

### Figure 12A. Wetlands Protection Act Forms

*The current versions of forms are available on the DEP web site (see Appendix B).*

NUMBER	TITLE	PREPARED BY
WPA Form 1	Request for Determination of Applicability	Applicant / Anyone
WPA Form 2	Determination of Applicability	Commission
WPA Form 3	Notice of Intent	Applicant
WPA Form 4	Abbreviated Notice of Intent	Applicant
WPA Form 4A	Abbreviated Notice of Resource Area Delineation	Applicant
WPA Form 4B	Order of Resource Area Delineation	Commission
WPA Form 5	Order of Conditions	Commission
WPA Form 6	Notification of Non-Significance	Commission
WPA Form 7	Extension Permit for Order of Conditions	Commission
WPA Form 8A	Request for Certificate of Compliance	Applicant
WPA Form 8B	Certificate of Compliance	Commission
WPA Form 9	Enforcement Order	Commission
WPA (unnumbered)	Emergency Certification Form	Commission
WPA (unnumbered)	NOI Wetland Fee Transmittal Form	Applicant
WPA (unnumbered)	ANRAD Wetland Fee Transmittal Form	Applicant
WPA (unnumbered)	Request for Departmental Action Fee Transmittal Form	Appellant
Appendix	Stormwater Management Form	Applicant

Courts interpret the law when there is a dispute. These interpretations then affect future actions of regulatory bodies such as Commissions and DEP. Brief descriptions of key wetlands decisions by the two top Massachusetts courts are found in HB §11.6 along with information about locating some of them online. Commissions are encouraged to read these decisions. They can be found in full in county libraries (see Appendix B). Law offices also have access to them. All the legal decisions cited in this *Handbook* are listed in Appendix C.

Other laws, regulations (e.g., Densely Developed Areas), and guidelines including guidance documents (e.g., Department of Revenue for filing fees) directly apply to Commissions' Wetlands Protection Act responsibilities.

Clearly, Commissions must keep laws, regulations, policies, and legal decisions in mind when administering the Wetlands Protection Act. Fortunately there is abundant information and guidance available, much of it on the web (see Appendix B).

#### 12.1.2 Approaches and Tips

Every Commissioner and administrator should have and use the current version of the Wetlands Protection Act and regulations, and DEP policies and guidance documents. A broader range of wetlands materials and publications should be in the Commission's library (see Figures 3A & 12C and Appendices A & B). In addition, one member or the administrator should develop expertise in the following areas: procedures, fees, "limited" projects, exemptions, wildlife habitat (including rare species and vernal pools), alternatives analyses, stormwater management, boundary delineation, and replication.

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