

# WETLANDS PROTECTION ACT REFERENCE LINKS

INCLUDING LINKS TO RELATED PROGRAMS AND INFORMATION

## 1. Wetlands Protection Act and Regulations

- a. Wetlands Protection Act: M.G.L. c.131, §40:  
[www.mass.gov/legis/laws/mgl/131-40.htm](http://www.mass.gov/legis/laws/mgl/131-40.htm)  
[www.mass.gov/dep/water/laws/ch131s40.pdf](http://www.mass.gov/dep/water/laws/ch131s40.pdf)
- b. Rivers Protection Act: M.G.L. c.258, Acts of 1996  
[www.mass.gov/dep/water/laws/riveract.htm](http://www.mass.gov/dep/water/laws/riveract.htm)  
[www.mass.gov/dep/water/laws/rpa.pdf](http://www.mass.gov/dep/water/laws/rpa.pdf)
- c. Regulations for the Wetlands Protections Act: 310 CMR 10.00  
[www.mass.gov/dep/water/laws/regulati.htm#wl](http://www.mass.gov/dep/water/laws/regulati.htm#wl)  
[www.mass.gov/dep/service/regulations/310cmr10a.pdf](http://www.mass.gov/dep/service/regulations/310cmr10a.pdf) *amended JUNE 2009*  
[www.mass.gov/dep/service/regulations/310cmr10b.pdf](http://www.mass.gov/dep/service/regulations/310cmr10b.pdf) *(prior prefaces)*
- d. Administrative Appeals: Adjudicatory Hearing Rules 310 CMR 1.00  
[www.mass.gov/dep/service/regulations/310cmr01.pdf](http://www.mass.gov/dep/service/regulations/310cmr01.pdf) *(effective Oct 2008)*
- e. Wetlands Protection Act Forms (*incl Stormwater Report Checklist*)  
<http://www.mass.gov/dep/water/approvals/wwforms.htm#noi>
- f. Wetland Information Resource (WIRe) and electronic WPA forms (eDEP):  
<http://www.mass.gov/dep/water/resources/wiremac.htm>
- g. Public Access to WPA Notice of Intent File Numbers & Comments  
<http://public.dep.state.ma.us/wetland/wetland.aspx>

## 2. Division of Wetlands & Waterways Program Policies

- [www.mass.gov/dep/water/laws/policies.htm#wetpol](http://www.mass.gov/dep/water/laws/policies.htm#wetpol)
- a. DWW Policy 85-2: Definition of Isolated Land Subject to Flooding  
[www.mass.gov/dep/water/laws/ilsf.htm](http://www.mass.gov/dep/water/laws/ilsf.htm)
  - b. DWW Policy 85-4: Amended Orders  
[www.mass.gov/dep/water/laws/amorders.htm](http://www.mass.gov/dep/water/laws/amorders.htm)
  - c. DWW Policy 86-1: Title 5  
[www.mass.gov/dep/water/laws/title5.htm](http://www.mass.gov/dep/water/laws/title5.htm)
  - d. DWW Policy 87-1: Expedited Review  
[www.mass.gov/dep/water/laws/exreview.htm](http://www.mass.gov/dep/water/laws/exreview.htm)
  - e. DWW Policy 88-2: Access Roadways  
[www.mass.gov/dep/water/laws/acroad.htm](http://www.mass.gov/dep/water/laws/acroad.htm)

