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Senator Brendan Crighton
Chair, Joint Committee on Transportation
24 Beacon Street
Room 109-C
Boston, MA 02133

Representative James Arciero
mChair, Joint Committee on Transportation
, 24 Beacon Street
Room 134
Boston, MA 02133

October 10, 2025

Dear Chair Crighton and Chair Arciero:

Transportation for Massachusetts opposes [S.561 An Act to streamline permitting for rail electrification](#). While we support the goals of the legislation to expedite rail electrification and permitting to eliminate diesel emissions from locomotives and increase service and reliability on our heavy rail network, we do not believe that this bill will achieve these goals and could have long term unintended consequences for future projects. At a time when protections for EJ populations and the climate are under attack from the federal government, removing these requirements has the potential to cause further harm to these communities.

This bill proposes to exempt “any project involving the construction of zero-emission or near-zero-emission rail vehicle infrastructure, or the upgrade of infrastructure into zero-emission or near-zero-emission rail vehicle infrastructure” as well as “any project involving the construction of infrastructure to power zero-emission or near-zero-emission rail vehicles, or the upgrade of existing power infrastructure to support zero-emission or near-zero-emission rail vehicles” from existing requirements in M.G.L. Chapter 30 Sections 62B and 62E, which currently require an Environmental Impact Report (EIR) be conducted under the Massachusetts Environmental Policy Act (MEPA), if the project is within 1 mile of an Environmental Justice (EJ) population. The proposed bill removes this requirement. Removing the requirement for conducting an EIR also concerningly eliminates an opportunity for public comment on the content that would be contained in the EIR. It is important to protect opportunities for the public generally, and community members specifically, to meaningfully engage in decision making processes that will have an impact on their community.

These projects would more than likely have significant impacts on EJ communities and S.561 as written, would not expedite the permitting process for these projects for a couple of reasons.

1. The bill only exempts statutory requirements for EJ communities and does not exempt these projects from MEPA requirements that would most likely be triggered as part of these projects, particularly [Massachusetts 301 CMR 11](#).
2. The MBTA is already subject to many state and federal regulations when it comes to environmental permitting including the National Environmental Policy Act (NEPA), Clean Water



Act (CWA) Section 404 permitting under U.S. Army Corps of Engineers (for dredging or fill), Uniform Act (property acquisition), Massachusetts Historic Commission, Chapter 91, and wetland regulations to name a few. Removing the MEPA requirement, which overlaps significantly with the NEPA requirement, would have minimal impact on streamlining the permitting process.

In addition to the ineffectiveness of S.561 to expedite and streamline these projects, fundamental protections for the environment and EJ communities is under attack by the Trump Administration.

On September 15, 2025 the Federal Transit Administration [withdrew](#) from the EJ Circular “Environmental Justice Policy Guidance for Federal Transit Administration Recipients.” The EJ Circular provides guidance for transportation projects for agencies when determining the impacts on EJ populations.

From the [Circular](#) summary:

The Federal Transit Administration (FTA) has placed in the docket and on its Web site final guidance in the form of a Circular (hereinafter “EJ Circular”) on incorporating environmental justice principles into plans, projects, and activities that receive funding from FTA. This final guidance provides recommendations to State Departments of Transportation, Metropolitan Planning Organizations, public transportation providers, and other recipients of FTA funds on how to fully engage environmental justice populations in the public transportation decision-making process; how to determine whether environmental justice populations would be subjected to disproportionately high and adverse human health or environmental effects as a result of a transportation plan, project, or activity; and how to avoid, minimize, or mitigate these effects.

Environmental justice is rooted in Title VI of the Civil Rights Act of 1964, which prohibits recipients of federal funding from discriminating on the basis of race, color, or national origin. Recipients of federal funding like the MBTA are subject to these requirements.

Title VI and the EJ circular were designed to go hand in hand. To be sure, Title VI remains the law, but the withdrawal of the EJ circular signals a disturbing regression. The guidance and analyses breathe life into the disparate impact standard, which was put in place to ensure that federal dollars are not spent to perpetuate discrimination and structural marginalization.

With the federal government’s withdrawal of the circular, the defunding of critical programs that seek to rebalance who gets the benefits and who bears the burden, and the unjustified threats to public transit, we are witnessing an assured erosion of civil rights and guarantees. Now is not the time to be removing protections for EJ populations, even if the intent is to ultimately benefit these communities.

T4MA supports permitting reform to expedite projects to reduce emissions and increase service reliability but we do not believe that S.561 accomplishes these goals without potential having unintended



consequences for future generations. We would be happy to engage in a conversation on comprehensive permitting reform that would expedite electrification and other projects to benefit the residents of the Commonwealth. We encourage you to report S.561 unfavorably or send it to study.

Thank you for your time and consideration of this matter.

Sincerely,

Pete Wilson
Senior Policy Director
Transportation for Massachusetts

Transportation for Massachusetts is a statewide coalition of member organizations with a stake in improving transportation for all residents across the Commonwealth, especially those who have been adversely affected by historical policy decisions that have disproportionately impacted communities of color and low income communities. Our member organizations include New England Community Project (NECP), Massachusetts Public Health Alliance (MPHA), LivableStreets Alliance, GreenRoots, Alternatives for Community and Environment (ACE), Public Health Institute of Western Mass, Hilltown CDC, TransitMatters, Boston Center for Independent Living (BCIL), ACT Lawrence, WalkMassachusetts, Groundwork Lawrence, MassBike, Lawrence Community Works, Quaboag Valley Community Development Corporation / Quaboag Connector, Food Bank of Western Massachusetts/Western Massachusetts Transportation Advocacy Network, Coalition for Social Justice.Center for Living and Working, Neighbor to Neighbor, MetroWest Center for Independent Living, Helping Our Women, Fairmount Indigo CDC Collaborative, Action for Equity, Springfield No One Leaves, Arise for Social Justice, Allston Brighton Health Collaborative, Boston Cyclists Union.