

# CONSERVATION COMMISSIONS, WETLAND LAWS & ENFORCEMENT

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# **MCGREGOR LEGERE & STEVENS PC**

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**MASSACHUSETTS ENVIRONMENTAL LAWYERS  
FOR 50 YEARS**

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Mr. McGregor thanks his partner Luke Legere for his valuable assistance

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# Representative John Dolan

Sponsor, Conservation Commission Act 1957



# Representative John Dolan

- ▶ Longtime member of the Massachusetts Legislature and an advocate of conservation.
- ▶ As State Representative, he helped create groundbreaking legislation for conservation of natural resources.
- ▶ Dolan continued as director for the Committee on Natural Resources until his retirement in the late 1970s.
- ▶ Dolan spent the remainder of his life in Ipswich, digging clams and enjoying his grandchildren and a great-grandson.
- ▶ In 1957, Dolan filed the bill that would become the Conservation Commission Act, which enabled communities throughout Massachusetts to create conservation commissions in order to protect natural resources.
- ▶ By the following year, a dozen towns including Ipswich had formed commissions based on Dolan's bill.
- ▶ Today, every city and town in Massachusetts has their own conservation commission.
- ▶ Source: Wikipedia

# CONSERVATION COMMISSION ACT 1957

Cities and towns may create a Commission for the promotion and development natural resources and protection of watershed resources.

Each municipality decides whether to have 3 to 7 members, appointed for staggered 3- year terms by the Mayor/City Manager or Select Board/Town Manager.

The Commission may conduct research, co-ordinate with other organizations, and publish books, maps, charts, pamphlets and plans, one such plan being a conservation and passive outdoor recreation plan.

It may purchase interests in real estate with available funds, or raise or transfer funds for an option, purchase, lease or the fee in land or water rights, conservation restrictions, easements or other contractual rights.

# CONSERVATION COMMISSION ACT 1957

Generally, the Commission may acquire, maintain, improve, protect, limit the future use of or otherwise conserve and properly utilize open spaces in land and water areas within its city or town and shall manage and control them.

A city or town may appropriate money in any year to a Conservation Fund under the control of the Treasurer. It may be expended by the Commission without further appropriation, except for eminent domain the usual procedures must be followed.

The Commission may adopt rules and regulations governing the use of land and waters under its control, and prescribe penalties up to a fine of \$100 dollars.

# Senator Allan F. Jones

Sponsor, Coastal Wetlands Protection Act 1963





# Senator Allan F. Jones

- ▶ Cape and Islands legislator for more than 20 years. A Republican, he served 14 terms in the House and 8 as a Senator.
- ▶ Jones had the distinction of never having lost a legislative bill he sponsored.

His legislation re-organized the Massachusetts Maritime Academy and funded the Cape Cod Community College.

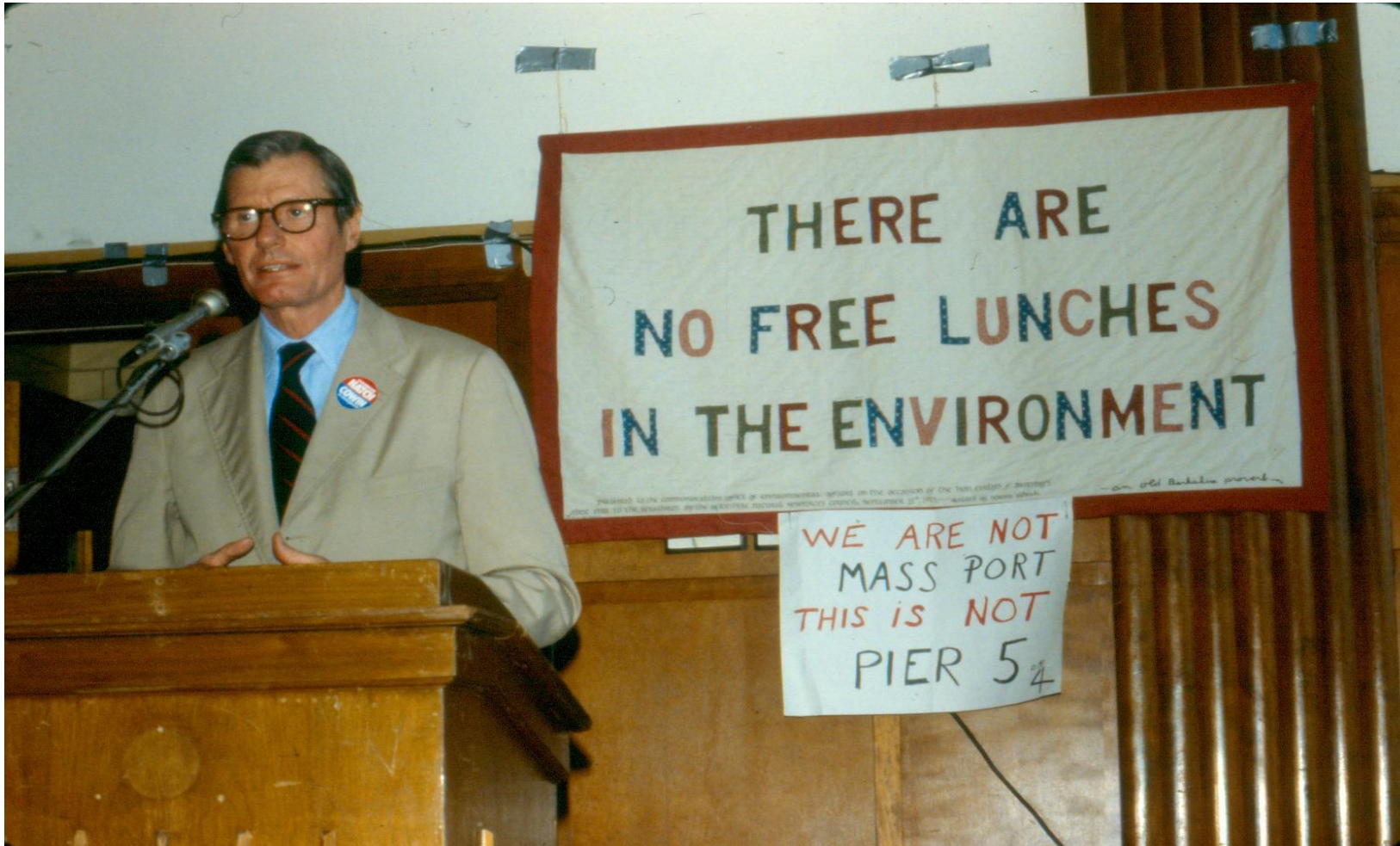
- ▶ A lifelong resident of Barnstable, Jones enjoyed spending summers in Edgartown and winters in Stowe, VT. He was accomplished pilot, sailor and skier. He became an owner of the iconic Harborview Hotel in Edgartown.