## WPA Reference Links

- f. DWW Policy 88-3: Multiple Filings  
[www.mass.gov/dep/water/laws/multiple.htm](http://www.mass.gov/dep/water/laws/multiple.htm)
  - g. DWW Policy 90-2: Rare Species  
[www.mass.gov/dep/water/laws/rare.htm](http://www.mass.gov/dep/water/laws/rare.htm)
  - h. DWW Policy 91-1: Plan Changes  
[www.mass.gov/dep/water/laws/planchng.htm](http://www.mass.gov/dep/water/laws/planchng.htm)
  - i. DWW Policy 91-2: Salt Ponds  
[www.mass.gov/dep/water/laws/saltpond.htm](http://www.mass.gov/dep/water/laws/saltpond.htm)
  - j. DWW Policy 92-1: Coastal Banks  
[www.mass.gov/dep/water/laws/coastalb.htm](http://www.mass.gov/dep/water/laws/coastalb.htm)  
[www.mass.gov/dep/water/laws/fig123.htm](http://www.mass.gov/dep/water/laws/fig123.htm)  
[www.mass.gov/dep/water/laws/fig4567.htm](http://www.mass.gov/dep/water/laws/fig4567.htm)
  - k. DWW Policy 95-1: Bordering Vegetated Wetland Delineation Criteria & Methodology <http://www.mass.gov/dep/water/laws/bvw.htm>
  - l. DWW Policy 06-1: Coordinated Review Relating to Endangered Species  
[www.mass.gov/dep/water/laws/habitat.htm](http://www.mass.gov/dep/water/laws/habitat.htm)
  - m. DWW Policy 08-1: Lack of Information Necessary for Conservation Commission Decisions (*also known as the Consultant Fee Policy*)  
[www.mass.gov/dep/water/laws/ccfee.htm](http://www.mass.gov/dep/water/laws/ccfee.htm)
3. **Wetlands Program Guidance Documents** *These and other documents are posted at [www.mass.gov/dep/water/laws/policies.htm#wetlguid](http://www.mass.gov/dep/water/laws/policies.htm#wetlguid)*
- a. Wetlands Enforcement Manual  
[www.mass.gov/dep/water/laws/wenfman.pdf](http://www.mass.gov/dep/water/laws/wenfman.pdf)
  - b. Hydrology Handbook for Conservation Commissions (BRP/DWM/WetG02-1)  
[www.mass.gov/dep/water/laws/hydrol.pdf](http://www.mass.gov/dep/water/laws/hydrol.pdf)
  - c. Bordering Vegetated Wetland Delineation
    - i. Criteria and Methodology: [www.mass.gov/dep/water/laws/bvw.htm](http://www.mass.gov/dep/water/laws/bvw.htm)
    - ii. Manual: [www.mass.gov/dep/water/laws/bvwmanua.pdf](http://www.mass.gov/dep/water/laws/bvwmanua.pdf)
    - iii. Data Forms: [www.mass.gov/dep/water/resources/bvwform.doc](http://www.mass.gov/dep/water/resources/bvwform.doc) *new posting*
  - d. MA Inland Wetland Replication Guidelines (BRP/DWM/WetG02-2)  
[www.mass.gov/dep/water/laws/replicat.pdf](http://www.mass.gov/dep/water/laws/replicat.pdf)
  - e. Massachusetts Wildlife Habitat Protection Guidance for Inland Wetlands  
[www.mass.gov/dep/water/laws/wldhab.pdf](http://www.mass.gov/dep/water/laws/wldhab.pdf)  
Appendix A: <http://www.mass.gov/dep/water/laws/simphab.doc> *new posting*  
Appendix B: <http://www.mass.gov/dep/water/laws/detlhab.doc> *new posting*
  - f. Guidance for Aquatic Plant Management in Lakes & Ponds (BRP/DWM/WW/G04-1)  
[www.mass.gov/dep/water/laws/alkguide.pdf](http://www.mass.gov/dep/water/laws/alkguide.pdf)

## WPA Reference Links

- g. Farming in Wetland Resource Areas *A Guide to Agriculture and the MA WPA*  
<http://www.mass.gov/dep/water/laws/farman.pdf>
- h. Snow Disposal Guidelines (BRPG01-01)  
[www.mass.gov/dep/water/laws/snowdisp.htm](http://www.mass.gov/dep/water/laws/snowdisp.htm)
- i. Deicing Chemical (Road Salt) Storage (DWSG97-1)  
[www.mass.gov/dep/water/laws/saltgui.htm](http://www.mass.gov/dep/water/laws/saltgui.htm)
- j. The MA Buffer Manual *Using Vegetated Buffers to Protect our Lakes and Rivers* -  
[www.nae.usace.army.mil/reg/MABufferManalMADEP.pdf](http://www.nae.usace.army.mil/reg/MABufferManalMADEP.pdf)
- k. Rebuilding of Primary Coastal Dunes *Guidance to Homeowners and Conservation Commissions Relative to Storm Emergency Certification*  
<http://www.mass.gov/dep/water/laws/coastaldunes.htm>
- l. Beach Nourishment: Guide to Best Management Practices for Projects in MA  
*glossary, summary, overview:* <http://www.mass.gov/dep/water/resources/bchbod.pdf>  
*technical attachments:* <http://www.mass.gov/dep/water/resources/bchtech.pdf>
- m. West Nile Virus Application of Pesticides to Wetland Resources, Buffer Zones, and Public Water Systems (BRPG01-02)  
<http://www.mass.gov/dep/water/laws/p2help.htm#skeeters>
- n. Guide to Permitting Small Pile-Supported Docks & Piers (also see Section 7, below)  
<http://www.mass.gov/dep/water/resources/smaldock.pdf>
- o. Dam Removal and the Wetlands Regulations  
<http://www.mass.gov/dep/water/resources/dampol.pdf>

