



MACC Newsletter

Dec. 1988

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FURTHERING WETLANDS PROTECTION THROUGH THE WATER POLLUTION CONTROL CERTIFICATION PROGRAM

The Federal Clean Water Act requires each State to certify all projects that fall within the jurisdiction of the Army Corps of Engineers under 404 permits. Chapter 91 Regs also call for State Water Quality certification. This task has been delegated to the DEQE, Division of Water Pollution Control (DWPC). Jurisdiction is triggered when fill is placed in wetlands or waterways but not in floodplains, banks or buffer zones. Just what constitutes fill is open to interpretation.

The State DWPC Certification program is to ensure that a project meets State Water Quality standards, since certain issues aren't addressed at the Federal level. Also DWPC certification can add another layer of protection to the Wetlands Protection Act (WPA).

Like links in a chain, each certification procedure has to be completed before the next can begin. A Conservation Commission must first issue an Order of Conditions prior to the DWPC reviewing the project's DWPC application. The DWPC must certify the project before the Army Corps or Waterways can approve or disapprove it.

The DWPC has accepted eleven of the Army Corps' "Nationwide permits". The purpose of these Nationwide permits is to simplify administration of projects that are expected to cause minimal environmental damage. For these "Generic Certifications" no application needs to be filed as long as certain conditions are met. Three of these Generics have recently been issued: repair of structures authorized prior to section 404, fill for utility lines, and bank stabilization fill. A fourth activity involving minor road crossing fills was removed from this list. Instead a

"waiver" can be obtained for this activity after an application is filed and all the conditions are met.

For projects that don't fall under Generic Certification the application process becomes less clear. Unlike the WPA Regulations which provide specific performance standards for each resource area, DWPC certification follows no such criteria. In fact, the Regulations, Certification for Dredging, Dredge Material Disposal and Filling in Waters (314 CMR 9.00) do not address the certification process for fill projects. There seem to be internal policies for dealing with fill projects but little written policy available to the public. Basically DWPC seems to use the WPA Regulations and DEQE wetland policies as guidelines. DWPC checks the Order of Conditions to see to what extent the wetlands are protected. For straight forward projects the applications are quickly certified. Certain types of projects such as fire ponds are given extra scrutiny. The DWPC will take two steps on such "questionable" projects. One, is to seek guidance from the Division of Wetlands and Waterways. Two, is to contact the applicant and work out an alternative, or require replication.

The problems with the State DWPC Certification Program, according to a staff member at DEQE, are the lack of DWPC staff to review applications and the fact that most project proponents are not aware they need to file. But this staff person clearly states that this is not a duplicate process. Often an aspect of a project may slip by a local Commission which is caught by the DWPC. This was the case with a project that planned to lower the bottom of a wetland to alleviate a flooding problem. This would have seriously altered one and half acres of wetlands. The DWPC required the developer not to disturb the wetlands. The plan was revised, creating detention ponds in the uplands, and allowed the

(con't on page 3)

A MESSAGE FROM YOUR BOARD

THE CARE AND FEEDING OF LOCAL WETLANDS BYLAWS

By MACC count, over 90 communities have adopted local wetlands protection bylaws or ordinances. The great majority are nonzoning bylaws, adopted by a majority vote of town meeting/city council and administered by the Conservation Commission. A few are part of the municipal zoning code. Zoning legislation requires a two-thirds vote, plus mapping of wetlands; and it must be administered by the selectboard, planning board or zoning board of appeals (not the Commission).

Local bylaws to protect wetlands have been around for many years now (in fact a few predate the state Wetlands Protection Act), and MACC is beginning to get some feedback as to when and how they work. Two main issues arise often:

First, does your town really want a local bylaw? The answer is definitely yes, if you crave one or more of the following:

--the chance to add values to be protected to the state list (such as aesthetics, recreation, or rare plants);

--a day in court rather than de novo review by DEQE (local bylaws are appealed directly to court, though of course DEQE continues to take WPA appeals);

--a fee schedule which would let you charge applicants the cost of Commission consultants to review plans (the Attorney General has now upheld this kind of cost provision in bylaws, provided the bylaw details the kind of consultant involved: MACC has language);

--the right to limit or forbid work in the "buffer" area (DEQE generally permits such work if the applicant uses haybales, silt fences and the like at the wetland edge);

--freedom from some particular definition or process or other provision of the state law which seems to your Commission plainly wrong. (Limited Projects anyone?).

