

WETLANDS PROTECTION ACT REFERENCE LINKS

INCLUDING LINKS TO RELATED PROGRAMS AND INFORMATION

1. Wetlands Protection Act and Regulations

- a. Wetlands Protection Act: M.G.L. c.131, §40:
www.mass.gov/legis/laws/mgl/131-40.htm
www.mass.gov/dep/water/laws/ch131s40.pdf
- b. Rivers Protection Act: M.G.L. c.258, Acts of 1996
www.mass.gov/dep/water/laws/riveract.htm
www.mass.gov/dep/water/laws/rpa.pdf
- c. Regulations for the Wetlands Protections Act: 310 CMR 10.00
www.mass.gov/dep/water/laws/regulati.htm#wl
www.mass.gov/dep/service/regulations/310cmr10a.pdf *amended JUNE 2009*
www.mass.gov/dep/service/regulations/310cmr10b.pdf *(prior prefaces)*
- d. Administrative Appeals: Adjudicatory Hearing Rules 310 CMR 1.00
www.mass.gov/dep/service/regulations/310cmr01.pdf *(effective Oct 2008)*
- e. Wetlands Protection Act Forms (*incl Stormwater Report Checklist*)
<http://www.mass.gov/dep/water/approvals/wwforms.htm#noi>
- f. Wetland Information Resource (WIRe) and electronic WPA forms (eDEP):
<http://www.mass.gov/dep/water/resources/wiremac.htm>
- g. Public Access to WPA Notice of Intent File Numbers & Comments
<http://public.dep.state.ma.us/wetland/wetland.aspx>

2. Division of Wetlands & Waterways Program Policies

- www.mass.gov/dep/water/laws/policies.htm#wetpol
- a. DWW Policy 85-2: Definition of Isolated Land Subject to Flooding
www.mass.gov/dep/water/laws/ilsf.htm
 - b. DWW Policy 85-4: Amended Orders
www.mass.gov/dep/water/laws/amorders.htm
 - c. DWW Policy 86-1: Title 5
www.mass.gov/dep/water/laws/title5.htm
 - d. DWW Policy 87-1: Expedited Review
www.mass.gov/dep/water/laws/exreview.htm
 - e. DWW Policy 88-2: Access Roadways
www.mass.gov/dep/water/laws/acroad.htm

WPA Reference Links

- f. DWW Policy 88-3: Multiple Filings
www.mass.gov/dep/water/laws/multiple.htm
 - g. DWW Policy 90-2: Rare Species
www.mass.gov/dep/water/laws/rare.htm
 - h. DWW Policy 91-1: Plan Changes
www.mass.gov/dep/water/laws/planchng.htm
 - i. DWW Policy 91-2: Salt Ponds
www.mass.gov/dep/water/laws/saltpond.htm
 - j. DWW Policy 92-1: Coastal Banks
www.mass.gov/dep/water/laws/coastalb.htm
www.mass.gov/dep/water/laws/fig123.htm
www.mass.gov/dep/water/laws/fig4567.htm
 - k. DWW Policy 95-1: Bordering Vegetated Wetland Delineation Criteria & Methodology <http://www.mass.gov/dep/water/laws/bvw.htm>
 - l. DWW Policy 06-1: Coordinated Review Relating to Endangered Species
www.mass.gov/dep/water/laws/habitat.htm
 - m. DWW Policy 08-1: Lack of Information Necessary for Conservation Commission Decisions (*also known as the Consultant Fee Policy*)
www.mass.gov/dep/water/laws/ccfee.htm
3. **Wetlands Program Guidance Documents** *These and other documents are posted at www.mass.gov/dep/water/laws/policies.htm#wetlguid*
- a. Wetlands Enforcement Manual
www.mass.gov/dep/water/laws/wenfman.pdf
 - b. Hydrology Handbook for Conservation Commissions (BRP/DWM/WetG02-1)
www.mass.gov/dep/water/laws/hydrol.pdf
 - c. Bordering Vegetated Wetland Delineation
 - i. Criteria and Methodology: www.mass.gov/dep/water/laws/bvw.htm
 - ii. Manual: www.mass.gov/dep/water/laws/bvwmanua.pdf
 - iii. Data Forms: www.mass.gov/dep/water/resources/bvwform.doc *new posting*
 - d. MA Inland Wetland Replication Guidelines (BRP/DWM/WetG02-2)
www.mass.gov/dep/water/laws/replicat.pdf
 - e. Massachusetts Wildlife Habitat Protection Guidance for Inland Wetlands
www.mass.gov/dep/water/laws/wldhab.pdf
Appendix A: <http://www.mass.gov/dep/water/laws/simphab.doc> *new posting*
Appendix B: <http://www.mass.gov/dep/water/laws/detlhab.doc> *new posting*
 - f. Guidance for Aquatic Plant Management in Lakes & Ponds (BRP/DWM/WW/G04-1)
www.mass.gov/dep/water/laws/alkguide.pdf