## 4. Stormwater Management

- a. MassDEP Stormwater Management Standards for WPA and WQC programs  
<http://www.mass.gov/dep/water/laws/v1c1.doc> **EFFECTIVE JAN 2, 2008**
- b. Summary of Jan 2008 changes: <http://www.mass.gov/dep/water/laws/stmreg.pdf>
- c. Stormwater Management Handbooks – **REVISED & UPDATED FEB 2008**  
<http://mass.gov/dep/water/laws/policies.htm#storm> (for WPA & WQC after 2 JAN 08)
- d. **FOR WPA NOIS & WQC APPLICATIONS SUBMITTED BEFORE 2 JAN 08 ONLY:**  
1996 SW Policy: [www.mass.gov/dep/water/laws/2103ch.pdf](http://www.mass.gov/dep/water/laws/2103ch.pdf)  
SW Handbook Volume I: [www.mass.gov/dep/water/laws/swmpolv1.pdf](http://www.mass.gov/dep/water/laws/swmpolv1.pdf)  
SW Handbook Volume II: [www.mass.gov/dep/water/laws/swmpolv2.pdf](http://www.mass.gov/dep/water/laws/swmpolv2.pdf)
- e. Erosion & Sediment Control Guidelines for Urban and Suburban Areas  
<http://www.mass.gov/dep/water/essec1.pdf>  
<http://www.mass.gov/dep/water/essec2.pdf>  
<http://www.mass.gov/dep/water/essec3.pdf>

## WPA Reference Links

- f. Reducing Stormwater Costs through Low Impact Development (LID) Strategies and Practices [www.epa.gov/owow/nps/lid/costs07/](http://www.epa.gov/owow/nps/lid/costs07/)
- g. MA Unpaved Roads Manual *A Guidebook on How to Improve Water Quality While Addressing Common Problems* [www.mass.gov/dep/water/resources/dirtroad.pdf](http://www.mass.gov/dep/water/resources/dirtroad.pdf);  
[www.mass.gov/dep/water/resources/dirtroad.doc](http://www.mass.gov/dep/water/resources/dirtroad.doc)
- h. MA Strategic Envirotechnology Partnership (MASTEP)  
<http://www.mastep.net/>
- i. Penn. DEP Technology Acceptance And Reciprocity Partnership (TARP)  
[www.dep.state.pa.us/dep/deputate/pollprev/techservices/tarp/](http://www.dep.state.pa.us/dep/deputate/pollprev/techservices/tarp/)
- j. EPA Environmental Technology Verification Program (ETV)  
[www.epa.gov/etv/verifications/vcenter9-9.html](http://www.epa.gov/etv/verifications/vcenter9-9.html) (may need to paste this link into browser)
- k. National Climate Data Center Precipitation Frequency Atlas  
<http://www.ncdc.noaa.gov/oa/documentlibrary/rainfall.html>
- l. DCR Rainfall Monitoring Program  
<http://mass.gov/dcr/waterSupply/rainfall/index.htm>
- m. U.S. EPA's National Pollutant Discharge Elimination System (NPDES) Program  
(*Federal surface water discharge permits*)
  - i. NPDES Permit Program Basics  
[http://cfpub.epa.gov/npdes/home.cfm?program\\_id=45](http://cfpub.epa.gov/npdes/home.cfm?program_id=45)
  - ii. NPDES Statutes and Regulations
    - a. 40 CFR 122.21 [http://www.epa.gov/npdes/regulations/122\\_21new.txt](http://www.epa.gov/npdes/regulations/122_21new.txt)
    - b. 40 CFR 122.26(1)(i)(a)-(c) [http://www.epa.gov/npdes/regulations/122\\_26.txt](http://www.epa.gov/npdes/regulations/122_26.txt)
    - c. NPDES Phase II Final Rule <http://www.epa.gov/npdes/regulations/phase2.pdf>
  - iii. How an NPDES Storm Water General Permit Works  
<http://mass.gov/dep/water/approvals/howperm.htm>
  - iv. NPDES Permitting FAQ's  
<http://mass.gov/dep/water/approvals/surfhow.htm>
  - v. NPDES Phase II and other Stormwater Help  
<http://mass.gov/dep/water/laws/p2help.htm>
  - vi. NPDES Construction General Permit  
<http://cfpub.epa.gov/npdes/stormwater/cgp.cfm#final2008cgp>  
<http://www.epa.gov/region01/npdes/FinalPermitConstrDewateringMA&NH.pdf>
  - vii. Developing Your Stormwater Pollution Prevention Plan (SWPPP): A Guide for Construction Sites [http://www.epa.gov/npdes/pubs/sw\\_swppp\\_guide.pdf](http://www.epa.gov/npdes/pubs/sw_swppp_guide.pdf)

