



Massachusetts  
Department  
of  
ENVIRONMENTAL  
PROTECTION

## Municipal Compliance Fact Sheet

# Wetlands

### What You Should Know About this Issue:

Wetlands are valuable community assets providing a host of public services. Wetlands keep drinking water clean, enhance recreational uses of our lakes, ponds, and waterways, reduce floods and storm damage, and support fisheries and many other species of wildlife. Federal Laws and the Massachusetts Wetlands Protection Act (WPA [M.G.L. 131 s.40]) protect coastal and inland wetlands and the public interests that they provide. Your community's conservation commission, with MassDEP oversight, administers the WPA by reviewing projects in or near wetlands, and by issuing permits (Orders of Conditions) to ensure that any proposed activities won't alter wetlands or diminish their public benefit.

Note: MassDEP revised its Wetlands Regulations to incorporate new stormwater standards. These regulations went into effect in January 2008. Conservation commissions in every community should be aware of these changes that include, among other things, increasing the amount of stormwater runoff that must be recharged into the subsurface. For more information, go to: <http://www.mass.gov/dep/water/laws/regulati.htm#wl>.

### Examples of Municipal Facilities & Activities Involved:

Municipal activities are not exempt from wetlands protection. Requirements and actions that impact wetlands must be reviewed and approved by the conservation commission. Typical municipal activities that may impact wetlands resources include:

- Road construction.
- Buildings and building expansions.
- Stormwater runoff from construction sites.
- Clearing and grubbing rights-of-ways and waterways.
- Illegal dumping (yard waste, street sweepings, construction and demolition material).
- Disposal of snow.

### Common Compliance Issues:

- Failure to obtain approval from the conservation commission for work in and adjacent to wetlands and the 200-foot riverfront area. (Approvals are generally granted through a permit known as an Order of Conditions.)
- Non-compliance with a Conservation Commission Order of Conditions.
- Erosion and sediment transported by stormwater runoff that alter wetland resources due to inadequate erosion and sediment control and /or not using best management practices when removing vegetation, excavating soil, earthmoving for road building and for construction of residential and commercial development.
- Disposal of road maintenance debris and other materials into wetlands resources. This can include snow disposal, street sweepings, and catch basin cleanings.
- Illegal dumping, including yard waste, into wetland resources.

### Environmental Stewardship Tips:

- Ensure that the boards and departments responsible for wetlands compliance and enforcement in your community understand their critical role in wetlands protection.
- Encourage cooperation and communication between your departments and boards, including the conservation commission, planning board, board of health, building inspector, town counsel or city solicitor, department of public works, engineering, and police.
- Be proactive - Use maps of your community's wetlands that MassDEP provides through the Wetlands Conservancy Program, or develop your own map of wetlands resources and share it with other departments in your town.



- Plan ahead and set procedures and guidelines for how to deal with routine matters such as roadway maintenance and emergency situations like floods when wetlands might be affected.
- Support your conservation commission by providing an adequate budget for staffing and training in wetland identification so that members can do their job.
- Reach out to your community to educate them about wetlands and the vital role of wetlands in protecting human health and the environment.

**Technical Assistance, Outreach, Grants & Loans:**

Technical assistance and outreach are integral to implementing successful wetlands protection and compliance efforts. MassDEP's Wetlands Circuit Rider Program can provide direct technical, administrative, regulatory, and compliance assistance on a broad range of wetland topics and issues. MassDEP Circuit Riders serve as a bridge between your Town/City and MassDEP. Their informal hands-on approach and ability to tailor training sessions to meet the needs of your community can be an invaluable resource to help you meet your wetlands compliance goals. For more information, contact MassDEP's [Wetland Circuit Rider Program](#).

Wetlands loss maps are available from MassGIS for your community at:

[http://maps.massgis.state.ma.us/WETLANDS\\_12K/viewer.htm](http://maps.massgis.state.ma.us/WETLANDS_12K/viewer.htm)

Massachusetts Department of  
Environmental Protection  
One Winter Street  
Boston, MA 02108-4746  
<http://www.mass.gov/dep>

Massachusetts Environmental Trust is an environmental philanthropy that funds and coordinates projects that encourage cooperative efforts to raise awareness and support innovative approaches to protect and preserve natural resources, with a special focus on water and related land resources of the Commonwealth. Contact them by telephone: 617-626-1045 or visit their website: [www.MassEnvironmentalTrust.org](http://www.MassEnvironmentalTrust.org)

Commonwealth of  
Massachusetts  
Deval L. Patrick, Governor  
Timothy P. Murray, Lt. Governor  
  
Executive Office of  
Energy & Environmental Affairs  
Ian A. Bowles, Secretary

**MassDEP Web links for More Information:**

MA Wetlands Protection Act Regulations:

[www.mass.gov/dep/water/laws/regulati.htm#wl](http://www.mass.gov/dep/water/laws/regulati.htm#wl)

Notice of intent filings, stormwater, buffer zone and more - Policies:

[www.mass.gov/dep/water/laws/policies.htm#wetlpol](http://www.mass.gov/dep/water/laws/policies.htm#wetlpol)

Enforcement Manual for wetlands, MA Wildlife Habitat Protection Guidance, BVW manual, Beach nourishment: A guide to best management practices:

[www.mass.gov/dep/water/laws/policies.htm#wetlguid](http://www.mass.gov/dep/water/laws/policies.htm#wetlguid)

Department of  
Environmental Protection  
Laurie S. Burt,  
Commissioner

Notice of intent, order of conditions, certificate of compliance and more:

[www.mass.gov/dep/water/approvals/wwforms.htm](http://www.mass.gov/dep/water/approvals/wwforms.htm)

**Contacts at MassDEP for More Information:**

For technical or administrative questions or to schedule training sessions for your boards or departments, please contact any of the following:

Boston Office [Alice.Smith@state.ma.us](mailto:Alice.Smith@state.ma.us), 617-292-5854

Northeast Region [NERO.WETLANDS@state.ma.us](mailto:NERO.WETLANDS@state.ma.us), 978-694-3405

Southeast Region [Margo.Clerkin@state.ma.us](mailto:Margo.Clerkin@state.ma.us), 508-946-2735

Southeast Region [Christine.Odiaga@state.ma.us](mailto:Christine.Odiaga@state.ma.us), 508-946-2836

Central Region [Maryann.Dipinto@state.ma.us](mailto:Maryann.Dipinto@state.ma.us), 508-767-2711 Western

Region [Mark.Stinson@state.ma.us](mailto:Mark.Stinson@state.ma.us), 413-755-2257 Western Region

[Anthony.M.Zaharias@state.ma.us](mailto:Anthony.M.Zaharias@state.ma.us), 413-755-2147

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This information is available in alternate format by calling our ADA Coordinator at 617-574-6872.



For more information on wastewater or other topics, visit the MassDEP website at [www.mass.gov/dep](http://www.mass.gov/dep), or contact your nearest regional office listed on the website.

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