WPA Reference Links

- g. Farming in Wetland Resource Areas *A Guide to Agriculture and the MA WPA*
<http://www.mass.gov/dep/water/laws/farman.pdf>
- h. Snow Disposal Guidelines (BRPG01-01)
www.mass.gov/dep/water/laws/snowdisp.htm
- i. Deicing Chemical (Road Salt) Storage (DWSG97-1)
www.mass.gov/dep/water/laws/saltgui.htm
- j. The MA Buffer Manual *Using Vegetated Buffers to Protect our Lakes and Rivers* -
www.nae.usace.army.mil/reg/MABufferManalMADEP.pdf
- k. Rebuilding of Primary Coastal Dunes *Guidance to Homeowners and Conservation Commissions Relative to Storm Emergency Certification*
<http://www.mass.gov/dep/water/laws/coastaldunes.htm>
- l. Beach Nourishment: Guide to Best Management Practices for Projects in MA
glossary, summary, overview: <http://www.mass.gov/dep/water/resources/bchbod.pdf>
technical attachments: <http://www.mass.gov/dep/water/resources/bchtech.pdf>
- m. West Nile Virus Application of Pesticides to Wetland Resources, Buffer Zones, and Public Water Systems (BRPG01-02)
<http://www.mass.gov/dep/water/laws/p2help.htm#skeeters>
- n. Guide to Permitting Small Pile-Supported Docks & Piers (also see Section 7, below)
<http://www.mass.gov/dep/water/resources/smaldock.pdf>
- o. Dam Removal and the Wetlands Regulations
<http://www.mass.gov/dep/water/resources/dampol.pdf>

4. Stormwater Management

- a. MassDEP Stormwater Management Standards for WPA and WQC programs
<http://www.mass.gov/dep/water/laws/v1c1.doc> **EFFECTIVE JAN 2, 2008**
- b. Summary of Jan 2008 changes: <http://www.mass.gov/dep/water/laws/stmreg.pdf>
- c. Stormwater Management Handbooks – **REVISED & UPDATED FEB 2008**
<http://mass.gov/dep/water/laws/policies.htm#storm> (for WPA & WQC after 2 JAN 08)
- d. **FOR WPA NOIS & WQC APPLICATIONS SUBMITTED BEFORE 2 JAN 08 ONLY:**
1996 SW Policy: www.mass.gov/dep/water/laws/2103ch.pdf
SW Handbook Volume I: www.mass.gov/dep/water/laws/swmpolv1.pdf
SW Handbook Volume II: www.mass.gov/dep/water/laws/swmpolv2.pdf
- e. Erosion & Sediment Control Guidelines for Urban and Suburban Areas
<http://www.mass.gov/dep/water/essec1.pdf>
<http://www.mass.gov/dep/water/essec2.pdf>
<http://www.mass.gov/dep/water/essec3.pdf>

