



Massachusetts Port Authority
One Harborside Drive, Suite 200S
East Boston, MA 02128-2090
Telephone (617) 568-5950
www.massport.com

February 7, 2018

Amelia Croteau
Executive Secretary
Boston Conservation Commission
Boston City Hall - Room 709
Boston, MA 02201

Re: Notice of Intent for Proposed Vessel Impact Repair
88 Black Falcon
South Boston

Dear Ms. Croteau:

Enclosed please find eight (8) copies of the Notice of Intent (NOI) and project plans associated with the proposed repair of the pier located at the referenced address. The pier was damaged by a container vessel that had broken free while docked at Conley Terminal. An Emergency Certification was issued by the Boston Conservation Commission on January 17, 2018 to do limited demolition of the pier.

The NOI was submitted electronically to the Department of Environmental Protection (DEP) via eDEP, and two (2) copies of the NOI and project plans will be sent to the DEP's Northeast Regional Office. A check to the City of Boston in the amount of \$375.00 is being processed and will be forwarded to you prior to the hearing.

Please feel free to contact me at (617) 568-3552 should you have any questions or need additional information.

Sincerely,
MASSACHUSETTS PORT AUTHORITY

James W. Stolecki, P.E.
Senior Environmental Project Manager

Enclosure

cc: Chet Myers – Massport



Massachusetts Department of Environmental Protection

eDEP Transaction Copy

Here is the file you requested for your records.

To retain a copy of this file you must save and/or print.

Username: **JSTOLECKI1**

Transaction ID: **991046**

Document: **WPA Form 3 - NOI**

Size of File: **259.62K**

Status of Transaction: **In Process**

Date and Time Created: **2/7/2018:11:52:05 AM**

Note: This file only includes forms that were part of your transaction as of the date and time indicated above. If you need a more current copy of your transaction, return to eDEP and select to "Download a Copy" from the Current Submittals page.



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 3 - Notice of Intent

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

Provided by MassDEP:
MassDEP File #:
eDEP Transaction #:991046
City/Town:BOSTON

A.General Information

1. Project Location:

a. Street Address	88 BLACK FALCON		
b. City/Town	BOSTON	c. Zip Code	02127
d. Latitude	42.34366N	e. Longitude	71.02216W
f. Map/Plat #	NA	g.Parcel/Lot #	NA

2. Applicant:

Individual Organization

a. First Name	JAMES	b.Last Name	STOLECKI
c. Organization	MASSACHUSETTS PORT AUTHORITY		
d. Mailing Address	ONE HARBORSIDE DRIVE, SUITE 200S		
e. City/Town	EAST BOSTON	f. State	MA
g. Zip Code	02128		
h. Phone Number	617-568-3552	i. Fax	
j. Email	jstolecki@massport.com		

3.Property Owner:

more than one owner

a. First Name	JAMES	b. Last Name	STOLECKI
c. Organization	MASSACHUSETTS PORT AUTHORITY		
d. Mailing Address	ONE HARBORSIDE DRIVE, SUITE 200S		
e. City/Town	EAST BOSTON	f.State	MA
g. Zip Code	02128		
h. Phone Number	617-568-3552	i. Fax	
j.Email	jstolecki@massport.com		

4.Representative:

a. First Name		b. Last Name	
c. Organization			
d. Mailing Address			
e. City/Town		f. State	
g. Zip Code			
h.Phone Number		i.Fax	
j.Email			

5.Total WPA Fee Paid (Automatically inserted from NOI Wetland Fee Transmittal Form):

a.Total Fee Paid	160.00	b.State Fee Paid	67.50	c.City/Town Fee Paid	92.50
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6.General Project Description:

REPAIR OF PORTION OF THE PIER AT BLACK FALCON CRUISE TERMINAL DAMAGED WHEN A CONTAINER SHIP DOCKED AT CONLEY CONTAINER TERMINAL, ON THE OPPOSITE SIDE OF THE RESERVED CHANNEL, BROKE FREE OF ITS BOW LINES AND IMPACTED THE PIER.

