

Guidance to Conservation Commissions

4-17-20

<https://www.mass.gov/guidance/guidance-to-conservation-commissions-for-submissions-during-massdep-office-closures#guidance-to-conservation-commissions>

This Guidance provides Commissions with procedures to implement the MA. Wetlands Protection Act and regulations and information on the 401 Water Quality Certification Program for dredge permit and fill/excavation permit applications in response to the current COVID-19 emergency. This Guidance will be updated as needed and posted on this web site.

1. Note: for all regulatory filings discussed below, incoming mail will be processed as expediently as possible, however hand delivery is not currently an option at any of MassDEP's offices.
2. MassDEP asks ConComs' assistance in communicating the following guidance to Applicants, who are required by the regulations to submit their wetlands filings via certified mail or hand delivery, to follow the guidance below to avoid utilizing hand delivery.
 - a. In addition to the regulatory filing requirements, MassDEP recommends that Requests for Determination of Applicability (RDAs), Notices of Intent (NOIs) and Abbreviated Notice of Resource Area Delineation (ANRADs) be sent by email to MassDEP, in accordance with the additional guidance below. (For NOI and ANRAD filings made through eDEP, email should be sent in addition to the eDEP filing.) If you are not registered for eDEP the **Wetlands Circuit Riders** and the Wetlands Data Management Coordinator, **Alice. Smith@mass.gov** are available remotely to provide training.

3. For Conservation Commissions:

1. In addition to the regulatory filing requirements, MassDEP recommends that Determinations of Applicability (DOA), Orders of Conditions (OOC), and Orders of Resource Area Delineation (ORADs) be submitted by email in accordance with the additional guidance below. (For OOC and ORAD filings made through eDEP, email should be sent in addition to the eDEP filing.) If you are not registered for eDEP the **Wetlands Circuit Riders** and the Wetlands Data Management Coordinator **Alice. Smith@mass.gov**, are available remotely to provide training
 - a. To reduce confusion during this interim period, when filing these documents in accordance with the regulatory requirements, please send the emailed copy at the same time.

- b. For emailed documents, the subject line should read as follows: TOWN NAME – RDA or DOA - Street Address - Applicant Name TOWN NAME - NOI or ANRAD - Street Address -Applicant Name TOWN NAME - OOC or ORAD - MassDEP 7-Digit File Number
- c. Note: the maximum file size MassDEP can receive is 15MB. For emailed submissions that exceed 15MB (e.g. NOIs), please break them into more than one email, with each email having the same subject line shown above, with 1, 2, 3...etc. at the end.
- d. All forms above sent by email should be directed to MassDEP regional offices at the following email addresses:

Northeast: NERO_NOI@mass.gov

Southeast: SERO_NOI@mass.gov

Central: CERO_NOI@mass.gov

Western: WERO_NOI@mass.gov

- 2. General note regarding 401 Water Quality Certification (401WQC) submissions: Consistent with the intent of the Governor’s proposed legislation “**An Act to further address challenges faced by municipalities, school districts and state authorities resulting from COVID-19**”, MassDEP recommends that submissions related to:
 - a. 401WQC dredge permit applications be submitted by email to the Boston-based dredge program at: David.W.Wong@mass.gov with the following subject line format: TOWN – 401 WQC DREDGE – Transmittal #
 - b. 401 WQC fill/excavation permit applications be submitted to the regional email address shown in #3e above with the following subject line format: TOWN NAME- [401 WQC Fill/Excavation BRP WW 10, 11 or other]-Transmittal #

As always, for general questions to the Boston Wetlands Program, please email us at dep.wetlands@mass.gov. We appreciate your cooperation during these difficult times. For further information on the Commonwealth’s COVID-19 response, please visit <https://www.mass.gov>.