



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Emergency Certification Form

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

+ **Easton Wetland**
Bylaw E.C.C. 503

A. Emergency Information

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Issuance From: Easton Conservation Commission
Issuing Authority

1. Site Location: various locations within the Town of Easton

2. Reason for Emergency:
On Friday March 2, 2018 a strong wind & rain storm swept through the Town of Easton (the "March Nor'easter"). Power outages affected at least 93% of the households.

3. Applicant to perform work: various affected landowners in Easton or their representative(s)

4. Public agency to perform work or public agency ordering the work to be performed:
Town Department of Public Works

5. Date of Site Visit: March 5-7, 2018 Start Date: March 5, 2018 End Date*: April 7, 2018 with 30 day extension possible

* no later than 30 days from start date or 60 days in the case of an Immediate Response Action approved by

6. Work to be allowed*:
Felled trees may be removed from properties adjacent to town-owned land managed by the Conservation Commission and within wetland resource areas. Structures may be repaired to pre-storm conditions. Clean discharges from flooded buildings may be discharged into wetland areas; stormwater management systems may be repaired but not expanded; and other activities of comparable scope to protect public health and safety.

* May not include work beyond that necessary to abate the emergency.

B. Signatures

Certified to be an Emergency by this Issuing Authority.

Signatures:

Chairman (or designee)

voted on March 5, 2018
Date

A copy of this form must be provided to the appropriate DEP Regional Office.



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C. General Conditions

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Emergency Certification or subject to enforcement action.
 2. This Emergency Certification does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of property rights.
 3. This Emergency Certification does not relieve the applicant or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
 4. Any work conducted beyond that described above, and any work conducted beyond that necessary to abate the emergency, shall require the filing of a Notice of Intent.
 5. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Emergency Certification at reasonable hours to evaluate compliance with this Certification, and may require the submittal of any data deemed necessary by the Conservation Commission or the Department for that evaluation.
 6. This Emergency Certification shall apply to any contractor or any other person performing work authorized under this Certification.
 7. No work may be authorized beyond 30 days from the date of this certification without written approval of the Department.
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D. Special Conditions

(1) The affected landowner, or representative, shall contact the Easton Conservation Office to notify the Conservation Agent, Andrea Langhauser, of the damage and proposed repair. The Conservation Agent will attempt to inspect all properties within one business day of being notified. (2) If direct contact is not made with the Conservation Office, the affected party shall provide written notification of the damage and repair no later than Monday April 9, 2018 with the Conservation Commission Office. No filing under the state or local wetland protection act and implementing regulations is necessary. (3) The post-storm activities are limited to those listed in MassDEP Severe Weather Emergency Declaration dated March 2, 2018 or activities the Easton Agent considers comparable activities.

E. Appeals

The Department may, on its own motion or at the request of any person, review: an emergency certification issued by a conservation commission and any work permitted thereunder; a denial by a conservation commission of a request for emergency certification; or the failure by a conservation commission to act within 24 hours of a request for emergency certification. Such review shall not operate to stay the work permitted by the emergency certification unless the Department specifically so orders. The Department's review shall be conducted within seven days of: issuance by a conservation commission of the emergency certification; denial by a conservation commission of the emergency certification; or failure by a conservation commission to act within 24 hours of a request for emergency certification. If certification was improperly granted, or the work allowed thereunder is excessive or not required to protect the health and safety of citizens of the Commonwealth, the Department may revoke the emergency certification, condition the work permitted thereunder, or take such other action as it deems appropriate.