WPA Reference Links

- f. Reducing Stormwater Costs through Low Impact Development (LID) Strategies and Practices www.epa.gov/owow/nps/lid/costs07/
- g. MA Unpaved Roads Manual *A Guidebook on How to Improve Water Quality While Addressing Common Problems* www.mass.gov/dep/water/resources/dirtroad.pdf;
www.mass.gov/dep/water/resources/dirtroad.doc
- h. MA Strategic Envirotechnology Partnership (MASTEP)
<http://www.mastep.net/>
- i. Penn. DEP Technology Acceptance And Reciprocity Partnership (TARP)
www.dep.state.pa.us/dep/deputate/pollprev/techservices/tarp/
- j. EPA Environmental Technology Verification Program (ETV)
www.epa.gov/etv/verifications/vcenter9-9.html (may need to paste this link into browser)
- k. National Climate Data Center Precipitation Frequency Atlas
<http://www.ncdc.noaa.gov/oa/documentlibrary/rainfall.html>
- l. DCR Rainfall Monitoring Program
<http://mass.gov/dcr/waterSupply/rainfall/index.htm>
- m. U.S. EPA's National Pollutant Discharge Elimination System (NPDES) Program
(*Federal surface water discharge permits*)
 - i. NPDES Permit Program Basics
http://cfpub.epa.gov/npdes/home.cfm?program_id=45
 - ii. NPDES Statutes and Regulations
 - a. 40 CFR 122.21 http://www.epa.gov/npdes/regulations/122_21new.txt
 - b. 40 CFR 122.26(1)(i)(a)-(c) http://www.epa.gov/npdes/regulations/122_26.txt
 - c. NPDES Phase II Final Rule <http://www.epa.gov/npdes/regulations/phase2.pdf>
 - iii. How an NPDES Storm Water General Permit Works
<http://mass.gov/dep/water/approvals/howperm.htm>
 - iv. NPDES Permitting FAQ's
<http://mass.gov/dep/water/approvals/surfhow.htm>
 - v. NPDES Phase II and other Stormwater Help
<http://mass.gov/dep/water/laws/p2help.htm>
 - vi. NPDES Construction General Permit
<http://cfpub.epa.gov/npdes/stormwater/cgp.cfm#final2008cgp>
<http://www.epa.gov/region01/npdes/FinalPermitConstrDewateringMA&NH.pdf>
 - vii. Developing Your Stormwater Pollution Prevention Plan (SWPPP): A Guide for Construction Sites http://www.epa.gov/npdes/pubs/sw_swppp_guide.pdf

- viii. SWPPP templates and examples, and links to key resources
<http://cfpub.epa.gov/npdes/stormwater/swppp.cfm>
- ix. View NPDES Construction General Permit Notices of Intent
<http://cfpub1.epa.gov/npdes/stormwater/noi/noisearch.cfm>
- x. NPDES SW Discharges from Municipal Separate Storm Sewer Systems (MS4s)
http://cfpub.epa.gov/npdes/stormwater/munic.cfm?program_id=6
http://www.epa.gov/region01/npdes/permits/permit_final_ms4.pdf
- xi. NPDES Stormwater Discharges from Industrial Facilities (*including Multi-Sector General Permit and fact sheets for each of the 29 industrial sectors covered*)
http://cfpub.epa.gov/npdes/stormwater/indust.cfm?program_id=6
- xii. NPDES Concentrated Animal Feeding Operations
http://cfpub.epa.gov/npdes/home.cfm?program_id=7
- xiii. Preliminary 2010 Effluent Guidelines Program Plan
<http://water.epa.gov/lawsregs/lawsguidance/cwa/304m/>
- n. National Menu of Stormwater Best Management Practices
<http://cfpub1.epa.gov/npdes/stormwater/menuofbmps/index.cfm>