- ▶ Senator Jones sponsored the passage of the Coastal Wetlands Protection Act, G.L. Chapter 130, Section 105, in 1963.
- ▶ This we believe was the first wetland protection legislation in Massachusetts, New England, the United States, and the world.
- ▶ It was followed by the Inland Wetlands Protection Act, G.L. Chapter 131, Section 40, protecting freshwater wetlands.
- ▶ These permit laws were precursors to the 1972 recodification and modernization of the Wetlands Protection Act which we know and love.



# Senator Frank Hatch

Sponsor, Inland Wetlands Protection Act 1965



# Senator Frank Hatch

MACC presented Frank Hatch with its Lifetime Achievement Award at its 2008 AEC:

- ▶ “Frank Hatch as a Republican State Representative from the North Shore was instrumental in passing the first inland wetland protection bill in 1965, 2 years after Massachusetts also passed the nation’s first coastal wetlands protection bill.
- ▶ The 1965 Hatch Act, along with the 1963 Jones Act, were what would later become the 1972 Wetlands Protection Act.
- ▶ During a time when wetlands were largely considered wastelands, Hatch had the vision to protect our most important wildlife habitats.”

- ▶ Hatch was proud of the enactment named for him. It was a nationwide model for a state freshwater wetlands permit program.
- ▶ It gave legal jurisdiction to the Department of Natural Resources (DNR), which at that time was our park, forest and water pollution agency.
- ▶ After Massachusetts enacted this first-of-a-kind legislation, many states enacted similar laws, none as comprehensive as Massachusetts (no lower threshold of wetland size triggering jurisdiction, and many water related resources areas also covered).
- ▶ Hatch continued his love of conservation causes and many others after retiring from the Legislature, most noteworthy with CLF.

# Massachusetts Wetlands Laws, Regulations and Policies

- ▶ State Level
  - ▶ Wetlands Protection Act (WPA), M.G.L. ch. 131, § 40
  - ▶ Administered by: Conservation Commissions and the Massachusetts Department of Environmental Protection (“MassDEP”)
  - ▶ Wetland Regulations (310 CMR 10.00)
- ▶ Municipal Level
  - ▶ Wetlands Protection Bylaw or Ordinance
  - ▶ Administered by local Conservation Commissions
  - ▶ Commission Wetland Rules & Regulations
  - ▶ Must be more stringent than WPA
- ▶ Courts Interpret and Enforce all of these!

# Conservation Commissions

- ▶ Commissions are established by M.G.L. ch. 40, § 8C, known as the Conservation Commission Act, enacted in 1957.
- ▶ M.G.L. ch. 131, § 40, enacted in 1972, called the Wetlands Protection Act, charged Commissions with local implementation of the WPA.
- ▶ Commissions are responsible for permitting under the Act and any local non-zoning wetlands bylaw or ordinance.
- ▶ They hold quasi-judicial public hearings like ZBAs and PBs
  - Adjudicatory in nature (meaning quasi-judicial)
  - Schedule, conduct, and continue hearings as the Commission decides
  - Make decisions based on document records at hearings.
- ▶ All 351 cities and towns in Massachusetts have established Conservation Commissions with the power to regulate many activities in, near or affecting wetland Resource Areas.



# Conservation Commissions

- ▶ The WPA gives MassDEP and local Bylaws/Ordinances give Commissions authority to promulgate regulations
- ▶ Regulations
  - ▶ Help carry out purposes of the Act and Bylaw/Ordinance
  - ▶ Provide definitions and more details on procedures and standards
  - ▶ Provide clarification (if needed) of the Act or Bylaw/Ordinance
  - ▶ Establish submittal requirements, specifications, and performance standards.
- ▶ Regulations
  - ▶ Must be as authorized by and cannot exceed the Act or Bylaw/Ordinance
  - ▶ Enforceable by inspections, violation notices, enforcement orders and court
- ▶ A Policy unlike a Regulation is not enforceable if not adopted per a Bylaw/Ordinance

# Conservation Commissions

- ▶ What is Regulated/Exemptions
- ▶ Time  
Periods/Deadlines/Extensions
- ▶ Public  
Hearings/Meetings/Decisions
- ▶ Appeals to MassDEP under the Act
- ▶ MassDEP Inland Wetlands  
Regulations
- ▶ MassDEP Coastal Regulations
- ▶ MassDEP Administrative  
Regulations
- ▶ MassDEP Superseding Order of  
Conditions
- ▶ Adjudicatory Hearing Regulations
- ▶ Certiorari Appeals to Superior Court
- ▶ Defense by Municipal Legal Counsel
- ▶ Enforcement of WPA and  
Bylaw/Ordinance
- ▶ NHESP Wildlife Habitat Regulations
- ▶ MEPA Regulations

