

## MASSACHUSETTS ENVIRONMENTAL REVIEW PROCESS STATE REVOLVING FUND (SRF) FUNDED PROJECTS

The Massachusetts Department of Environmental Protection's (MassDEP's) environmental review process for [Clean Water SRF](#) and [Drinking Water SRF](#) projects requires that all projects, *at a minimum*, comply with the requirements of the Massachusetts Environmental Policy Act ("MEPA"), similar to the approach taken under the National Environmental Policy Act ("NEPA"). The MEPA regulations contain both Environmental Notification Form ("ENF") and Environmental Impact Report ("EIR") review thresholds which determine the types of projects warranting further environmental review.

### Environmental Review Requirements.

- (a) All projects approved by the Department to receive financial assistance from the Massachusetts Clean Water Trust shall, at a minimum, comply with the requirements of MEPA and 301 CMR 11.00: MEPA Regulations. In addition, a public hearing shall be held on the project if the Department determines that the project is controversial, or if the Department otherwise determines that a hearing is in the public interest. The Department may also require the Local Governmental Unit to consider project alternatives and to provide the public an opportunity to comment on such alternatives.
- (b) CWSRF projects required to be the result of comprehensive wastewater management planning, as provided in 310 CMR 44.09(2)(a) and (3), shall also comply with the environmental review and process requirements in the Department's Guide to Water Resource Management Planning.

MEPA regulations, [301 CMR 11.00](#)

Furthermore, on May 20, 2021, [Executive Order \(EO\) 14030](#) reinstated Executive Order 13690, establishing a Federal Flood Risk Management Standard (FFRMS) for SRF funded projects to increase the resilience of infrastructure caused by climate disasters. The FFRMS applies to new construction, substantial improvement (i.e., projects worth more than 50% of the market value or replacement cost of the facility), or to address substantial damage to structures and facilities. FFRMS will be implemented in the design phase and Environmental Review processes.