5. Associated Programs and Guidance

- a. Natural Heritage & Endangered Species Program
www.mass.gov/dfwele/dfw/nhesp/nhesp.htm
 - i. Regulations for Mass Endangered Species Act (MESA): 321 CMR 10:00
http://www.mass.gov/dfwele/dfw/regulations/cmr/cmr_1000.htm
 - ii. Estimated & Priority Habitat Viewer
http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm
 - iii. Vernal Pools - www.mass.gov/dfwele/dfw/nhesp/vernal_pools/vernal_pools.htm
 - iv. Rare Species - www.mass.gov/dfwele/dfw/nhesp/species_info/species_home.htm
- b. UMass Extension: Dept. Natural Resources and Environmental Conservation
http://www.umass.edu/nrec/wetlands/wetlands_online_docs.html
- c. Regulations for Mass Environmental Policy Act (MEPA): 301 CMR 11.00
<http://www.env.state.ma.us/mepa/meparegulations.aspx>
- d. Army Corps Section 404 Permit for MA - (**APRIL 2011: AMENDMENT IN PROGRESS**)
http://www.nae.usace.army.mil/reg/Permits/MA_GP.pdf
- e. River and Stream Crossing Standards: Technical Guidelines – **REVISED 11 MAR 2011**
http://www.nae.usace.army.mil/reg/Stream/MA_RiverStreamCrossingStandards.pdf
- f. Riparian Areas Factsheets from the Department of Fish & Game, Riverways Program
www.mass.gov/dfwele/der/riverways/resources/riverfactsheets.htm

6. 401 Water Quality Certification Program

- a. Massachusetts Clean Water Act: M.G.L. c.21, §§26-53
<http://www.mass.gov/legis/laws/mgl/21-26.htm>
- b. 401 Water Quality Certification Program: 314 CMR 9.00 (*revised Jan 2, 2008*)
<http://www.mass.gov/dep/service/regulations/314cmr09.pdf>
TEXT OF 2 008 AMENDMENTS ONLY: <http://mass.gov/dep/water/laws/314c9p.pdf>
- c. BRP WW 07, 08, 09: Dredging Projects
<http://www.mass.gov/dep/water/approvals/wwforms.htm#wqcert>
- d. BRP WW 10, 11: Major/Minor Fill and Excavation Projects
<http://www.mass.gov/dep/water/approvals/wwforms.htm#wqcert>
- e. MA Surface Water Quality Standards Regulations: 314 CMR 4.00
<http://www.mass.gov/dep/service/regulations/314cmr04.pdf>

7. Waterways Program (“Chapter 91”)

- a. The Massachusetts Public Waterfront Act
<http://www.mass.gov/dep/water/resources/about01.htm>
<http://www.mass.gov/dep/water/resources/c91comp.pdf> (*12 page booklet*)
<http://www.mass.gov/dep/water/resources/c91short.pdf> (*11” x 17” brochure*)
- b. Massachusetts General Law Chapter 91: M.G.L. c. 91, §§1-63
<http://www.mass.gov/legis/laws/mgl/gl-91-toc.htm>
- c. Regulations for Chapter 91: 310 CMR 9.00
<http://www.mass.gov/dep/service/regulations/310cmr09.pdf>
- d. List of Great Ponds **REVISED MAY 2010**
<http://www.mass.gov/dep/water/resources/grtpond.htm>
- e. Chapter 91 Waterways Request for Determination of Applicability (BRP WW 04)
<http://www.mass.gov/dep/water/approvals/ww04.pdf>
- f. Ch. 91 Waterways License, Permits, Simplified License, Amendments
Instructions & Application: <http://www.mass.gov/dep/water/approvals/ch91apwo.pdf>
- g. Self-Licensing Package for Ch. 91 Simplified Waterways License (BRP WW 06)
 - i. Instructions: <http://www.mass.gov/dep/water/approvals/simpinst.doc>
 - ii. Application: <http://www.mass.gov/dep/water/approvals/91simple.doc>
- h. Ch. 91 Simplified License Renewal Application (BRP WW 12)
<http://www.mass.gov/dep/water/approvals/ww12.pdf>
- i. Guide to Permitting Small Pile-Supported Docks and Piers
<http://www.mass.gov/dep/water/resources/smaldock.pdf>