# Conservation Commission Duties

Massachusetts Wetlands  
Protection Act  
M.G.L. c. 131, § 40

Wetlands  
Protection  
Regulations  
310 CMR  
10.00

Local Wetlands  
Protection Bylaw or  
Ordinance

Local  
Wetlands  
Regulations  
& Rules

# Massachusetts Wetlands Protection Act

- ▶ WPA and MassDEP Regulations 310 CMR 10.01(2) protect 9 important “interests” associated with wetland “Resource Areas.”
- ▶ Specifically, the WPA protects the following “interests”
  - ▶ Private water supply
  - ▶ Public water supply
  - ▶ Groundwater supply
  - ▶ Fisheries
  - ▶ Prevention of pollution
  - ▶ Protection of wildlife habitat
  - ▶ Storm damage prevention
  - ▶ Flood control and
  - ▶ Land containing shellfish



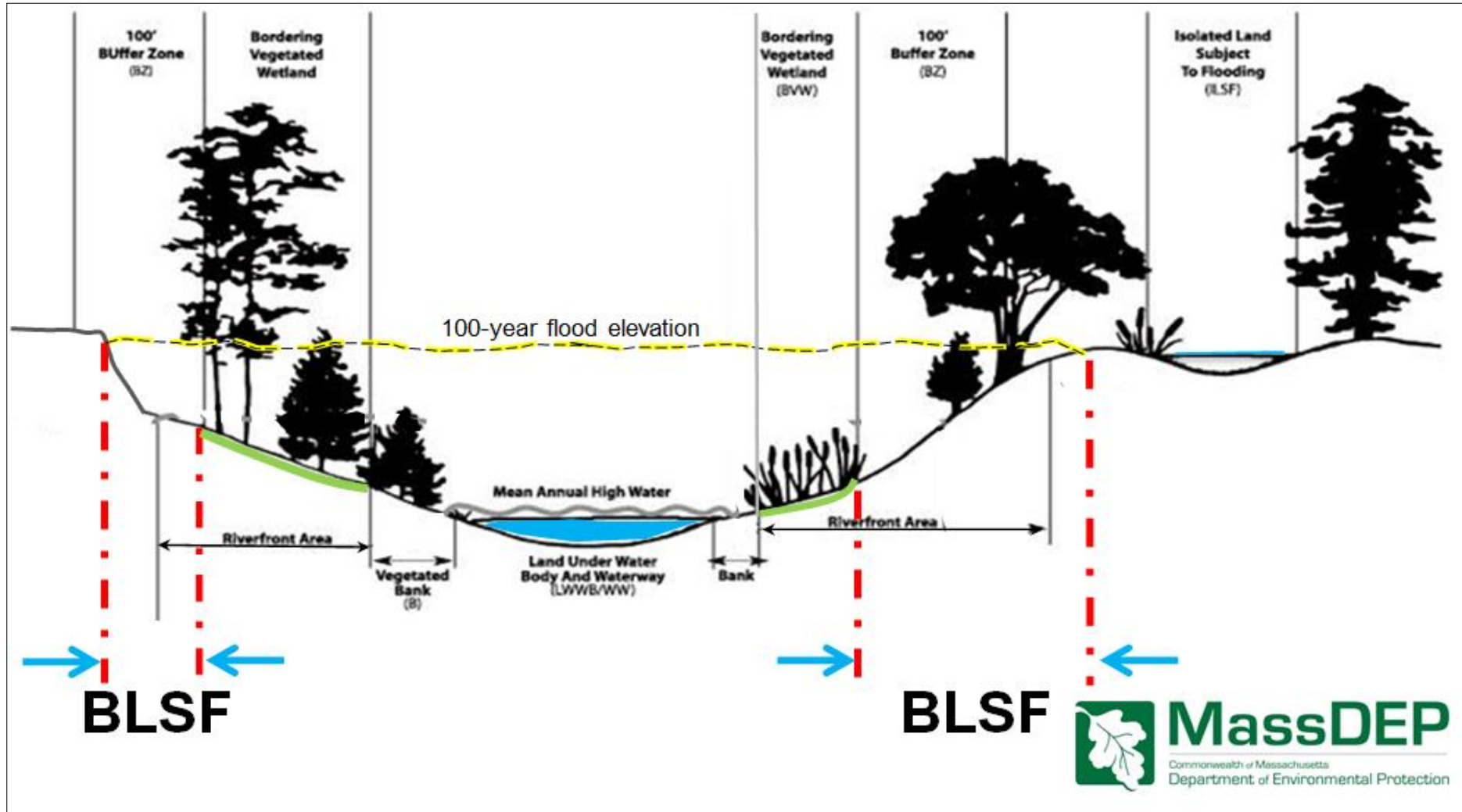
# Massachusetts Wetlands Protection Act

- ▶ M.G.L. ch. 131, § 40 provides:

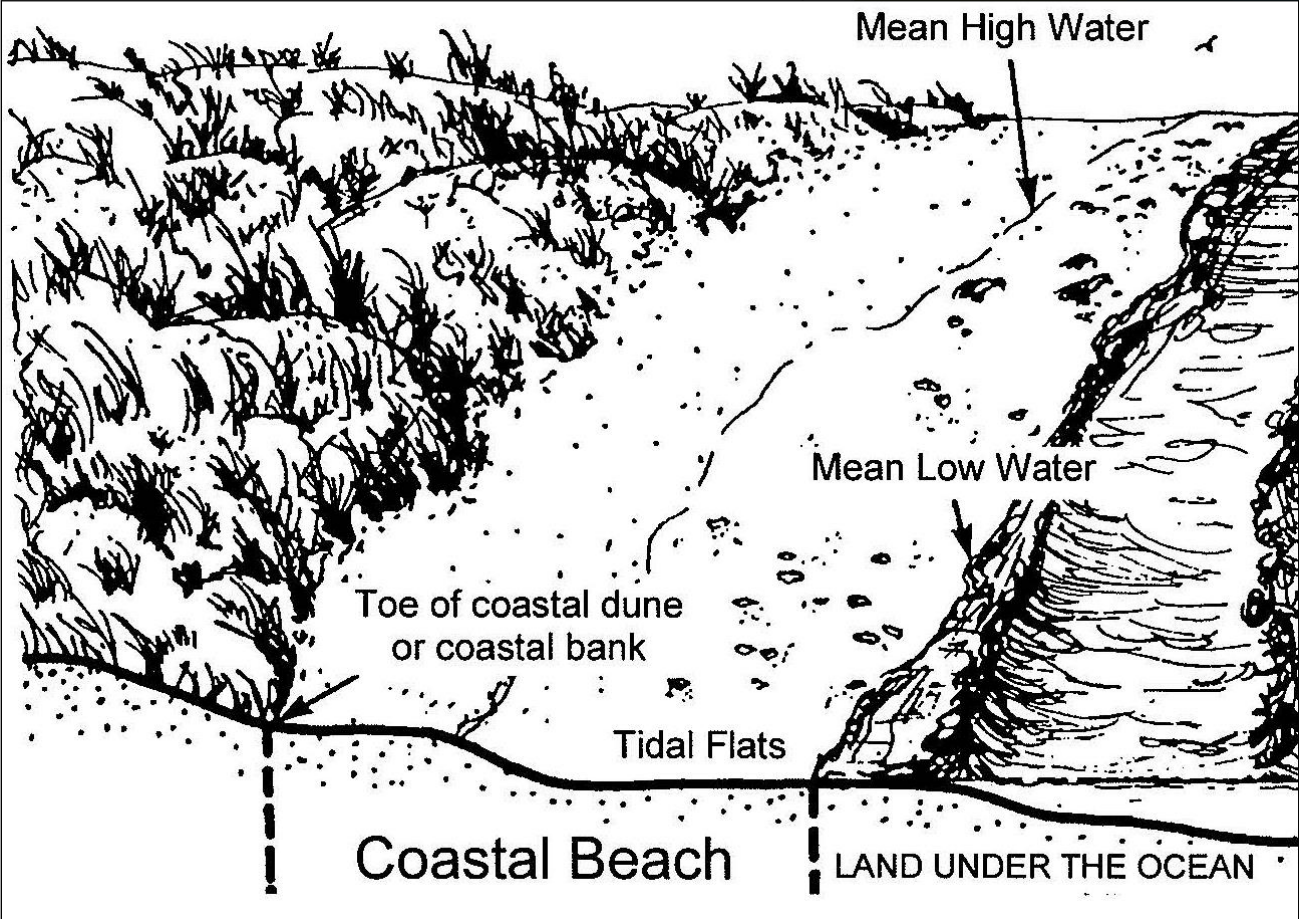
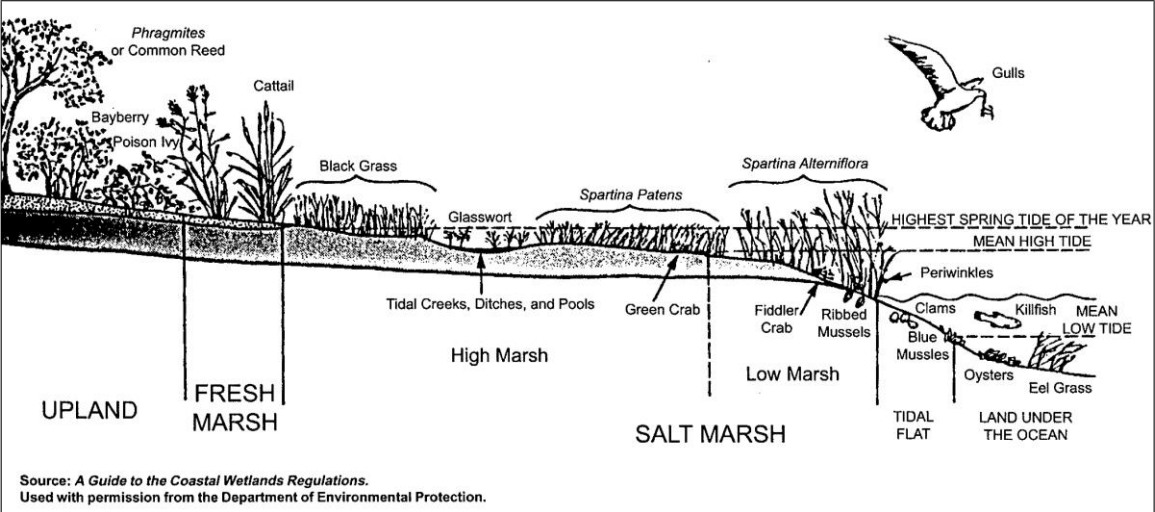
“No person shall remove, fill, dredge or alter any bank, riverfront area, fresh water wetland, coastal wetland, beach, dune, flat, marsh, meadow or swamp bordering on the ocean or on any estuary, creek, river, stream, pond, or lake, or any land under said waters or any land subject to tidal action, coastal storm flowage, or flooding ... .”

- ▶ These protected areas are known as “Resource Areas” or “Areas Subject to Protection under M.G.L. ch. 131, § 40.”
- ▶ Many Resource Areas also have a jurisdictional 100-foot “Buffer Zone” extending landward (or toward uplands) from their boundaries.

