

MassDEP Guidance to Homeowners and Conservation Commissions Relative to Storm  
Emergency Certification for Rebuilding of Primary Coastal Dunes

May 2007

Any person seeking to restore dunes eroded by coastal storms requires approval for emergency repairs from the conservation commission. The conservation commission is authorized to issue emergency orders for such work, provided the project is necessary and for the protection of public health or safety and subject to the following conditions.

- Temporary repair of coastal engineering structure, including a groin, jetty, breakwater, seawall, revetment, or bulkhead, when such structure was previously licensed or has an existing Chapter 91 license as it existed on April 14, 2007.
- Replacement of sand in areas where the storm has caused erosion, in order to provide temporary stabilization of the property, shall conform to the following provisions:
  - a) No sand shall be removed from any existing dune or coastal beach as defined in the Wetlands Protection Act and Regulations.
  - b) Sand shall be of compatible grain size, as determined by the conservation commission.
  - c) The sand source location and volume of sand to be used must be provided and approved by the conservation commission prior to work. Sand delivery, placement, and grading methodology shall be provided to the conservation commission.
  - d) Heavy equipment can be used for grading the imported material as long as adequate steps to protect the existing dunes and beach.
  - e) Placement of sand on vegetated dunes so as to smother or bury dune plants is prohibited unless dune replanting plan is provided.
- Stabilizing and shoring up a structure, building or foundation, but only to the extent that such work is necessary to prevent imminent harm to the structure and if required by the Building Inspector. Complete restoration will require the filing of a Notice of Intent pursuant to Wetlands Protection Act 310 CMR 10.05(4).
- All work allowed under the Emergency Certification shall be completed within 30 days of issuance of the Emergency Certification.
- 30-day extensions of previous emergency certifications are permitted subject to DEP approval.