- viii. SWPPP templates and examples, and links to key resources  
<http://cfpub.epa.gov/npdes/stormwater/swppp.cfm>
- ix. View NPDES Construction General Permit Notices of Intent  
<http://cfpub1.epa.gov/npdes/stormwater/noi/noisearch.cfm>
- x. NPDES SW Discharges from Municipal Separate Storm Sewer Systems (MS4s)  
[http://cfpub.epa.gov/npdes/stormwater/munic.cfm?program\\_id=6](http://cfpub.epa.gov/npdes/stormwater/munic.cfm?program_id=6)  
[http://www.epa.gov/region01/npdes/permits/permit\\_final\\_ms4.pdf](http://www.epa.gov/region01/npdes/permits/permit_final_ms4.pdf)
- xi. NPDES Stormwater Discharges from Industrial Facilities (*including Multi-Sector General Permit and fact sheets for each of the 29 industrial sectors covered*)  
[http://cfpub.epa.gov/npdes/stormwater/indust.cfm?program\\_id=6](http://cfpub.epa.gov/npdes/stormwater/indust.cfm?program_id=6)
- xii. NPDES Concentrated Animal Feeding Operations  
[http://cfpub.epa.gov/npdes/home.cfm?program\\_id=7](http://cfpub.epa.gov/npdes/home.cfm?program_id=7)
- xiii. Preliminary 2010 Effluent Guidelines Program Plan  
<http://water.epa.gov/lawsregs/lawsguidance/cwa/304m/>
- n. National Menu of Stormwater Best Management Practices  
<http://cfpub1.epa.gov/npdes/stormwater/menuofbmps/index.cfm>

## 5. Associated Programs and Guidance

- a. Natural Heritage & Endangered Species Program  
[www.mass.gov/dfwele/dfw/nhesp/nhesp.htm](http://www.mass.gov/dfwele/dfw/nhesp/nhesp.htm)
  - i. Regulations for Mass Endangered Species Act (MESA): 321 CMR 10:00  
[http://www.mass.gov/dfwele/dfw/regulations/cmr/cmr\\_1000.htm](http://www.mass.gov/dfwele/dfw/regulations/cmr/cmr_1000.htm)
  - ii. Estimated & Priority Habitat Viewer  
[http://maps.massgis.state.ma.us/PRI\\_EST\\_HAB/viewer.htm](http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm)
  - iii. Vernal Pools - [www.mass.gov/dfwele/dfw/nhesp/vernal\\_pools/vernal\\_pools.htm](http://www.mass.gov/dfwele/dfw/nhesp/vernal_pools/vernal_pools.htm)
  - iv. Rare Species - [www.mass.gov/dfwele/dfw/nhesp/species\\_info/species\\_home.htm](http://www.mass.gov/dfwele/dfw/nhesp/species_info/species_home.htm)
- b. UMass Extension: Dept. Natural Resources and Environmental Conservation  
[http://www.umass.edu/nrec/wetlands/wetlands\\_online\\_docs.html](http://www.umass.edu/nrec/wetlands/wetlands_online_docs.html)
- c. Regulations for Mass Environmental Policy Act (MEPA): 301 CMR 11.00  
<http://www.env.state.ma.us/mepa/meparegulations.aspx>
- d. Army Corps Section 404 Permit for MA - (**APRIL 2011: AMENDMENT IN PROGRESS**)  
[http://www.nae.usace.army.mil/reg/Permits/MA\\_GP.pdf](http://www.nae.usace.army.mil/reg/Permits/MA_GP.pdf)
- e. River and Stream Crossing Standards: Technical Guidelines – **REVISED 11 MAR 2011**  
[http://www.nae.usace.army.mil/reg/Stream/MA\\_RiverStreamCrossingStandards.pdf](http://www.nae.usace.army.mil/reg/Stream/MA_RiverStreamCrossingStandards.pdf)
- f. Riparian Areas Factsheets from the Department of Fish & Game, Riverways Program  
[www.mass.gov/dfwele/der/riverways/resources/riverfactsheets.htm](http://www.mass.gov/dfwele/der/riverways/resources/riverfactsheets.htm)

