



FACT SHEET 2.4

STATE REGULATORY PROTECTION OF WATER RESOURCES ON OR NEAR YOUR HOBBY FARM

As a Hobby Farm owner, you need to know what water resources are on or near your property, and what your responsibilities are to protect them. You need to know this not only to be a good steward of natural resources, but also to comply with the law.

Massachusetts has strict regulations to prevent disturbance or damage to its water resources. Whenever a property is developed or altered near a wetland or surface water, it may require review and permitting under the Massachusetts Wetlands Protection Act (WPA) regulations and also under local town bylaws or city ordinances. The Massachusetts Department of Environmental Protection (MassDEP) and town or city Conservation Commissions are responsible for enforcing these regulations.

Other state regulations protective of water resources include the Massachusetts Watershed Protection Act, which regulates land use and activities including agricultural, within critical areas of the Quabbin Reservoir, Ware River and Wachusett Reservoir watershed; and MassDEP’s Drinking Water Regulations, which includes restrictions on agricultural activities near surface water used as a source of drinking water.

A brief summary of these regulations is provided in the table below:

REGULATION	HOW IT MAY AFFECT YOUR FARM?	WHERE TO GET MORE INFORMATION
MASSACHUSETTS WETLANDS PROTECTION ACT (WPA) 310 CMR 10.00	If your hobby farm is located within 100 feet of a wetland or certain other water resources (distance may be greater in some communities) you may need to apply for a permit through your local Conservation Commission. You should contact the Conservation Agent or Conservation Commission before you do any work.	<ul style="list-style-type: none"> • MassDEP • Conservation Commission
MASSACHUSETTS WATERSHED PROTECTION ACT 313 CMR 11.00	This only applies to communities within the Quabbin Reservoir, Ware River and Wachusett Reservoir watersheds. It prohibits certain activities such as storage of hazardous materials and manure within 400 feet of tributaries and surface waters. Visit this link to see if your hobby farm is within one of the regulated watershed areas: www.mass.gov/eea/agencies/dcr/water-res-protection/watershed-mgmt/the-watershed-protection-act.html	<ul style="list-style-type: none"> • Department of Conservation and Recreation
MASSACHUSETTS DRINKING WATER REGULATIONS 310 CMR 22.00	If you’re located within 100 feet of a surface water supply or tributary to one, stabling, hitching, feeding, grazing, or other similar activities of livestock or other domestic animals are prohibited. Sites within a Zone II groundwater drinking source protection area should not store fertilizers or manure unless stored in a structure that prevents contaminated runoff from escaping.	<ul style="list-style-type: none"> • MassDEP



DID YOU KNOW?

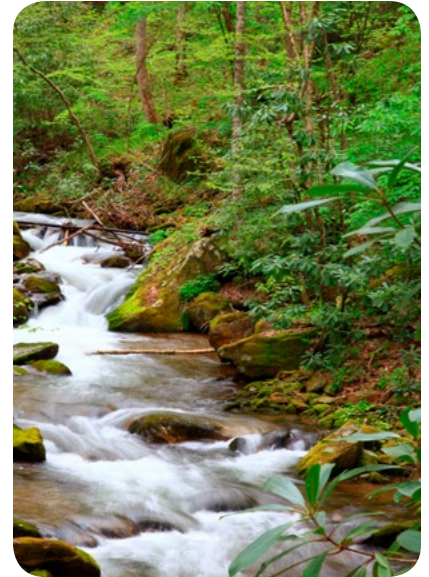
Water resource areas include wetlands, rivers, streams, lakes, ponds, coastal features, and their buffers (a protective zone around them). Hobby Farm activities within water resource areas are regulated in Massachusetts. You may need to apply for approval through your local Conservation Commission for certain activities.

START WITH A VISIT TO YOUR LOCAL CONSERVATION COMMISSION OFFICE

While it may seem relatively straightforward to identify a stream or wetland on your property, experts in wetlands science are sometimes needed to identify the limits of these and other water resources as defined in the regulations.

Types of soil, hydrology and vegetation are some of the parameters that must be considered when delineating the extents of these water resources under the regulations. For this reason, we recommend you first consult with your local Conservation Commission or Agent who can assist you.

In some cases, the Conservation Agent may visit your site to help you identify the water resources that you should consider and provide recommendations on how to move forward before you develop or make improvements to your hobby farm. In other cases, they may recommend you hire a professional to identify where protected resources are located on and near your property and to assist you with an application, if necessary, for your proposed activities.



If needed, contact MassDEP

After discussing your project with the local Conservation Commission, you may need to contact MassDEP for additional consultation. This may occur if you're located within certain watersheds in the state or located within a Zone II area around a drinking water well (essentially the area that supplies most of the drinking water to the well). Note that Zone II areas may be irregular in shape and can extend thousands of feet around the location of a well, so it is important to check the mapping of these areas with your Conservation Commission or MassDEP.

You will need the following information to know which of your hobby farming activities are permissible:

- ✓ Location of protected water resources on or near your property
- ✓ Distances that hobby farm activities must be kept from existing wetlands, streams, and other waterbodies
- ✓ Other local and state requirements that affect the layout of your hobby farm
- ✓ How you manage stormwater runoff

See Checklist 2B to document how regulations may impact your hobby farm.



PLAN AHEAD

Know your resource areas and regulations that protect them prior to doing any work near them.

