



# **BRP WW 13 Renovation of Abandoned Cranberry Bogs**

## **Instructions and Supporting Materials**

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### **Introduction**

MassDEP *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the MassDEP Web site at [mass.gov/dep](http://mass.gov/dep) in two file formats: Microsoft Word™ and Adobe Acrobat PDF™.

*Instructions & Support Materials* provide guidance on how to prepare a permit application.

These *Permit Applications*, supporting documents, and the fee payment (if applicable) must now be submitted through the [ePLACE Portal](#). See ePLACE step-by-step instructions on the [mass.gov](http://mass.gov) page for this application.



## BRP WW 13 Permit Fact Sheet

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### 1. What is the purpose of the BRP WW 13 permit?

The purpose of this permit is to allow the Department to review proposed renovation of abandoned cranberry bogs. Since most of these abandoned cranberry bogs are considered wetland resource areas, there are certain interests that these wetland areas are presumed to protect. A pre-construction review of these proposals allows the Department to consider various mitigating measures both required and proposed that protect these interests.

### 2. Who must apply?

For **BRP WW 13**: All persons who propose to renovate an eligible abandoned cranberry bog for the purpose of commercially raising cranberries. A completed application form, BRP WW 13, must be submitted to the MassDEP Regional Office responsible for the community in which the cranberry bog is located. The application should also include plans prepared by a registered land surveyor or professional engineer showing existing and proposed site conditions for the bog to be renovated, along with all wetland resource areas that are present on the site.

### 3. What other requirements should be considered when applying?

Specific information needs to be submitted as part of the application that identifies the proximity of the abandoned bog to certain resource areas. The regulations also require that an approved Natural Resources Conservation Service conservation farm plan be submitted with the application and that certain mitigation measures and best management practices be identified in the application.

Certain activities may be subject to local wetland or zoning laws and may also be subject to federal laws. Any person proposing the renovation of abandoned cranberry bogs should contact the community in which the bog is located for any local requirements. Questions on the applicability of federal wetland laws should be directed to the U.S. Army Corps of Engineers at 1-800-362-4367.

**Note:** These additional requirements are intended to serve as a general guide to the applicant. They are not necessarily all additional requirements.

### 4. What is the application fee?

For **BRP WW 13**, Renovation of Abandoned Cranberry Bogs, the application fee is \$785.00

### 5. Where should the application be sent?

The application must be submitted through ePLACE, located here: <https://eplace.eea.mass.gov/citizenaccess>

Additional visual ePLACE step-by-step instructions to assist in submitting your application are available at: <https://www.mass.gov/how-to/ww-13-renovation-of-abandoned-commercial-cranberry-bogs>

- Log into the ePLACE Portal at: <https://eplace.eea.mass.gov/citizenaccess> and create an account.
- Once logged in, click on the large blue button on the right, "File an Online Application".
- Read and agree to the disclaimer. Click "Continue".
- To find this application, click on "Apply for DEP Authorization – 401 Water Quality Certification (WW)", and check on WW 13, and click "Continue Application".
- Follow instructions on each screen and click "Continue Application" to move to the next step. The WW 13 application and supporting forms are to be completed in MS Word™ or Acrobat Adobe PDF™ and attached in the Documents section.



## BRP WW 13 Permit Fact Sheet

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- Note that you can return to an application provided you select “Save and Return Later”. Once you submit an application you can no longer upload documents without approval from MassDEP personnel.
- At the end of the application steps, the ePLACE system will take you directly to a screen where you can pay the fee, if applicable. Complete payment information in ePLACE.
- Once an application has been submitted, you will receive an email that will provide you the record number.
- From the “My Records” button, you will be able to view the status of your application through the review and approval processes.

### Important Contacts

- For technical assistance regarding online filing, contact the ePLACE Help Desk Team at (844) 733-7522 or [ePLACE\\_helpdesk@mass.gov](mailto:ePLACE_helpdesk@mass.gov).
- To see a copy of your application after submittal, also see: <https://eeaonline.eea.state.ma.us/EEA/PublicApp>.

### 6. Where can I get a copy of the timelines?

The timelines are available on the MassDEP Website: <https://www.mass.gov/lists/massdep-fees-timelines>

### 7. What is the annual compliance fee?

There is no annual compliance fee for **BRP WW 13** approvals.

### 8. How long is this approval in effect?

A **BRP WW 13** permit is in effect for five years, and may be extended for no more than 3 years for just cause.

### 9. How can I avoid the most common mistakes made in applying for this approval?

- a. Be sure that all information required for review is submitted with the application, as identified in 310 CMR 23.04(1) and the Application Completeness Checklist.
- b. In order to accurately identify the area proposed for renovation a plan prepared by a registered professional engineer or land surveyor should be included with the application.
- c. Be sure that all wetland resource areas, including the 100-year flood plain and bordering vegetated wetlands are shown on the plan.
- d. Be sure construction methods and sequence of activities are clearly described.
- e. Submit the application & documents and pay fee through ePLACE, <https://eplace.eea.mass.gov/citizenaccess>.