## 6. 401 Water Quality Certification Program

- a. Massachusetts Clean Water Act: M.G.L. c.21, §§26-53  
<http://www.mass.gov/legis/laws/mgl/21-26.htm>
- b. 401 Water Quality Certification Program: 314 CMR 9.00 (*revised Jan 2, 2008*)  
<http://www.mass.gov/dep/service/regulations/314cmr09.pdf>  
**TEXT OF 2 008 AMENDMENTS ONLY:** <http://mass.gov/dep/water/laws/314c9p.pdf>
- c. BRP WW 07, 08, 09: Dredging Projects  
<http://www.mass.gov/dep/water/approvals/wwforms.htm#wqcert>
- d. BRP WW 10, 11: Major/Minor Fill and Excavation Projects  
<http://www.mass.gov/dep/water/approvals/wwforms.htm#wqcert>
- e. MA Surface Water Quality Standards Regulations: 314 CMR 4.00  
<http://www.mass.gov/dep/service/regulations/314cmr04.pdf>

## 7. Waterways Program (“Chapter 91”)

- a. The Massachusetts Public Waterfront Act  
<http://www.mass.gov/dep/water/resources/about01.htm>  
<http://www.mass.gov/dep/water/resources/c91comp.pdf> (*12 page booklet*)  
<http://www.mass.gov/dep/water/resources/c91short.pdf> (*11” x 17” brochure*)
- b. Massachusetts General Law Chapter 91: M.G.L. c. 91, §§1-63  
<http://www.mass.gov/legis/laws/mgl/gl-91-toc.htm>
- c. Regulations for Chapter 91: 310 CMR 9.00  
<http://www.mass.gov/dep/service/regulations/310cmr09.pdf>
- d. List of Great Ponds **REVISED MAY 2010**  
<http://www.mass.gov/dep/water/resources/grtpond.htm>
- e. Chapter 91 Waterways Request for Determination of Applicability (BRP WW 04)  
<http://www.mass.gov/dep/water/approvals/ww04.pdf>
- f. Ch. 91 Waterways License, Permits, Simplified License, Amendments  
*Instructions & Application:* <http://www.mass.gov/dep/water/approvals/ch91apwo.pdf>
- g. Self-Licensing Package for Ch. 91 Simplified Waterways License (BRP WW 06)
  - i. Instructions: <http://www.mass.gov/dep/water/approvals/simpinst.doc>
  - ii. Application: <http://www.mass.gov/dep/water/approvals/91simple.doc>
- h. Ch. 91 Simplified License Renewal Application (BRP WW 12)  
<http://www.mass.gov/dep/water/approvals/ww12.pdf>
- i. Guide to Permitting Small Pile-Supported Docks and Piers  
<http://www.mass.gov/dep/water/resources/smaldock.pdf>

## 8. Wetlands Conservancy Program

- a. Inland and Coastal Wetlands Restriction Acts
  - i. M.G.L. c.131, §40A - Inland: <http://www.mass.gov/legis/laws/mgl/131-40a.htm>
  - ii. M.G.L. c.131, §105 - Coastal: <http://www.mass.gov/legis/laws/mgl/130-105.htm>
- b. Towns with Wetlands Restrictions: [www.mass.gov/dep/water/resources/commmlist.htm](http://www.mass.gov/dep/water/resources/commmlist.htm)
- c. Regulations for Wetlands Conservancy Program
  - i. Adopting Inland Wetland Orders: 310 CMR 13.00  
<http://www.mass.gov/dep/service/regulations/310cmr13.pdf>
  - ii. Adopting Coastal Wetland Orders: 310 CMR 12.00  
<http://www.mass.gov/dep/service/regulations/310cmr12.pdf>
- d. Renovation of Abandoned Cranberry Bogs: 310 CMR 23.00  
<http://www.mass.gov/dep/service/regulations/310cmr23.pdf>

