



Department of Environmental Protection

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Guidance to Conservation Commissions and Applicants for Submissions During MassDEP Office Closures

DATE: December 22, 2020

ORGANIZATION: Massachusetts Department of Environmental Protection

REFERENCED SOURCES: [Wetlands Information](#)

Guidance to Conservation Commissions and Applicants

This Guidance provides Commissions and Applicants 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 Applicants to review and follow this guidance as it pertains to your wetlands submittal and to Conservation Commissions for their 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 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 Notices 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:

- a. 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), Extensions of Order of Conditions (EXT OOC), Extensions of Order of Resource Area Delineation (EXT ORAD), Certificate of Compliance (COC), Emergency Certification (EC), Enforcement Order (EO) 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.
 - i. 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.
 - ii. 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
TOWN NAME - EXT OOC or EXT ORAD - MassDEP 7-Digit File Number
TOWN NAME - COC - MassDEP 7-Digit File Number
TOWN NAME - EO - Street Address
TOWN NAME - EC-Street Address
TOWN NAME - NO_SOC- Applicant Name- MassDEP 7-Digit File Number
(For emailed requests to affirm that MassDEP will not appeal a conservation commission's Order of Conditions after the 10-day appeal period has expired. MassDEP requests that letters also be mailed to the regional office.)
 - iii. 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.
 - iv. 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
- b. MassDEP recommends that 401 Water Quality Certification (401WQC) submissions related to:
 - i. 401 WQC 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 #
 - ii. 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 #

Detailed information regarding the Governor’s legislation on municipal permit deadlines during the Covid-19 emergency can be found online at “[An Act to further address challenges faced by municipalities, school districts and state authorities resulting from COVID-19](#)”, and its amending legislation [Sections 33-38 of Chapter 201 of the Acts of 2020 “An Act making appropriations for fiscal year 2020 to provide for supplementing certain existing appropriations and for certain other activities and projects”](#)”.

Advisory to conservation commissions regarding posting copies of applicant’s fee checks onto public websites: Conservation commissions that plan to post wetlands permit applications onto their public websites should remove the applicant’s fee payment check information such as the bank account routing number prior to posting. This would prevent any potential fraudulent use of those accounts.

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>.