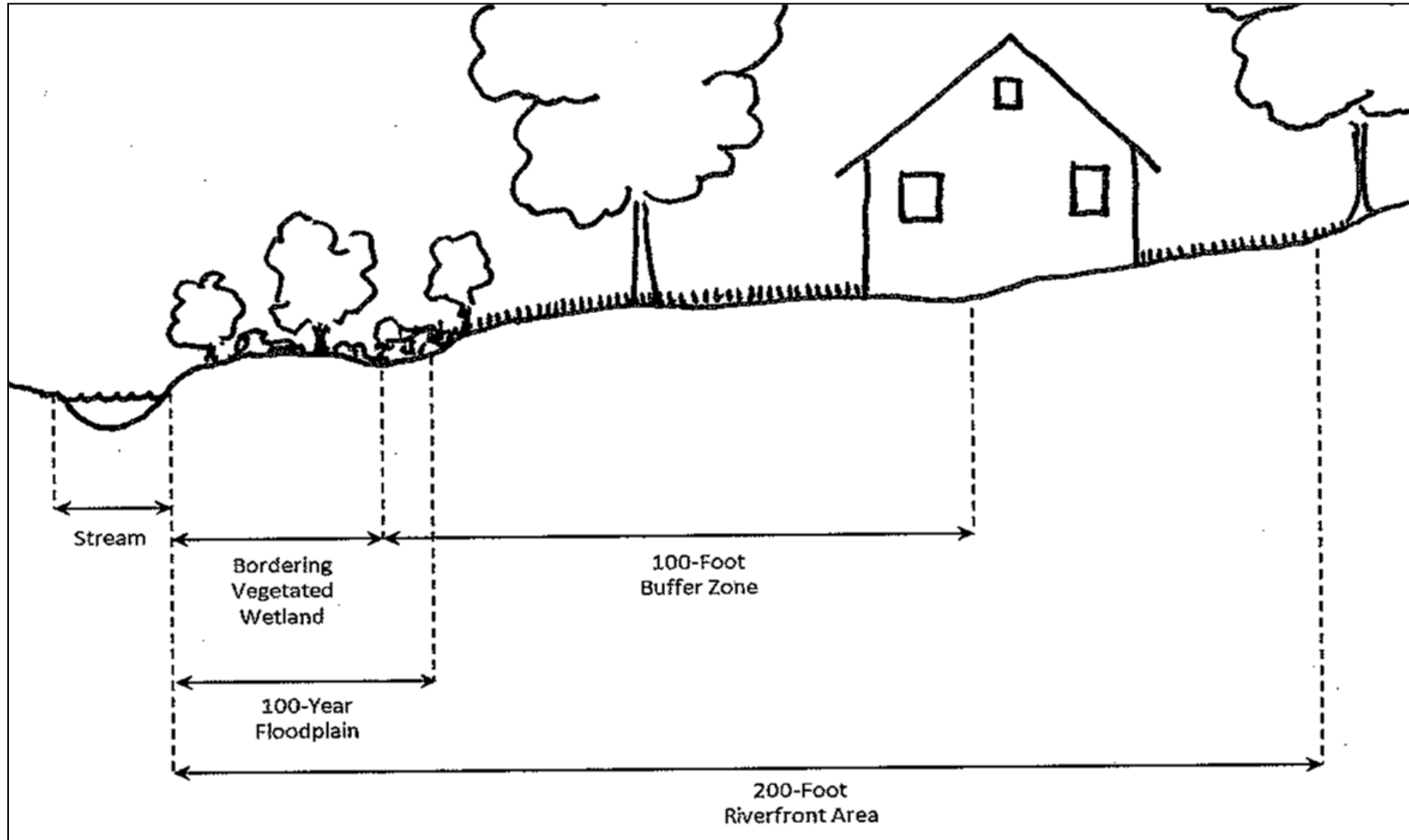
# Wetlands Protection - What is an Inland Resource Area?



# Wetlands Protection - What is a Coastal Resource Area?



# Wetlands Protection - Resource Areas Can Overlap





# Massachusetts Wetlands Protection Act

- ▶ WPA Regulations, 310 CMR 10.04, broadly define “alter” as “to change the condition of any Area Subject to Protection under M.G.L. c. 131, § 40.”
- ▶ Examples of alterations include, but are not limited to, the following
  - ▶ (a) the changing of pre-existing drainage characteristics, flushing characteristics, salinity distribution, sedimentation patterns, flow patterns and flood retention areas
  - ▶ (b) the lowering of the water level or water table
  - ▶ (c) the destruction of vegetation
  - ▶ (d) the changing of water temperature, biochemical oxygen demand (BOD), and other physical, biological or chemical characteristics of the receiving water

# Massachusetts Rivers Protection Act

- ▶ In 1996 the MA Rivers Protection Act was enacted. It regulates virtually all activities next to, in or affecting rivers and other flowing bodies of water. 1996 Mass. Acts c. 258
- ▶ Essentially, the Act added the Riverfront Area Resource Area protected under the WPA, thereby extending the geographic jurisdiction of the WPA
- ▶ For this Resource Area the WPA requires applicants to prove they meet a two-part test “by a preponderance of the evidence”:
  - ▶ 1) [the work proposed], including proposed mitigation measures, will have no significant adverse impact on the Riverfront Area and
  - ▶ 2) there is no practicable and substantially equivalent economic alternative with less adverse effects on such purposes.

# Massachusetts Rivers Protection Act

- ▶ A river is “a naturally flowing body of water that empties into any ocean, lake, or other river and that flows throughout the year.”
- ▶ The Rivers Protection Act regulates activities within a new jurisdictional wetland Resource Area, known as the Riverfront Area.
- ▶ The Riverfront Area is generally 200 feet from either side of the bank and begins at the river’s mean annual high-water line. In some urban cases, per the list in the Act, the Riverfront Area is reduced to only 25 feet.
- ▶ The Riverfront Area is one of the most protected Resource Areas as there is a de facto “need to be there” test and an a “minimize impacts” test including an alternatives assessment.
- ▶ There are objective limits how far into the Riverfront Area a project may encroach and an overarching obligation to improve the Riverfront Area.