## 9. Miscellaneous

- a. Code of Massachusetts Regulations by Citation:  
[www.lawlib.state.ma.us/source/mass/cmr/index.html](http://www.lawlib.state.ma.us/source/mass/cmr/index.html)
- b. Commonwealth of Massachusetts Registry of Deeds
  - i. Records (*selected counties*): <http://masslandrecords.com/malr/index.htm>
  - ii. Indexing Standards: <http://www.worcesterdeeds.com/Files/IndexStnds06.pdf>
- c. Search the Secretary of the Commonwealth's Corporate Database for LLCs, etc:  
<http://corp.sec.state.ma.us/corp/corptest/corptestinput.asp>
- d. Guidelines for Barrier Beach Management in Massachusetts  
[www.mass.gov/czm/hazards/pdf/barrier\\_beach\\_guidelines.pdf](http://www.mass.gov/czm/hazards/pdf/barrier_beach_guidelines.pdf)
- e. Water Conservation Standards (EOEA & Mass Water Resources Commission)  
[www.mass.gov/Eoea/docs/eea/water/water\\_conservation\\_standards.pdf](http://www.mass.gov/Eoea/docs/eea/water/water_conservation_standards.pdf)
- f. Environmental Permitting in Massachusetts (*brief descriptions of the major environmental permits*) [www.mass.gov/czm/permitguide/index.htm](http://www.mass.gov/czm/permitguide/index.htm)
- g. The Art and Science of Identifying [Coastal] Flood Zones  
[www.mass.gov/czm/coastlines/2002/pdf/c26.pdf](http://www.mass.gov/czm/coastlines/2002/pdf/c26.pdf)
- h. Flood Resistant Construction and Construction in Coastal Dunes  
(Jan 2008 Amendment to the MA Basic Building Code Regulations)  
[www.mass.gov/dep/water/resources/wetlands.htm#rules](http://www.mass.gov/dep/water/resources/wetlands.htm#rules)
- i. NOAA National Ocean Service Datum Stations  
[http://tidesandcurrents.noaa.gov/station\\_retrieve.shtml?type=Datums&state=Massachusetts&id1=844](http://tidesandcurrents.noaa.gov/station_retrieve.shtml?type=Datums&state=Massachusetts&id1=844) \*conversion needed to determine MHW & MLW from station info
- j. National Geodetic Survey slideshow on Tidal & Geodetic Vertical Datum and other topics: [www.ngs.noaa.gov/PC\\_PROD/WorkShops/](http://www.ngs.noaa.gov/PC_PROD/WorkShops/)

## **Regional Office: Circuit Rider Contacts**

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Northeast Region (NERO)	Pamela.Merrill@state.ma.us (978) 694-3249
Southeast Region (SERO)	Christine.Odiaga@state.ma.us (508) 946-2836
Central Region (CERO)	<i>Contact Alice Smith</i>
Western Region (WERO)	Mark.Stinson@state.ma.us (413) 755-2257
Boston	Alice.Smith@state.ma.us (617) 292-5854

Circuit Rider Information & Workshop Calendar: [www.mass.gov/dep/water/resources/cridr.htm](http://www.mass.gov/dep/water/resources/cridr.htm)

Southeast Region Circuit Rider Workshops: [www.mass.gov/dep/water/resources/crwstba.htm](http://www.mass.gov/dep/water/resources/crwstba.htm)

Mass DEP Calendar: [www.mass.gov/dep/public/depcal.htm](http://www.mass.gov/dep/public/depcal.htm)

Find Your Region: <http://www.mass.gov/dep/about/region/findyour.htm>

## **Regional Wetland Section Chiefs:**

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Northeast Region NERO	Rachel.Freed@state.ma.us (978) 694-3258
Southeast Region SERO	Elizabeth.Kouloheras@state.ma.us (508) 946-2810
Central Region CERO	Philip.Nadeau@state.ma.us (508) 767-2728
Western Region WERO	Robert.J.McCollum@state.ma.us (413) 755-2138

This list of links is posted at <http://www.mass.gov/dep/water/resources/wprefs.htm>.