7a.Project Type:

- | | |
|--|--|
| 1. <input type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Limited Project Driveway Crossing | 4. <input type="checkbox"/> Commercial/Industrial |
| 5. <input type="checkbox"/> Dock/Pier | 6. <input type="checkbox"/> Utilities |
| 7. <input checked="" type="checkbox"/> Coastal Engineering Structure | 8. <input type="checkbox"/> Agriculture (eg., cranberries, forestry) |
| 9. <input type="checkbox"/> Transportation | 10. <input type="checkbox"/> Other |



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7b. Is any portion of the proposed activity eligible to be treated as a limited project subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. Yes No If yes, describe which limited project applies to this project:
 2. Limited Project REPAIR OF PIER.

8. Property recorded at the Registry of Deeds for:

a. County:	b. Certificate:	c. Book:	d. Page:
SUFFOLK		29055	333

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

1. Buffer Zone & Resource Area Impacts (temporary & permanent):

This is a Buffer Zone only project - Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.

2. Inland Resource Areas: (See 310 CMR 10.54 - 10.58, if not applicable, go to Section B.3. Coastal Resource Areas)

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
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a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land under Waterbodies and Waterways	1. Square feet	2. square feet
	3. cubic yards dredged	
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet	
	2. cubic feet of flood storage lost	3. cubic feet replaced

f. Riverfront Area

1. Name of Waterway (if any)
2. Width of Riverfront Area (check one)
- 25 ft. - Designated Densely Developed Areas only
 - 100 ft. - New agricultural projects only
 - 200 ft. - All other projects
3. Total area of Riverfront Area on the site of the proposed project
- square feet

4. Proposed Alteration of the Riverfront Area:

- a. total square feet b. square feet within 100 ft. c. square feet between 100 ft.



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Project Involves Stream Crossings

If the project involves Stream Crossings, please enter the number of new stream crossings/number of replacement stream crossings.

a. number of new stream crossings

b. number of replacement stream crossings

C. Other Applicable Standards and Requirements

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage of Endangered Species program (NHESP)?

a. Yes No

If yes, include proof of mailing or hand delivery of NOI to:

Natural Heritage and Endangered Species
Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

b. Date of map:2016

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18)...

c. Submit Supplemental Information for Endangered Species Review * (Check boxes as they apply)

1. Percentage/acreage of property to be altered:

(a) within Wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

2. Assessor's Map or right-of-way plan of site

3. Project plans for entire project site, including wetland resource areas and areas outside of wetland jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

a. Project description (including description of impacts outside of wetland resource area & buffer zone)

b. Photographs representative of the site

c. MESA filing fee (fee information available at: <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/mass-endangered-species-act-mesa/mesa-fee-schedule.html>)

Make check payable to "Natural Heritage & Endangered Species Fund" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

d. Vegetation cover type map of site

e. Project plans showing Priority & Estimated Habitat boundaries

d. OR Check One of the following

1. Project is exempt from MESA review. Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <http://www.mass.gov/eea/agencies/dfg/dfw/laws-regulations/cmr/321-cmr-1000-massachusetts-endangered-species-act.html#10.14>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. Separate MESA review ongoing.



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MassDEP File #:
eDEP Transaction #:991046
City/Town:BOSTON

a. NHESP Tracking Number

b. Date submitted to NHESP

3. Separate MESA review completed.

Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review...

2. For coastal projects only, is any portion of the proposed project located below the mean high waterline or in a fish run?

a. Not applicable - project is in inland resource area only

b. Yes No

If yes, include proof of mailing or hand delivery of NOI to either:

South Shore - Cohasset to Rhode Island,
and the Cape & Islands:

North Shore - Hull to
New Hampshire:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
1213 Purchase street - 3rd floor
New Bedford, MA 02740-6694

Division of Marine
Fisheries -
North Shore Office
Attn: Environmental
Reviewer
30 Emerson Avenue
Gloucester, MA 01930

If yes, it may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional office.

3. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?

a. Yes No

If yes, provide name of ACEC (see instructions to WPA Form 3 or DEP Website for ACEC locations). **Note:** electronic filers click on Website.

b. ACEC Name

4. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?

a. Yes No

5. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L.c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L.c. 130, § 105)?

a. Yes No

6. Is this project subject to provisions of the MassDEP Stormwater Management Standards?

a. Yes, Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:

1. Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol.2, Chapter 3)