# Home Rule Wetlands Bylaws and Ordinances

- ▶ These derive from municipal general bylaw and ordinance authority (G. L. c. 40 § 21) and Home Rule Amendment to the Massachusetts Constitution.
- ▶ Home Rule Bylaws/Ordinances clarify and expand jurisdiction and requirements beyond WPA so as to be stricter than the state WPA
  - ▶ For example, they typically cover more Resource Areas, add new purposes for protection, provide fewer exemptions, and impose more submittal requirements, design specifications, and decision criteria.
  - ▶ Typically allow for site inspections, violation notices, and enforcement orders. May include the “ticketing” approach outlined in G. L. c. 40, § 21D for non-criminal dispositions.
- ▶ Most allow public hearings to be combined with WPA hearings, with procedures parallel to the MassDEP Regulations and the WPA.
  - ▶ Appeals of Home Rule decisions are to taken separately to MassDEP (WPA) and Superior Court (Bylaw/Ordinance)

# Conservation Commission Proceedings

- ▶ Conservation Commissions consider several types of filings, including:
  - ▶ Abbreviated Notice of Resource Area Delineation (ANORAD)
  - ▶ Request for Determination of Applicability (RDA)
  - ▶ Notice of Intent (NOI)
- ▶ Conservation Commission after public hearings issue decisions called:
  - ▶ Order of Resource Area Delineation (ORAD)
  - ▶ Positive or Negative Determination of Applicability (DOA)
  - ▶ Order of Conditions (OOC)



# Conservation Commission Proceedings

- ▶ Commission conducts a public, usually under both local and state law, within 21 days of receiving an application.
- ▶ Commission must issue its decision within 21 days of the close of the public hearing.
- ▶ Before work may commence under an Order of Conditions
  - ▶ 10- day appeal period must lapse without challenge being filed and
  - ▶ The Order must be recorded in the property's chain of title
- ▶ Orders of Conditions and ORADs are generally valid for three years from the date of issuance, and may be extended, usually a year at a time.
- ▶ Commissions typically will issue one decision which operates as state and local approvals or denials .
- ▶ Remember separate paths of appeal to challenge Commission's decision under state and local law.

# Conservation Commission Proceedings

- ▶ Commission typically is asked to issue a Certificate of Compliance (COC) to “close out” an Order of Conditions on their books and on land title
  - ▶ After work approved by an Order of Conditions was completed
  - ▶ If work is never performed and the permit is unused/expires
  - ▶ May be a “Complete Certification” or a “Partial Certification”
- ▶ Certificate of Compliance must be recorded at the Registry of Deeds
- ▶ Certificate of Compliance may contain ongoing conditions on the work or property, such as continued maintenance, monitoring, or restrictions.

# Conservation Commission

## Wetlands Protection - Permitting - Stormwater

- ▶ MassDEP Stormwater Management Standards
  - ▶ 10 Standards
  - ▶ Not applicable to single-family house
  - ▶ Not applicable to four or fewer residential lot or unit development
  - ▶ Not applicable to emergency repairs to roads or drainage systems
- ▶ Commission determines compliance during wetland permitting
- ▶ Are there separate Municipal Stormwater Standards?