On the other hand, if your Commission is basically satisfied with the way the state law works; if its decision are seldom appealed; if your town will not defend Commission decisions in court; and/or if you have minimal sophistication and help - then I personally would advise against passing a local bylaw at this time.

This advice may seem strange, since MACC has for a decade actively urged towns to pass these bylaws. The reason, to use an analogy, is that a local bylaw is like a housepet: it may be attractive and even easily available, but it requires UPKEEP. If you do not keep your animal in good health, you will be worse off than if you never acquired it; and the neighbours will sneer at you.

This brings us to the second major issue raised by Commissions that talk with MACC: what do you do with your nonzoning bylaw when you have it? First of all, you must exercise the creature. Every decision that is made under the state wWetlands aAc must run in parallel with a decision under the local bylaw. The process may be dovetailed, but every part of it must make reference to both the state and local law. This means things like: when you advertise for a hearing, the ad must say that the hearing will be held under the state WPA and the wetlands bylaw of the town of X. Determinations and Orders may be processed at a dual hearing; but the document(s) that result must either have town of X typed under the DEQE heading on the DEQE form, or the local decision must be issued on a separate piece of paper. If some Conditions in an Order are issued only under the local bylaw (because, for example, they relate to interests not protected by the state law), then the conditions must so state, or the local Order must be issued on a separate piece of paper. If your town-level Order of Conditions is good only for a year, then somehow your Order must state this difference from state regulations. If you issue a stop order, it should be clear from the document whether it is issued under state or local law, or both. And so on.

It is legally possible for you to let the sleeping dog lie and process wetlands applications only under the state law unless the applicant has the brains to apply under the local bylaw as well. Then, when he has a final state Order, you could come in and say, ha ha, you forgot to get your local permit, tough on you! I would like

to hear from some town which has run into this sort of situation. Generally, it creates an impression of unfairness: there you were for all those weeks, working with an applicant under the state law, and you never mentioned the local bylaw (which was, so to speak, napping under the table all the time).

Another thing which a local bylaw needs is grooming, in the form of local regulations. The MACC model calls for such regs; they are a good thing in all but a few situations where the local bylaw is either very very simple or very very detailed. MACC has some model regs which have been adopted by towns. But models must be conformed to the problems of your town, which are always, somehow, unique. This means you have to have the energy to discuss and adopt regulations. Yet more stressful, when you have them, you have to remember them - at the same time you are remembering all the state regs! Considering the disinclination many towns show for reading the state regs, it would seem unwise to duplicate the problem.

My own belief is that small towns which are not dissatisfied with their regional DEQE's decisions are mostly concerned with the problem of charging more realistic fees. If some means could be found to persuade DEQE to amend the state regs to allow consultants' costs to be charged to applicants - as is now common for other fees, at every level of government - this would solve a major problem without need for local supplementary laws. But that is only my personal feeling. MACC needs to hear from you about your experience with local bylaws.

Alexandra Dawson
Board of Directors

Pollution Control
(con't from page 1)

DWPC to certify the project.

The lack of staff translates to a lack of enforcement. Further there is no appeal process. Although this may not really be necessary. The only reason a project would be denied is if the applicant refused to alter their plan to meet DWPC standards.

Judy Perry of the DWPC suggests that Commissions advise applicants to send the DWPC Application Form to DWPC at the same time they file their Notice of Intent with the Commission. This will hold a place in the review line. Hopefully, by the time the Order of Conditions is issued, this application will be ready for processing. Perhaps it would also be advisable for Commissions to include in the Order of Conditions (if applicable) that a copy of the Certification be submitted to the Commission prior to work commencing.

For more information, application forms or to receive a copy of the "Nationwide Document" on Generic Certification contact Judy Perry, DWPC, One Winter St., Boston, MA 02108. (617) 292-5673.

Virginia Dodson

WILMINGTON COMMISSION BEGINS EDUCATION PROGRAM

The members of the Wilmington Conservation Commission are taking some new steps to better educate themselves and the general public about wetlands and their protection.

Recently, the local newspaper agreed to print a series of articles on wetlands and their importance. The series is being written by the Conservation Administrator and began with "What is a Wetland?", printed in November.

The Conservation Commission chairperson also organized a series of internal workshops for the board. The topics are divided into segments of the Wetland Protection Act Regulations and are being presented by members of the Commission. Thusfar, October and November have each included one workshop evening. The informal atmosphere and the various hypothetical cases to explore have made for very fun learning.