### 10. What are the regulations that apply to this approval? Where can I get copies?

The regulations include:

- a. Renovation of Abandoned Cranberry Bogs, 310 CMR 23.00.
- b. Timely Action Schedule and Fee Provisions, 310 CMR 4.00.
- c. Rules for Adjudicatory Hearings, 310 CMR 1.00.



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection – Wetlands & Waterways

# **BRP WW 13**

## **Permit Fact Sheet**

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These may be purchased at:

State Bookstore (in State House)  
Room 116  
Boston, MA 02133  
617-727-2834



## BRP WW 13 Renovation of Abandoned Cranberry Bogs Application Completeness Checklist

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- ☐ The MassDEP application form for permit category BRP WW 13 has been completed and the following information has been provided:
- ☐ Item A-1, A-2; The name, address and telephone number of the landowner and person representing the landowner, if applicable.
  - ☐ Item B-1; Information to identify the location of the property on which the bog is located and additional information to identify where on the property the bog is located.
  - ☐ Item B-2; The size of the abandoned bog to be renovated.
  - ☐ Item B-3; The number of acres of abandoned cranberry bog that have been renovated by the land owner within the last three years.
  - ☐ Item B-4; The year in which the bog was abandoned and attach documentation to support this date.
  - ☐ Item B-5; Whether the land on which the abandoned cranberry bog meets the definition of land in agricultural use as contained in 310 CMR 23.02, Definitions.
  - ☐ Item B-6; A brief description and information on the proximity of the abandoned bog to the items listed here. To be eligible for renovation an abandoned cranberry bog must not be located within a Zone II of a public ground water drinking supply, a watershed of a public surface water supply, an Area of Critical Environmental Concern and must not contain a navigable stream as identified in Massachusetts General Law c. 91. In addition, an abandoned cranberry bog may not be renovated or certain restrictions apply if the renovation of the abandoned bog would affect a vernal pool, rare species, or anadromous fish run.
  - ☐ Item C; A copy of a conservation farm plan approved by the Natural Resources Conservation Service must be included with this application. In addition, provide a description of the mitigation and best management practices that will be utilized during the renovation and operation of the cranberry bog.
  - ☐ Item D; For an application to be complete, proof must be provided that the requirements for public notice have been met, either at the time of submission of the application or within ten days of submittal (see Attachment A - Instructions For Public Notice) In addition, copies of the application shall, at the same time:
    - be submitted to the conservation commission of the municipality in which the abandoned cranberry bog is located, and
    - be sent by certified mail or hand delivered to owners of abutting land within 1,000 feet of the bog restoration activity.



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## **BRP WW 13 Renovation of Abandoned Cranberry Bogs Application Completeness Checklist**

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**To submit the application package:**

- ☐ Submit the application and documents listed above through ePLACE,  
<https://eplace.eea.mass.gov/citizenaccess>
- ☐ Pay fee: \$785

You can pay online in ePLACE or pay by mail in the form of a check or money order made payable to *Commonwealth of Massachusetts* (please follow email instructions provided to you once your application is submitted).



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## Attachment A: Instructions For Public Notice

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For an application to be considered complete, proof must be provided that the requirements for public notice have been met. The public notice must contain the information required at 310 CMR 23.04(3)(a) through (g) and must be published within 10 days of submitting the permit application. A copy of the published notice must be sent to the MassDEP Southeast Regional Office, 20 Riverside Drive, Lakeville, MA 02347.

Inserting required information for underlined sections, (see <https://www.mass.gov/service-details/massdep-regional-offices-by-community> for MassDEP Regional Offices) the following Public Notice language is suggested:

Department of Environmental Protection  
Watershed Permitting Program, Wetlands Section  
[Address of MassDEP Regional Office with responsibility for the community in which the bog is located]

### Public Notice

Pursuant to St. 1996 c. 258 and 310 CMR 23.00, notice is given of an application for the renovation of a [number of acres] abandoned cranberry bog owned by [name of land owner] located at [street address] in [city/town]. Additional information may be obtained from [applicant/contact person name], [address], and [telephone], or by contacting the [MassDEP Regional Office with responsibility for the community in which the bog is located] at [telephone number of MassDEP Regional Office]. A copy of the application may also be reviewed at the [city/town] conservation commission. Written comments should be sent to the Department of Environmental Protection Watershed Permitting Program, Wetlands Section, [Address of MassDEP Regional Office] within 21 days of this notice. Any group of ten persons of the Commonwealth or any aggrieved person who have submitted written comments may appeal the Department's decision to issue a permit for the renovation of an abandoned cranberry bog. Failure to submit written comments before the end of the public comment period may result in the waiver of any right to an adjudicatory hearing.