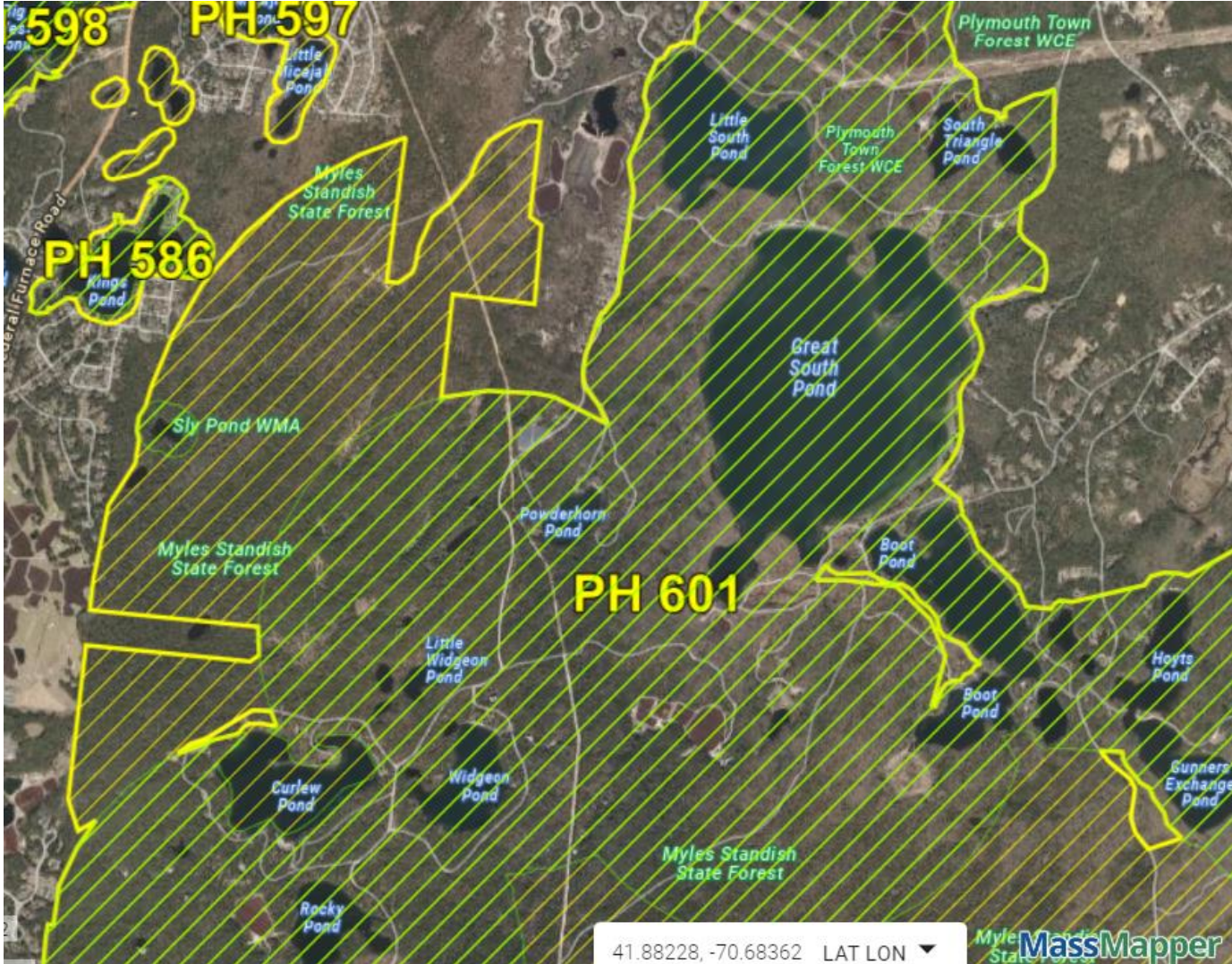
# Conservation Commission

## Wetlands Protection - Endangered Species

- ▶ Massachusetts Endangered Species Act, G.L. c. 131A
  - ▶ Administered by Natural Heritage & Endangered Species Program (NHESP)
  - ▶ Regulations: 321 CMR 10.00
- ▶ MESA Purpose:
  - ▶ Protect Endangered, Threatened, or Special Concern Species
  - ▶ Plants and Animals
  - ▶ Plus their Habitat
  - ▶ By prohibiting at “take” of species or its habitat
- ▶ Mapped Priority Habitat and (subset) Estimated Habitat



# Estimated Habitat & Priority Habitat





# Estimated Habitat



# Conservation Commission

## Wetlands Protection - Endangered Species

- ▶ If Estimated Habitat:
  - ▶ Applicant must send copy of NOI to NHESP
  - ▶ NHESP has 30 days to review and reply
  - ▶ NHESP determines whether there's actual habitat
  - ▶ NHESP decides whether
    - ▶ There are adverse effects (WPA)
    - ▶ There is a species or habitat Take (MESA)
    - ▶ Commissions typically wait for and incorporate NHESP recommendations or requirements.

# *Oyster Creek Preservation, Inc. v. Harwich Conservation Commission* 449 Mass. 859 (2007)

- ▶ Issue: Whether local wetlands protection bylaws and ordinances may expand or ignore the WPA's timing provisions.
- ▶ Facts:
  - ▶ On July 5, 2003, Oyster Creek Preservation, Inc. (OCPI) filed NOI to dredge Allen's Harbor Inlet on Cape Cod.
  - ▶ The Harwich Conservation Commission opened the public hearing on July 15, 2003.
  - ▶ With OCPI's consent, the hearing was continued to August 5, August 19, and September 16, 2003.
  - ▶ The Commission voted to close the hearing on September 16 but did not vote to approve or deny the project.

# *Oyster Creek Preservation, Inc. v. Harwich Conservation Commission* 449 Mass. 859 (2007)

- ▶ On September 29, 2003, the Commission received letter from an attorney representing abutters which raised concerns about the effect of the project on abutting properties.
- ▶ The Commission, at its September 30, 2003 meeting, unilaterally voted to re-open the hearing to accept the abutters' letter into the record. The Commission should have:
  - ▶ Asked OCPI if it would agree to re-open the hearing, and then properly noticed the re-opened hearing or
  - ▶ Explained to the abutters that the hearing had closed.
- ▶ The Commission then voted to close the hearing (again) and proceeded to vote to deny the project.



# *Oyster Creek Preservation, Inc. v. Harwich Conservation Commission* 449 Mass. 859 (2007)

- ▶ OCPI appealed to MassDEP under the WPA 22 days after the hearing was first closed.
- ▶ The Commission issued its decision on October 9 or 10, 2003. OCPI then appealed the Bylaw denial to Court.
- ▶ While the Court appeal was pending, MassDEP issued a Superseding Order of Conditions approving the project.
- ▶ Question for Court was when the Commission issued its denial OOC:
  - ▶ The SJC looked at the postmark date on the envelope, as provided by the state wetlands regulations (310 CMR 10.04)
  - ▶ The SJC counted the days from the first time the Commission closed the public hearing, September 16, 2003
- ▶ Thus, the SJC found that the denial was issued 22 days late.



# *Oyster Creek Preservation, Inc. v. Harwich Conservation Commission 449 Mass. 859 (2007)*

- ▶ Ruling: Commission's failure to issue a decision under its Bylaw within 21 days of closing the public hearing meant that DEP's approval Superseding Order of Conditions controlled. In other words, the Commission lost jurisdiction.
- ▶ The SJC specifically rejected the argument that failure of a Commission to act within 21 days meant "constructive approval" of a project under municipal wetlands law.
- ▶ SJC noted that constructive approval is part of many zoning or subdivision permitting laws but not provided in the WPA.
- ▶ The applicant's remedy is an appeal to MassDEP. If the appellant obtains a Superseding Order of Decisions from MassDEP, that permit governs the project and the applicant does not need a Bylaw/Ordinance permit.

## *Oyster Creek Preservation, Inc. v. Harwich Conservation Commission* 449 Mass. 859 (2007)

- ▶ Failure to abide by the WPA's statutory timelines implicates Home Rule authority, which can be lost by delay.
- ▶ If Commission fails to issue decision within 21 days, the local denial or approval is null and void. MassDEP's Superseding Order of Conditions governs the project.
- ▶ In other words, a Commission's failure to timely issue a decision after closing the hearing may cost the Town its Home Rule power over project.
- ▶ See also *Regan v. Conservation Comm'n of Falmouth*, 77 Mass. App. Ct. 485 (2010), holding DEP Superseding Order of Conditions trumped bylaw denial issued one day after expiration of statutory deadline for decision.

# *Norton Conservation Commission v. Robert Pesa* 488 Mass. 325 (2021)

- ▶ A seminal SJC decision supporting the Conservation Commission in a long-running attempt to get compliance from recalcitrant landowners over many years.
- ▶ Of importance to Commissions in enforcing the Wetlands Protection Act and to MassDEP which also enforces the Act.
- ▶ While the three-year deadline for suit precludes a court action against a current owner for preexisting violations, each transfer of title renews the opportunity for the Commission to enforce against each subsequent owner who allows unauthorized fill to remain in place.
- ▶ Commissions have a useful weapon to cure historic fill violations.