Elizabeth Sabounjian
Conservation Administrator
Wilmington

LAND USE LEGISLATION

A call is out for Conservation Commission members and other local officials to volunteer on a number of "issue committees" working to improve Massachusetts land use law.

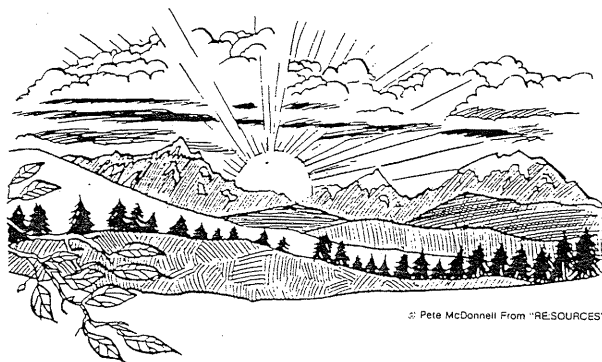
Planners and land use professionals from other states express disbelief at many of the provisions found in Massachusetts planning, zoning, and subdivision law. Grandfathering of land from zoning changes, "Approval Not Required" loopholes, master plans without legal effect and many other quirks are unknown in other states. Many ascribe the current situation to the lack of involvement of planners and others in the legislative process through which the land use laws are developed. Although existing environmental organizations cover many areas, land use legislation for the most part breaks new ground in terms of scope, complexity and staff requirements.

The response of the planners in the state has been to start organizing the Massachusetts Land Use Coalition (MLUC) (see the July, 1988 MACC Newsletter). The MLUC Organizing Committee has settled many organizational and logistical issues, and is now working with a consultant to refine its fundraising plan. While it focuses on creating a permanent, staffed organization, there are many issues that need to be addressed immediately. Thus, the call for Conservation Commission and other local Board members and officials to become involved in the volunteer issue subcommittees.

A brief outline of each committee:

State Initiatives - to focus the input of local communities to the new State Special Commission on Balanced Growth, appointed by the Governor and the Legislature. The Commission is charged with developing major improvements to State Land Use Law as was done in Vermont and other states. Members will serve on subcommittees of the Commission with Legislators and the governor's appointments. Contact: Michael Almada, Marshfield (617) 837-5141

Vested Rights - to develop improvements in current legislation



surrounding "grandfathering." Contact: Sharon Wason, Norwood (627) 762-1240

Zoning/Subdivision - review proposed changes to MGL C40A, 41 - the Zoning and Subdivision Acts. Contact: Christine Gorham, Braintree (617) 848-1870

Impact Fees - review the need for and develop legislation. Developing survey of local communities. Contact: Peter Lowitt, Grafton (508) 839-4314

Land Bank - review pending legislation, developing support. Contact: Kathy Joubert, Northborough (627) 393-6761

Affordable Housing - to develop proposals for a balanced affordable housing policy. Working on revisions to the Anti-Snob Zoning Act/Comprehensive Permit process. Contact: Tom O'Leary, Salem (508) 741-0201 x 222

MLUC Organizing Committee - to develop a permanent, staffed organization to coordinate the legislative and advocacy activities of planning organizations in Massachusetts. Contact: Bill Fitzgerald, Taunton (508) 823-6361

Other committees may be added as need and interest dictate.

Kelley McClintock, Executive Director of the Environmental Lobby of Massachusetts (ELM), states, "State laws relating to zoning, subdivision control, and other powers of municipalities are amongst the most archaic and confusing in the statute books, yet are amongst the most important environmental protection laws." All the subcommittees need more members to be effective. Please contact these Subcommittee Chairs directly or the Joint Committee co-Chairs, Greg Guimond at (508) 824-1367 or Bill Fitzgerald at (508) 823-6361 to become involved. We need your help!

Bill Fitzgerald
MLUC

THE HYDRO-FILE

News & Information on Wetland Plants

THE OCCURRENCE OF PITCH PINE IN EAST COAST WETLANDS

Pitch Pine (*Pinus rigida*) never occurs in wetlands, right? Wrong!!! Pitch Pine is listed in the National List of Plant Species that Occur in Wetlands (1988) as a "facultative upland species" which is defined as a plant species that usually occurs in uplands (estimated probability 67-99%), but occasionally is found in wetlands (estimated probability 1-33%).

