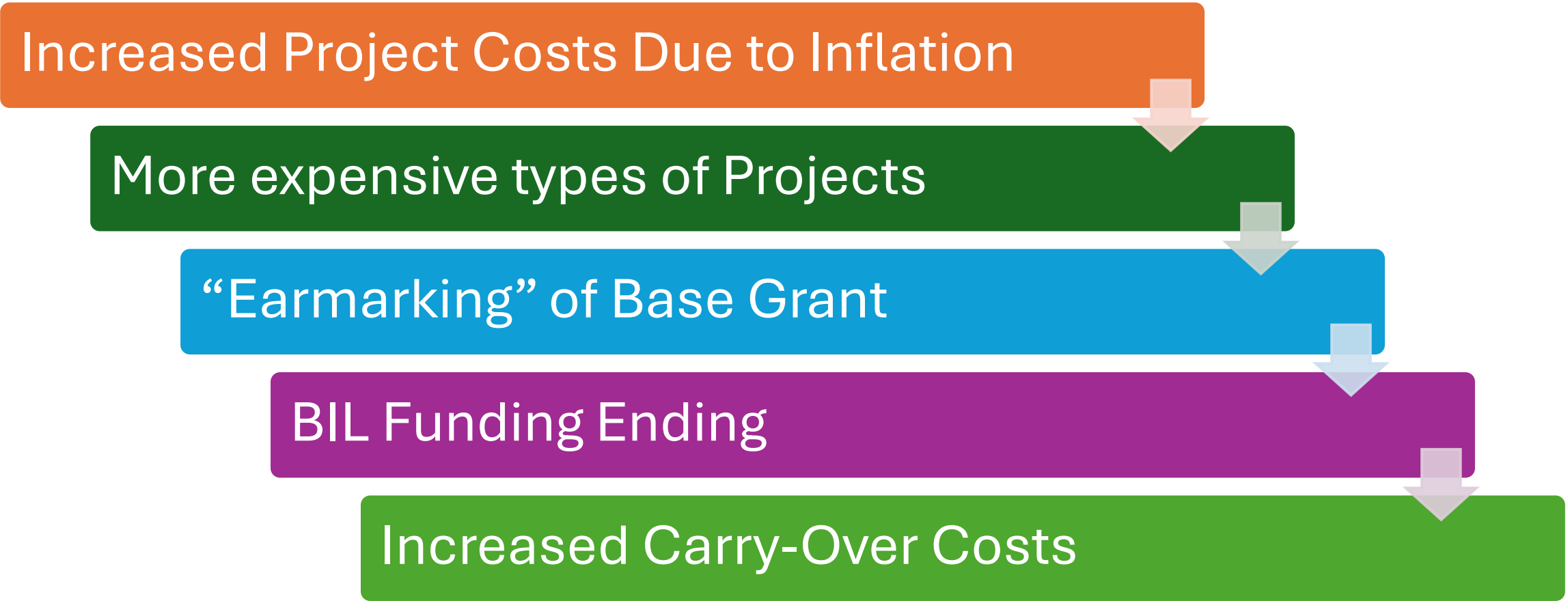


State Revolving Fund: Challenges and Options



Challenges Facing SRF Program

Increased Project Costs Due to Inflation



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graph TD; A[Increased Project Costs Due to Inflation] --> B[More expensive types of Projects]; B --> C["Earmarking" of Base Grant]; C --> D[BIL Funding Ending]; D --> E[Increased Carry-Over Costs];
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More expensive types of Projects

“Earmarking” of Base Grant

BIL Funding Ending

Increased Carry-Over Costs

Challenge: Earmarking of Base Grant

Base Capitalization Grant		
Grant Year	Drinking Water	Clean Water
2024	\$10,006,000	\$27,717,000
2023	\$10,602,000	\$25,469,000
2022	\$16,260,000	\$39,285,000
2021	\$25,526,000	\$53,946,000
2020	\$25,549,000	\$53,954,000
2019	\$25,533,000	\$54,491,000



Challenge: BIL/IJA Investments in MA - One Year Remaining

Year	CW Supplemental	CW PFAS	DW Supplemental	DW PFAS	DW Lead	Total
2022	\$60,428,000	\$3,175,000	\$41,750,000	\$17,531,000	\$65,783,000	\$188,667,000
2023	70,769,000	7,220,000	45,206,000	16,404,000	33,700,000	\$173,299,000
2024	77,228,841	7,220,000	49,332,433	16,404,000	50,095,000	\$200,280,274
2025*	83,639,000	7,220,000	53,438,337	16,404,000	50,095,000	\$210,796,337
2026*	83,639,000	7,220,000	53,438,337	16,404,000	50,095,000	\$210,796,337
TOTAL	\$375,703,841	\$32,055,000	\$243,165,107	\$83,147,000	\$249,768,000	\$983,838,948
* Preliminary						



2020-2025 Intended Use Plans (in \$ millions)

	2020	2021	2022	2023	2024	2025
WW Total Capacity	\$494.5	\$622	\$962.8	\$902.7	\$933.8	\$890.8
Carryover Cost	\$58.7	\$30.1	\$41.3	\$2.0	\$92.5	\$377.3
DW Total Capacity	\$166	\$195	\$363	\$431	\$503	\$348.3
Carryover Cost	\$23	\$22.7	\$29	\$50	\$112.8	\$170



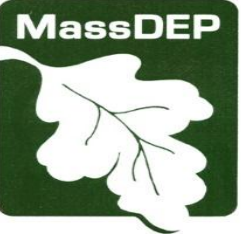
Challenge: Carryover Costs (millions)

IUP Year	Drinking Water	Clean Water
2025	\$170	\$377.3
2026	\$210	\$467.7
2027	\$97.3	\$330
2028	\$33.1	\$117
TOTAL	\$510	\$1,292



State Revolving Fund: Programmatic Options

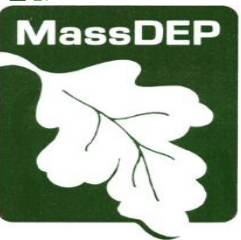
- **Cost Overruns**
 - Cap project cost at IUP project cost amount for that IUP year; MassDEP and Clean Water Trust to consider requests for increases based on capacity (available funding) analysis
- **Deadlines**
 - Projects that cannot meet deadlines would be dropped for that year, enabling projects that are ready to proceed
 - Projects without signed contracts by June 30 would not receive loan forgiveness
- **Carry-over Projects**
 - Cash flow analysis and coordination with project team to determine project's needed capacity for next IUP
 - Will no longer be automatic inclusion of project cap in next IUP for carry-over projects
- **Value engineering**
 - MassDEP could require borrowers with carry-over projects of \$100M+ for Clean Water and \$50M+ for Drinking Water to conduct second engineering review to ensure cost efficiencies



State Revolving Fund: Financial Options

- Establish working capital line of credit, as needed
 - Trust may utilize a revolving line of credit until a bond financing can be executed if cash balances become constrained
- Set level annual capacity target through multi-year capacity analysis
 - Capacity would be projected on a rolling 5-year basis to produce level annual amounts
 - Carry-over projects will be netted against the annual capacity to determine new project capacity amounts
 - Multi-year capacity analysis will be updated annually to reflect actual program performance and legislative changes (federal and state)

MassDEP & CWT are seeking input from utilities & their engineers!



Thank you!