# *Norton Conservation Commission v. Robert Pesa* 488 Mass. 325 (2021)

- ▶ Normal statute of limitations for the Act to commence a court case is two years from the violation. Applies to whoever violates the Act (could be owner, contractor, developer, or other party responsible or doing work).
- ▶ Act itself also states a three-year deadline to sue a new owner of the property on which there is a violation. This is called a statute of repose.
- ▶ Original owner in 1979 filed NOI to construct a store and parking lot. Commission approved project and issued an OOC. Construction took place but a COC was never requested.
- ▶ In 1984 the Commission sent letter to owner asserting that the fill limits on the approved plan appeared to have been exceeded, asking for an updated plan of the fill locations.

# *Norton Conservation Commission v. Robert Pesa* 488 Mass. 325 (2021)

- ▶ Additional requests for compliance were made in 1987 and 1988.
- ▶ In 1996, owner deeded the property to himself and his wife, as tenants by the entirety. He died in 2006, leaving his wife as the sole owner.
- ▶ In October 2014 Commission inspected the site and reviewed aerial photographs. Informed prospective purchasers of 11,000 square feet of unauthorized fill on the property and vegetation removal. Commission requested illegal fill be removed.
- ▶ Prospective purchasers acknowledged the issue and asked for time to resolve it. Without resolving it, however, they became new owners in December 2014 and thereafter informed the Commission they would not remove the fill.



# *Norton Conservation Commission v. Robert Pesa* 488 Mass. 325 (2021)

- ▶ In August 2015, the Commission issued an enforcement order directing removal and restoration to the original condition. The Defendants did not appeal that order or comply with it.
- ▶ In June 2016, the Commission sued the new owners in Superior Court.
- ▶ SJC ruled the three-year time limit in Act for court actions against a new owner is a statute of repose. However, it is NOT a claim merely against the first new owner.
- ▶ SJC determined the Act permits an action to be initiated against any subsequent owner, as long as that action is commenced within three years of that particular individual obtaining title to the property.

# *Norton Conservation Commission v. Robert Pesa* 488 Mass. 325 (2021)

- ▶ SJC said this interpretation is consistent with the over-all statutory scheme in the Act, including the recording of Orders of Condition followed by recording of Certificates of Compliance, and that unauthorized fill is a continuing violation.
- ▶ Each sale or other transfer of property restarts a three-year opportunity for a Commission to address historic unauthorized fill, which the Act defines as a continuing violation.
- ▶ Note that issuing an enforcement order is not sufficient to toll the statute, which is a common misperception. Rather, the enforcement action taken must be a court action, namely a civil suit, criminal prosecution, or an M.G.L. c. 21D citation which can result in a District Court action.

# Massachusetts Association of Conservation Commissions (MACC)

- ▶ MACC was formed in 1961. It includes as members all conservation commissions duly established under the Conservation Commission Act.
- ▶ MACC is supported by annual dues of member commissions, individual and corporate memberships (non-voting), sponsor supporters, foundation grants, publication sales and conference fees.
- ▶ MACC members and associate members total about 2,300. MACC is their principal spokesperson on wetlands, wildlife, water bodies, and open space in the Commonwealth.

# Massachusetts Association of Conservation Commissions (MACC)

- ▶ MACC presents research results and testimony to the Legislature, participates in program reviews and promulgation of regulations, sits on agency advisory committees and task forces, presents professional training pursues legal appeals in its own right, and conducts semi-annual, statewide educational conferences attended by 100s of commission members, staff, engineers, scientists, consultants, legislators, and agency officials.
- ▶ MACC helps to structure and implement numerous state and local land and water use regulatory programs: floodplain and wetland zoning, coastal zone management, wildlife and endangered species protection, Conservation Restriction Act, Agricultural Preservation Restriction Program, Watershed Protection Act, MA Oceans Act, Tidelands and Waterways Act, MEPA, Clean Water Act, Article 97 open space protections, and of course the Wetlands Protection Act.

# Massachusetts Association of Conservation Commissions (MACC)

- ▶ MACC encourages and advises on the use of municipal Home-Rule authority under the Massachusetts Constitution and Home Rule Statute, supports municipalities doing so, and publishes a model Home-Rule Wetlands Protection Bylaw that has been approved by the Massachusetts Attorney General and adopted by at least 212 cities and towns.
- ▶ MACC has expertise in the science, policy, law, and practical management, protection, restoration, and increase of wetlands, tidelands, waterways, wildlife habitat, and open space.
- ▶ MACC protects Massachusetts' natural resources by supporting Conservation Commissions through both education and advocacy.



# Massachusetts Association of Conservation Commissions (MACC)

- ▶ Education: MACC provides information, training, and assistance to over 2,000 individuals each year. Participants include Conservation Commissioners, municipal and state staff, engineers, scientists, planners, consultants, attorneys, teachers and students.
- ▶ MACC's e-handbook *Protecting Wetlands and Open Space: MACC's Environmental Handbook for Massachusetts Conservation Commissioners*, is the indispensable resource for those serving on, working with, or appearing before Conservation Commissions. It is a resource 24/7.

# Massachusetts Association of Conservation Commissions (MACC)

- ▶ **Advocacy:** MACC advocates for conservation commissions, wetlands, wildlife, open space, conservation, and state and local budgets for environmental protection. It participates in government advisory committees, comments on proposed laws and regulations, and files friend of the court briefs in important cases.
- ▶ Some of the work is proactive, advocating for improvements to the laws. Some of our work is reactive, making sure bad bills don't become law. Often, MACC puts together or are part of coalitions of conservation and environmental organizations working on legislative initiatives.
- ▶ The MACC Annual Environmental Conference (AEC) hosts about 800 commissioners, environmental professionals, agency officials, conservation organizations, and students. The Fall Conference on a single theme attracts about 200 members, volunteers and professionals.

# Questions and Discussion



McGregor Legere & Stevens PC