Pitch Pine is adapted to grow in dry to wet sandy soils and is frequently seen on abandoned cranberry bogs as a pioneer species. According to Evergreens of Cape Cod, Pitch Pine grows in association with "Huckleberry, Lowbush Blueberry, and Scrub Oak on the drier sites. Inkberry and Sheep-Laurel are common on the wetter sites." It may be growing with Red Maple and White Pine in these areas. We have also found it to be the dominant over-story with an understory of leatherleaf.

Other evidence for the occurrence of Pitch Pine in wetlands is found in the New Jersey Pine Barrens (Pinelands) where Pitch Pine dominated wetlands are the most common Pinelands wetland type. The USFWS National Wetland Inventory classifies Pitch Pine Lowlands as "Palustrine forested wetland, seasonally flooded with mineral soil" according to Wetlands of the New Jersey Pinelands (1983).

It is very important that Conservation Commissions not let the presence of a single species influence them when determining the wetland boundary. Both Pitch and White Pine typically grow in non-wetland situations but can and do grow in wetlands. Commissions must look at the ENTIRE VEGETATIVE COMMUNITY to determine whether or not the community is composed of 50% or more wetland plants. Soils, topography and the hydrology of the site can also be helpful in evaluating the area.

Commissions should remember that under the law only they (not the engineer/consultant) can make the legal determination regarding the wetland boundary. A consultant recommends a wetland boundary and a Commission legalizes this boundary if it accepts the consultant's version of that boundary.

Robert M. Gray
Wetland Biologist
MACC First Vice President



Pinus rigida



VOLUNTEERS NEEDED FOR ANNUAL MEETING

Here at the MACC office we are very busy already with preparations for Annual Meeting. With only two full time staff to plan this conference for more than 650 people, time is of the essence. We're asking you to donate some TIME. In return for five hours or more of your time, before or during the Annual Meeting, we will waive the registration fee. Even if you do not have five hours to donate, we still encourage you to help out as much as possible. For more information contact the MACC office at (617) 381-3457, ask for Virginia.

MACC 1989 ANNUAL MEETING REGISTRATION FORM

REGISTRATION INFORMATION:

- Advance registration is required. Payment or purchase order must accompany registration prior to deadline. SPACE IS LIMITED.
- No confirmations will be sent. Your cancelled check is your confirmation.
- Please register early, deadline is February 17, 1989. Late registrants are not guaranteed lunch.
- Please send a copy of the registration form to MACC when submitted to Town.
- Refund policy: NO REFUNDS AFTER FEBRUARY 17, 1989.

NAME _____ COMMISSION/ORGANIZATION _____

ADDRESS _____ PHONE _____

TOTAL ENCLOSED \$ _____; PURCHASE ORDER No. _____; SUBMITTED FOR PAYMENT _____

MUNICIPAL OFFICIALS AND NONPROFITS:

\$ _____ for conference and luncheon for _____ person(s) at \$25 each

\$ _____ for seven registrants from same town at \$150 (one free!)

\$ _____ for conference only for _____ person(s) at \$18 each (no meal)

ALL OTHERS:

\$ _____ for conference and luncheon for _____ person(s) at \$40 each

\$ _____ for conference only for _____ person(s) at \$33 each (no meal)

PLEASE INDICATE CHOICE OF ENTREE: chicken dish _____; vegetarian dish _____

PLEASE INDICATE FIRST AND SECOND CHOICE WORKSHOP NUMBERS FOR EACH SESSION:

Series A wkshp _____; Lunchtime wkshp _____; Series B wkshp _____;
2nd choice _____; 2nd choice _____; 2nd choice _____;

For group registrations attach separate sheet listing names, entrees, workshops.

ANNUAL MEETING DONATIONS

_____ Yes! Include me in MACC's 1989 Annual Meeting Program Book as a Benefactor. Enclosed is my \$50 tax-deductible donation.

_____ Yes! Include me in MACC's 1989 Annual Meeting Program Book as a Sponsor. Enclosed is my \$25 tax-deductible donation.

_____ Yes! Include me in MACC's 1989 Annual Meeting Program Book as a Patron. Enclosed is my \$10 tax-deductible donation.

EXHIBITS AND AWARDS

_____ Our town wishes to have a community exhibit. Send information.

_____ Our business/organization wishes to receive information about exhibit space.

_____ We wish to nominate for MACC's Environmental Service Awards:

Name _____ Town _____

Please attach a brief description of nominee and reason for nomination.

