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May 17, 2023

Rep. Daniel Cahill, House Chair  
Joint Committee on Environment & Natural Resources  
State House, Room 473F  
Boston, MA 02133

Sen. Rebecca L. Rausch, Senate Chair  
Joint Committee on Environment & Natural Resources  
State House, Room 218  
Boston, MA 02133

Re: Testimony in support of HB 3851 and SB 458, Acts to promote nature-based approaches for resiliency and climate change adaptation

Dear Chair Cahill, Chair Rausch, and Honorable Members of the Committee on Environment & Natural Resources,

Boston Harbor Now, in collaboration with UMass Boston and our other partners, appreciates the opportunity to offer testimony in support of House Bill 3581 by Representative Dan Hunt and its companion, Senate Bill 458 filed by Senator Brendan Crighton, Acts to promote nature-based approaches for resiliency and climate change adaptation throughout the Commonwealth.

The immediate and increasing threats of the climate crisis have brought increased frequency and intensity of storm events and accelerating sea level rise to the coastline of Massachusetts. Each new flood event highlights the need to design and implement coastal protections. Cities and towns throughout Massachusetts have a choice: to defend their shoreline with traditional infrastructure, potentially walling off communities from their waterfronts, or to implement nature-based approaches such as living shorelines, offshore reefs, and living seawalls that can provide ecological, social, and economic benefits along with flood protection.

At present, the former is significantly easier to implement, but the opportunities for strengthening our shorelines with nature based approaches enables us to address a much wider range of issues, but the challenges posed by the existing regulatory framework make it harder to test and demonstrate the range of benefits and establish official best practices for implementation.

The intent of the legislation before you is to facilitate the advancement of the present science through research and demonstration projects that will advance our knowledge and understanding of nature-based approaches in a



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real-world setting. This will allow researchers, scientists, academics, regulators, municipalities, and a host of other stakeholders to help identify alternative ways to increase coastal resilience to climate impacts.

Massachusetts has been at the forefront of environmental protection programs for many decades and the Commonwealth continues to be a leader on many climate fronts including the recent, ground-breaking Massachusetts Global Warming Solutions Act. But most of the existing statutory and regulatory programs governing projects in coastal and inland areas date from a time before we could anticipate the present trends and threats of climate change and the magnitude of sea level rise. The current permitting structure for a wide range of environmental protection programs was not designed to accommodate or allow many available nature-based approaches to occur, especially seaward of mean high water.

Simply stated, the proposed legislation gives all state regulatory agencies the “discretion to waive” any and all performance and regulatory standards, and require any conditions deemed appropriate to fulfill the goal of conducting research and demonstration projects to inform future resiliency strategies. The protections for Indigenous groups, cultural and historic resources, and environmental justice communities will be upheld. Rather than serving as a directive, it gives agencies the flexibility and ability to respond to the crisis with urgency.

A key component of these research projects will be extensive physical monitoring requirements that will allow adaptive management interventions as needed to avoid environmental impacts. Another key component is to accommodate or allow these nature-based projects to occur seaward of mean high water particularly along our urban waterfronts. Similar permitting flexibility currently exists for projects including but not limited to maintaining or improving existing roadways, landfill closures, ecological restoration projects, and construction and maintenance of electrical generation facilities.

Less than three weeks ago, over 250 researchers, scientists, planners, government officials, students, regulators, non-profits, and private developers gathered at UMass Boston for the Stone Living Lab 2023 Nature-Based Coastal Resilience in Urban Settings Conference. From the keynotes to the panels to the research findings, one thing was clear: in order to advance nature-based projects here in Massachusetts, we need to address the need for regulatory flexibility and to work collaboratively with the environmental agencies and state administration to make this happen.



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The time is now to allow nature-based research and demonstration pilot projects, which mimic natural systems to be implemented in Massachusetts in order to adapt to climate change and projected sea level rise. This will be a critical tool for municipalities across the Commonwealth to prepare their waterfront communities for these challenges and build a better coastline.

Thank you for the opportunity to provide testimony. We urge you to report HB 3851 and SB 458 favorably, so that important research and demonstration projects can be designed and implemented here in Massachusetts in the very near future.

Sincerely,

A handwritten signature in black ink that reads "Alice Brown".

Alice Brown  
Chief of Planning and Policy  
Boston Harbor Now