



Massachusetts Department of Environmental Protection  
Bureau of Water Resources - Wetlands

**WPA Form 1- Request for Determination of Applicability**

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

Municipality \_\_\_\_\_

**A. General Information**

**Important:**

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



1. Applicant:

First Name \_\_\_\_\_ Last Name \_\_\_\_\_

Address \_\_\_\_\_

City/Town \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number \_\_\_\_\_ Email Address \_\_\_\_\_

2. Property Owner (if different from Applicant):

First Name \_\_\_\_\_ Last Name \_\_\_\_\_

Address \_\_\_\_\_

City/Town \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number \_\_\_\_\_ Email Address (if known) \_\_\_\_\_

3. Representative (if any)

First Name \_\_\_\_\_ Last Name \_\_\_\_\_

Company Name \_\_\_\_\_

Address \_\_\_\_\_

City/Town \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number \_\_\_\_\_ Email Address (if known) \_\_\_\_\_

**B. Project Description**

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

Street Address \_\_\_\_\_ City/Town \_\_\_\_\_

Latitude (Decimal Degrees Format with 5 digits after decimal e.g. XX.XXXXX) \_\_\_\_\_ Longitude (Decimal Degrees Format with 5 digits after decimal e.g. -XX.XXXXX) \_\_\_\_\_

Assessors' Map Number \_\_\_\_\_ Assessors' Lot/Parcel Number \_\_\_\_\_

b. Area Description (use additional paper, if necessary):

c. Plan and/or Map Reference(s): (use additional paper if necessary)

Title \_\_\_\_\_ Date \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_

[How to find Latitude and Longitude](#)

[and how to convert to decimal degrees](#)



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**B. Project Description (cont.)**

2. a. Activity/Work Description (use additional paper and/or provide plan(s) of Activity, if necessary):

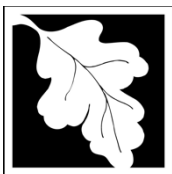
b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

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3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



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Municipality

## C. Determinations

1. I request the \_\_\_\_\_ make the following determination(s). Check any that apply:  
Conservation Commission

- a. whether the **area** depicted on plan(s) and/or map(s) referenced above is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced above are accurately delineated.
- c. whether the **Activities** depicted on plan(s) referenced above is subject to the Wetlands Protection Act and its regulations.
- d. whether the area and/or Activities depicted on plan(s) referenced above is subject to the jurisdiction of any **municipal wetlands' ordinance** or **bylaw** of:

\_\_\_\_\_  
Name of Municipality

- e. whether the following **scope of alternatives** is adequate for Activities in the Riverfront Area as depicted on referenced plan(s).

## D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Representative (if any)

\_\_\_\_\_  
Date



## Request for Determination of Applicability Filing Checklist

INFORMATION	
When:	Due on regular filing deadline
Where:	Town of Eastham Conservation Office 2500 State Highway, Eastham, MA 02642
Form:	<a href="http://www.eastham-ma.gov">http://www.eastham-ma.gov</a> or Conservation Office
Contact:	Conservation Agent
Contact Phone:	508-240-5900
Contact Email:	conservation@eastham-ma.gov

CHECKLIST	
<input type="checkbox"/>	1 copy of RDA Filing form.
<input type="checkbox"/>	One copy to State DEP Office South Regional Office 20 Riverside Dr. Lakeville, MA 02347.
<input type="checkbox"/>	Include 1 (11 X 17) site plans vegetation alteration Or 3 (11 x 17) site plans for construction alteration.
<input type="checkbox"/>	Reason for removal- dead/alive/disease.
<input type="checkbox"/>	Proposed mitigation plantings (see plant list).
<input type="checkbox"/>	Distance of project from wetland in feet.
<input type="checkbox"/>	Include a detailed narrative including construction protocols if applicable.
<input type="checkbox"/>	Apply and upload necessary information through <a href="#">OpenGov</a> and drop off completed RDA form to the Conservation Office.
<input type="checkbox"/>	Flag or stake items to be inspected on property.
<input type="checkbox"/>	Owner's signature or written permission.
<input type="checkbox"/>	Street & house number clearly visible at property location.
<input type="checkbox"/>	Pay by Credit Card through OpenGov or with a Check payable to Town of Eastham for \$65.00: \$50.00 for Application fee. \$15.00 for Legal Ad fee.

**Any Request for Determination of Applicability requests that are missing these basic submittal requirements shall not be placed on the hearing agenda for which they are intended until the requirements are complete.**