

## Ecological Restoration Projects

These projects are undertaken when the interests of the Wetlands Protection Act have been degraded or destroyed by human activities. [See 310 CMR 10.04]



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The MassDEP's Wetlands and Waterways Program provides technical and regulatory support as well as effective, practical guidance to our municipal partners in our shared goal—to protect our natural resources—**our Common Wealth.**



WETLANDS AND  
WATERWAYS  
PROGRAM

## Ecological Restoration Projects

*Ecological Restoration projects are proactive initiatives designed primarily to restore or otherwise improve the natural capacity of a resource area to protect and sustain the interests identified in the Wetlands Protection Act.*



# Ecological Restoration General Permit vs. Ecological Restoration Limited Projects

## Ecological Restoration Projects



Photo by Chris Ross

## General Permit

Projects that restore the ecological integrity of a resource may now qualify for a **General Permit** also known as a **Restoration Order of Conditions** (See 310 CMR 10.14) or as a limited project. The General Permit contains standard conditions which makes the permitting process more predictable and consistent for qualified restoration projects that include:

- Dam Removal;
- Freshwater Culvert Repair or Replacement;
- Culvert Replacement to Eliminate or Reduce Tidal Restrictions;
- Stream Daylighting;
- Restoration of Rare Species Habitat;
- Improvement of Fish Passage.



MassDEP also identified and addressed obstacles to restoration projects within the 401 Water Quality Certification (WQC) and Chapter 91 Waterways License or Permit. These regulatory revisions foster restoration by creating a combined permit for projects that involve dredging. As part of this new process, all ecological restoration projects now address the major environmental impacts of their projects before submitting their permit application.

## Limited Projects



Ecological Restoration (ER) Projects not eligible for a General Permit may be permitted as a Limited Project under 310 CMR 10.24(8) or 10.53(4). These projects may include tidal and shellfish habitat restorations, the restoration, enhancement, or management of rare species habitat, and the removal of aquatic nuisance vegetation to impede eutrophication. Removal of vegetation such as phragmites in a wetland *can* be considered an ecological restoration project *if* the project is specifically for the purpose of improving the habitat value of a resource area and in no case will the project have adverse effects on specified habitat of rare species.

Ecological Restoration projects *do not include*

*mitigation* for alteration of a resource area authorized by a final Order of Conditions or a 401 Water Quality Certificate. ER projects primarily involve restoration of resources “degraded by human activities” but not resource area impacts associated with natural disasters such as the historic blizzard of 2015.



Similarly, restoration associated with enforcement actions are not eligible as ER projects. Some Ecological Restoration projects require a 401 WQC if they involve dredging of 100 cubic yards or more, or if they involve dredging in an ORW. However, not all dredging projects receiving a 401 WQC are Ecological Restoration projects. Questions regarding whether a project can be permitted as an ecological restoration can be forwarded to MassDEP. Contact on the back of this brochure.