8. Wetlands Conservancy Program

- a. Inland and Coastal Wetlands Restriction Acts
 - i. M.G.L. c.131, §40A - Inland: <http://www.mass.gov/legis/laws/mgl/131-40a.htm>
 - ii. M.G.L. c.131, §105 - Coastal: <http://www.mass.gov/legis/laws/mgl/130-105.htm>
- b. Towns with Wetlands Restrictions: www.mass.gov/dep/water/resources/commmlist.htm
- c. Regulations for Wetlands Conservancy Program
 - i. Adopting Inland Wetland Orders: 310 CMR 13.00
<http://www.mass.gov/dep/service/regulations/310cmr13.pdf>
 - ii. Adopting Coastal Wetland Orders: 310 CMR 12.00
<http://www.mass.gov/dep/service/regulations/310cmr12.pdf>
- d. Renovation of Abandoned Cranberry Bogs: 310 CMR 23.00
<http://www.mass.gov/dep/service/regulations/310cmr23.pdf>

9. Miscellaneous

- a. Code of Massachusetts Regulations by Citation:
www.lawlib.state.ma.us/source/mass/cmr/index.html
- b. Commonwealth of Massachusetts Registry of Deeds
 - i. Records (*selected counties*): <http://masslandrecords.com/malr/index.htm>
 - ii. Indexing Standards: <http://www.worcesterdeeds.com/Files/IndexStnds06.pdf>
- c. Search the Secretary of the Commonwealth's Corporate Database for LLCs, etc:
<http://corp.sec.state.ma.us/corp/corptest/corpsearchinput.asp>
- d. Guidelines for Barrier Beach Management in Massachusetts
www.mass.gov/czm/hazards/pdf/barrier_beach_guidelines.pdf
- e. Water Conservation Standards (EOEA & Mass Water Resources Commission)
www.mass.gov/Eoea/docs/eea/water/water_conservation_standards.pdf
- f. Environmental Permitting in Massachusetts (*brief descriptions of the major environmental permits*) www.mass.gov/czm/permitguide/index.htm
- g. The Art and Science of Identifying [Coastal] Flood Zones
www.mass.gov/czm/coastlines/2002/pdf/c26.pdf
- h. Flood Resistant Construction and Construction in Coastal Dunes
(Jan 2008 Amendment to the MA Basic Building Code Regulations)
www.mass.gov/dep/water/resources/wetlands.htm#rules
- i. NOAA National Ocean Service Datum Stations
http://tidesandcurrents.noaa.gov/station_retrieve.shtml?type=Datums&state=Massachusetts&id1=844 *conversion needed to determine MHW & MLW from station info
- j. National Geodetic Survey slideshow on Tidal & Geodetic Vertical Datum and other topics: www.ngs.noaa.gov/PC_PROD/WorkShops/

Regional Office: Circuit Rider Contacts

Northeast Region (NERO)	Pamela.Merrill@state.ma.us (978) 694-3249
Southeast Region (SERO)	Christine.Odiaga@state.ma.us (508) 946-2836
Central Region (CERO)	<i>Contact Alice Smith</i>
Western Region (WERO)	Mark.Stinson@state.ma.us (413) 755-2257
Boston	Alice.Smith@state.ma.us (617) 292-5854

Circuit Rider Information & Workshop Calendar: www.mass.gov/dep/water/resources/cridr.htm

Southeast Region Circuit Rider Workshops: www.mass.gov/dep/water/resources/crwstba.htm

Mass DEP Calendar: www.mass.gov/dep/public/depcal.htm

Find Your Region: <http://www.mass.gov/dep/about/region/findyour.htm>

Regional Wetland Section Chiefs:

Northeast Region NERO	Rachel.Freed@state.ma.us (978) 694-3258
Southeast Region SERO	Elizabeth.Kouloheras@state.ma.us (508) 946-2810
Central Region CERO	Philip.Nadeau@state.ma.us (508) 767-2728
Western Region WERO	Robert.J.McCollum@state.ma.us (413) 755-2138

This list of links is posted at <http://www.mass.gov/dep/water/resources/wprefs.htm>.