MACC ANNUAL MEETING — GROWTH MANAGEMENT: PRESERVING OUR RESOURCES

KEYNOTE SPEAKER: DEQE COMMISSIONER DAN GREENBAUM
Saturday, March 4, 1989; 8:00-4:30
Hogan Center, Holy Cross College, Worcester, MA



8:00-8:45 REGISTRATION and COFFEE

9:00-10:00 OPENING SESSION: Meeting - Election, Awards, etc.
Keynote Address

10:15-11:30 WORKSHOP SERIES A (Pick one from the following eight)

1. Resource Protection
2. Tools for Towns: Creative Use of Existing Laws to Effect Growth Patterns
3. Tools for Towns: Wetland By-laws, Aquifer Zoning, Historic Preservation
4. Growth Management Law Reform
5. Package Treatment Plants
6. Agenda 90 and Blueprint 2000
7. Protecting Local Water Supplies and Groundwater Monitoring: How to Make It Pay
8. State Water Management Programs

11:45-1:00 GROUP A - LUNCH

GROUP B - WORKSHOPS

1:15-2:30 GROUP A - WORKSHOPS

GROUP B - LUNCH

LUNCH WORKSHOPS (Choose one of the following five)

1. Wetlands
2. Drafting Effective Orders of Conditions
3. Basics for Conservation Commissions
4. Enforcement
5. Watersheds



2:45-4:00 WORKSHOP SERIES B (Pick one from the following eight)

1. Water Conservation
2. Subsurface Disposal System Jurisdiction
3. Conservation Commissions in the Urban Environment
4. Coastal Growth Problems: North & South
5. Drainage
6. Effects of Growth on Wildlife
7. Enforcing Home Rule Bylaws: Where the Rubber Meets the Road
8. Forms of Acquisitions: The Ultimate Protection

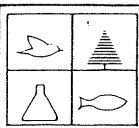


3:45-4:30 PRESIDENT'S RECEPTION

TELL THEM YOU SAW IT HERE!

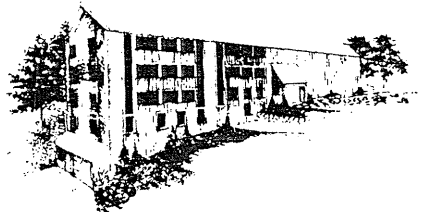
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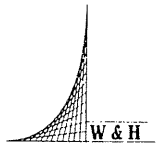

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ADJUDICATORY DECISIONS HIGHLIGHTS

The following are summaries of some recent DEQE (the Department) Adjudicatory Hearing decisions on MGL C131 S40 issues. Copies may be requested of the original documents. Send check to MACC for the amount indicated (price covers copying and postage).

1) DEQE Wetlands File 5-128, Docket 85-6 (Carlton P. Berry) Beverly. Dec. 15, 1986. p 19 \$2.50

Developer vs. abutter and the Department. This decision could set an important precedent in regard to the creation of ponds in Bordering Vegetated Wetlands (BVW).

The developer claimed loss of BVW in order to construct a retention pond was an "improvement" under 310 CMR 10:53(4); and that the portion to be lost was of no significance to the control of pollution. The Department's hearing officer ruled that it is not an "improvement" to remove or destroy a wetland in order to replace that BVW with another type of wetland, in this case a retention pond. The hearing officer also ruled that the "function of the Wetlands Protection Act is to regulate small but incrementally important impacts and therefore it is inappropriate" to make a determination of non-significance on the basis of the applicants testimony that the impact is not measurable.

2) DEQE Wetlands File 5-212, Docket 86-92. (N. Shore Community College) Beverly. Feb 12, 1988. 4lp \$4.50.

The College proposal to construct a temporary access road to the new campus was appealed by an abutter. The superceding Order of Conditions (SOC) denied the project on the basis of alternative road locations, and used the Department discretionary authority to deny destruction of less than 5000 sq. feet even with replication. The College appealed.

