



# Department of Environmental Protection

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**3/5/18**

## **MassDEP Guidance For Cities and Towns on Emergency Repairs Following Winter Storm Riley, 2018**

**Purpose:** To provide guidance on what MassDEP Wetlands, Waterways and Water Quality Certification requirements are for emergency repairs to seawalls or to replace dunes lost in the Riley Nor'easter of March 2-3, 2018.<sup>1</sup>

**What types of activity does this Guidance cover:** Please see MassDEP's wetlands emergency declaration, dated March 2, 2018.

<https://www.mass.gov/files/documents/2018/03/02/Emergency%20Declaration%20FINAL-%20March%202018%20Nor%27easter%5B4%5D.pdf>

Activities authorized (subject to the notification requirement below) include: **Removal of objects and debris including clearing of roadways; repair, stabilizing, shoring up (but not expanding) any structure, building or foundation; repair (but not expansion or re-alignment) of a roadway; repair of culverts; removal of objects and debris blocking culverts, streams or channels; repair of water and wastewater treatment plants; replacement of utility lines, poles and pipes; repair of stormwater structures; installation of temporary diversion structures; discharge of non-contaminated water from flooded buildings.**

**Requirements:** Notify MassDEP, in writing (email is ok) if you are undertaking activities to repair, stabilize, or shore up a coastal structure (e.g. seawall, revetment). Also notify MassDEP if you are undertaking the replacement of sand or cobble material eroded in the storm from a coastal bank, coastal dune and/or coastal beach affected.

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<sup>1</sup> Wetlands: M.G.L. chapter 131, section 40; **310 CMR 10.00**; Waterways **310 CMR 9.20**; Water Quality Certification **314 CMR 9.12**

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.

TTY# MassRelay Service 1-800-439-2370

MassDEP Website: [www.mass.gov/dep](http://www.mass.gov/dep)

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Who to notify is listed below. This notification, and confirmation you will be receiving from MassDEP, ensures compliance with relevant regulations – and may be required if disaster relief reimbursement is sought from federal or other authorities later. Written or email notification should include a brief description of work, including the proposed location, a description of the proposed activity, approximate volume of material to be placed, location of the work relative to approximate Mean High Water (MHW), access point for conducting work, equipment to be used, and why the project is necessary for the protection of the health or safety of the public or the environment. To be compatible with MassDEP's emergency approval, for coastal structures:

- Fill voids in structure with clean, compatible material
- Add clean, compatible material to the seawall including concrete or rock similar in nature to the existing structure

For beach and dune replacements:

- Place clean sand from upland, offsite sources (not from any location subject to the Wetlands Protection Act) compatible with the adjacent beach to repair or replace coastal dunes that experienced erosion during the storm
- Clean sediment (including cobbles) removed from roadways or railways near beaches should be replaced on the beach if possible. Debris, i.e. plastic, fishing nets, lobster traps, etc. should be removed prior to replacement.
- For sand beach and dune replacement, sand, coir rolls, sand bags (using only natural fiber for bag material) are authorized. Plastic and geotextile fabrics should not be used.

**Note on Local Bylaws:** Some communities have local wetland bylaws administered by local Conservation Commissions. Please notify your Conservation Commission about your project to ensure compliance with those requirements.

**Who to notify:**

**Communities south of Boston:** Millie Garcia-Serrano, Regional Director MassDEP SERO, 20 Riverside Drive, Lakeville, MA 02347, 508-946-2727: [Millie.Garcia-Serrano@MassMail.State.MA.US](mailto:Millie.Garcia-Serrano@MassMail.State.MA.US)

**Boston and Communities North of Boston:** Eric Worrall, Regional Director MassDEP NERO, 205B Lowell Street, Wilmington, MA 01887, 978-694-3225: [Eric.Worrall@MassMail.State.MA.US](mailto:Eric.Worrall@MassMail.State.MA.US)