The hearing officer ruled that MEPA review of the road alternative had not given adequate weight to environmental factors in the choice of selected route and that DEQE had correctly used discretionary powers under 310 CMR

10:55(4)(b). He further ruled, however, that the road could be built in that location because lost wetland would be replicated and when the temporary road was removed the filled wetland would have to be restored gaining, in the end, more wetland than lost. Although the hearing officer dismissed the College's argument for the project's socio-economic benefits versus wetland benefits, it was nonetheless concluded that the College as a public institution could be relied upon to restore the lost wetland after use of the temporary road was ended. Special conditions in the Order of Conditions were required to that end.

Judith Skinner
MACC Board of Directors

BUMPER STICKER WINNER ANNOUNCED

After much consideration, MACC selected Lenore White Valutkench's design as the winner in the bumper sticker design contest. Lenore will receive a free membership to MACC plus 10 bumper stickers, once they are produced. We would like to thank all those who took the time to send in their ideas. It appears there are many spokespersons for wetlands.

MACC BOARD OF DIRECTORS 1989 SCHEDULE

The MACC Board of Directors meet the first Tuesday of each month except July (18th), no meeting in August, Sept (12th); (Jan 3, Feb 7, March 7, April 4, May 2, June 6, Oct 3, Nov 7, Dec 5). MACC welcomes suggestions, questions or comments Commissioners or others would like to bring to the Board's attention. The meetings are open to the public and Commissions alike. The Board has ten active subcommittees: awards, nominating, facilities, finance, fundraising, legal action, program, publications, outreach and government affairs, plus a non-voting editorial advisory committee. Each of the Committees meet as needed throughout the year.

JOBS WITH CONSERVATION COMMISSIONS AND ENVIRONMENTAL NONPROFITS

MACC will print job announcements for Conservation Commissions free-of-charge! Please send us job description for Administrators and any other paid positions which involve working with a Cons. Comm. Job announcements for other environmental nonprofits will be printed depending on space available.

TOWN OF WELLESLEY CONSERVATION ADMINISTRATOR

Full-time position immediately available for the Wellesley Natural Resources Commission. Responsibilities include admin. and enforcement of Wetlands Protection Act; coordination with town, regional and state agencies; site plan review and other env. protection activities; research; attend evening meeting; Assist with questions from applicants and public. Responsible to the Director of WNRC. Degree preferred, background in env. field required, written and oral communication skills and record keeping ability required; map and plan reading and computer literacy desirable.

Salary: \$22,000
Contact: Send resume to Personnel Dept., Town of Wellesley, Town Hall, Wellesley, MA 02181.

MASS. LAND ALLIANCE LAND CONSERVATION COORDINATOR

The Alliance, a coalition of state, regional and local conservation organizations, has recently been formed to oversee and advocate for implementation of Massachusetts's \$500 million open space program. This position is part time. Responsibilities are to monitor progress of open space program, coordinate educational, outreach and advocacy activities of members and general public, write newsletter. Need knowledge of state open space programs and excellent communication and organizing skills.

Salary: \$13-15,000
Contact: Send resume and writing sample to Kelly McClintock, ELM, 3 Joy St. Boston, MA 02108.

BOOKKEEPER MACC

MACC is looking for a part-time bookkeeper. Responsibilities include balancing and maintaining accounts, making deposits, updating treasurer's reports and annual reports, coordinating annual audit, and paying bills. Hours are flexible, 3-7 hours per week depending on work load.

Salary: \$7.00/hr
Contact: Send resume and cover letter to MACC, Lincoln Filene Ctr, Tufts U. Medford, MA 02155, (617) 381-3457.

TOWN OF NORTH ANDOVER CONSERVATION ADMINISTRATOR

Full time position administrating the WPA, writing grants, coordinating with other town Boards, developing land conservation plans and providing admin. support for the Commission. Must be effective in dealing with public. Degree required in env. engineering or sciences, planning or related field with experience; experience may be substituted for education. Administrator reports to Director of Div. of Planning and Community Development.

Salary: \$25,578
Contact: Send resume and cover letter to Town of N. Andover, Personnel office, 120 Main St., North Andover, MA 01845. Include salary history in cover letter.

UPCOMING EVENTS

BASIC HYDROLOGY WORKSHOPS

- Feb. 8 - Southeast Region - (location to be announced)
 - Feb. 21 - Northeast Region - Burlington School Committee Room
 - Feb. 27 - Central Region - Fitchburg State College, Fitchburg
 - Feb. 28 - Western Region - Mount Holyoke Community College, Holyoke
- Presented for Conservation Commissions by the DEQE - Div. of Wetlands and Waterways - and MACC. The trainers will be Judith Nitsch, registered civil engineer and a partner with Allen, Demurjian, Major and Nitsch, and Elizabeth Colburn, consultant, Mass. Audubon staff, and member of the Shirley CC. Time: 7:30 - 9:30 pm. No fee. Registration not required.

NEW ENGLAND ENVIRONMENTAL CONFERENCE

Sat. & Sun, March 18 & 19, 1989 - This annual conference includes exhibits, workshops and speakers such as Lieutenant Governor Evelyn Murphy, Gregor McGregor, Martin Rosen (President, Trustees for Public Lands) and Thomas Urquhart (Ex. Dir., Maine Audubon). The event is cosponsored by over 225 environmental organizations, businesses and government agencies including MACC. The organizers are currently seeking recommendations for environmental leadership awards. In addition on March 17, there will be a separate symposium on Global Warming. Location: Tufts University. For info contact: Polly Bradley or Nancy Anderson (617) 381-3451, Lincoln Filene Ctr, Tufts U. Medford, MA 02155.

FROM THE PUBLICATIONS LIST

The MACC Publications List has been updated to correctly show two prices; one for members and one for non-members. Be sure to indicate when ordering whether you are a member or not. All prices include postage unless otherwise specified. Orders over \$50.00 should include postal insurance. Send request for publications with check made payable to MACC.

REVISED! RULES FOR ADJUDICATORY PROCEEDINGS/RULES FOR ADOPTING ADMINISTRATIVE REGULATIONS, 310 CMR 1-5.00. Regulations effective Dec. 1986 for adjudicatory hearings. \$3.00.

FRESHWATER WETLAND POSTER - Ideal for the Commission office or as part of a display, a gift to the Town Hall or the public library. It's educational for the general public as well as Commission members. Order yours now! \$5.00 members, \$6.00 non-members, add \$2.00 for mailing.

NEW! FIELD GUIDE TO NONTIDAL WETLAND IDENTIFICATION. Ralph W. Tiner, Jr. A cooperative publication of the Maryland Dept of Natural Resources and US Fish and Wildlife Service. This document presents the wetland concept, definition, hydric soils and plants in a field guide format. Includes color plates of plants and soils as well as line drawings of wetlands, soils and vegetation. 283 pages. \$20.00 and \$2.00 for mailing.

MEPA REGULATIONS 310 CMR 11.01-11.30. 1987. The entire text of the regulations which govern the implementation of the Mass. Environmental Policy Act., GL C30 S61-62H. Includes 301 CMR 12.00; Areas of Critical Environmental Concern (ACEC). \$7.00 mem, \$8.00 non-mem.

FLOODPLAIN AND WETLAND REGULATION. Alexandra Dawson, Esq. From the Law of Zoning and Planning, 1986. Covers Nat'l Flood Insurance Prog., 404, local bylaws and zoning controls. \$4.00 mem, \$4.50 non-mem.

CONSERVATION COMMISSION HEARINGS AND JUDICIAL REVIEW UNDER HOME RULE WETLANDS PROTECTION BYLAWS. Gregor I. McGregor. McGregor, Shea & Doliner, 1987. \$2.50 mem, \$2.75 non-mem.

WETLANDS REGULATIONS IN NEW ENGLAND. Alexandra Dawson, Esq. Zoning and Planning Law Handbook, 1984. Describes and analyzes the regulatory approaches of four New Eng. states. \$2.00.

COMMUNITY REPORT CARD. Gregor I. McGregor, Esq. McGregor, Shea & Doliner, 1986. A way to objectively evaluate how well your community protects the environment and public health, and to motivate local officials and private citizens. \$1.50.

MACC is a private non-profit service corporation whose members are the conservation commissions of Massachusetts. Non-voting memberships are also available and include receipt of this newsletter. The MACC Newsletter is published eight times a year. MACC welcomes letters, articles and photographs from its readers. We reserve the right to edit or reject submissions. Non-staff articles do not necessarily represent the opinions of MACC. Reproduction in whole or in part is permitted with proper credit.

Executive Director.....Caroline Simmons
Assistant & Editor.....Virginia Dodson

MASSACHUSETTS ASSOCIATION OF
CONSERVATION COMMISSIONS, INC.
Lincoln Filene Center
Tufts University
Medford, Massachusetts 02155

Nonprofit Organ.
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Martha Curtis
135 Gun Hill St.
Milton MA 02186