2. A portion of the site constitutes redevelopment

3. Proprietary BMPs are included in the Stormwater Management System



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 3 - Notice of Intent

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

Provided by MassDEP:
MassDEP File #:
eDEP Transaction #:991046
City/Town:BOSTON

E. Fees

1. Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

_____	_____
2. Municipal Check Number	3. Check date
_____	_____
4. State Check Number	5. Check date
_____	_____
6. Payer name on check: First Name	7. Payer name on check: Last Name

F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

James Stolecki	2/7/2018
_____	_____
1. Signature of Applicant	2. Date
Massachusetts Port Authority	2/7/2018
_____	_____
3. Signature of Property Owner(if different)	4. Date
_____	_____
5. Signature of Representative (if any)	6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in Section C, Items 1-3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 3 - Notice of Wetland Fee Transmittal
Form

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

Provided by MassDEP:
 MassDEP File #:
 eDEP Transaction #:991046
 City/Town: BOSTON

A. Applicant Information

1. Applicant:

a. First Name	JAMES	b. Last Name	STOLECKI	
c. Organization	MASSACHUSETTS PORT AUTHORITY			
d. Mailing Address	ONE HARBORSIDE DRIVE, SUITE 200S			
e. City/Town	EAST BOSTON	f. State	MA	g. Zip Code 02128
h. Phone Number	6175683552	i. Fax	j. Email	jstolecki@massport.com

2. Property Owner: (if different)

a. First Name	JAMES	b. Last Name	STOLECKI	
c. Organization	MASSACHUSETTS PORT AUTHORITY			
d. Mailing Address	ONE HARBORSIDE DRIVE, SUITE 200S			
e. City/Town	EAST BOSTON	f. State	MA	g. Zip Code 02128
h. Phone Number	6175683552	i. Fax	j. Email	jstolecki@massport.com

3. Project Location:

a. Street Address	88 BLACK FALCON	b. City/Town	BOSTON
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Are you exempted from Fee? (YOU HAVE SELECTED 'NO')

Note: Fee will be exempted if you are one of the following:

- City/Town/County/District
- Municipal Housing Authority
- Indian Tribe Housing Authority
- MBTA

State agencies are only exempt if the fee is less than \$100

B. Fees

Activity Type	Activity Number	Activity Fee	RF Multiplier	Sub Total
A.) WORK ON DOCKS, PIERS, REVETMENTS, DIKES, ETC. (COASTAL OR INLAND).	40	4.00		160.00

City/Town share of filing fee	State share of filing fee	Total Project Fee
\$92.50	\$67.50	\$160.00

Background

On December 6, 2017, during the overnight hours at Conley Terminal in South Boston, Massachusetts, the Helsinki Bridge, a container ship broke free of its bow lines at Conley Terminal. While still attached to Conley Terminal via its stern line, the vessel rotated around its stern and impacted the pier at Black Falcon Cruise Terminal, adjacent to the southeast corner of the pier, near the 88 Black Falcon office building (“88 Black Falcon”).

The impact resulted in damage to a portion of the deck and pier located on the southerly side of the 88 Black Falcon. That portion of the Black Falcon Cruise Terminal deck is maintained for use as parking for tenants at 88 Black Falcon, vehicular access for the public and tenants of 88 Black Falcon, fire truck access for 88 Black Falcon, public access to the Harborwalk, and to provide berthing and mooring facilities for cruise vessels during the cruise season.

Despite the damage, sufficient space remains for one lane of traffic; however, a portion of the pier was isolated due to the potential danger posed by the damage to the deck and pier to the public and to vehicular traffic, including a portion of the Harborwalk in this location. Further, cruise berthing is not possible in this location until the damage is repaired. The resulting constraints on traffic and on public access, as well as the public safety concerns, need to be remedied as soon as possible.

Proposed Pier Repair

As stated, Massport requested Emergency Certification pursuant to 310 CMR 10.06 in order to repair the area that had been impacted on January 16, 2018. An Emergency Certification was approved for only demolition portion of the work on January 17, 2018.

In order to repair the area, Massport will first have to demolish the damaged section. In order to access this area, the Contractor will first need to remove 4, 12-inch diameter timber fender piles that protect the area. Massport’s contractor will then position a barge immediately below the damaged section, and will utilize equipment positioned on the barge to demolish the concrete in the area. The barge will be utilized to capture concrete and other debris to prevent it from entering Boston Harbor.

Once the demolition is completed, Massport will install (i) six, 24-inch diameter steel pipe piles to support the repaired section, and (ii) a new concrete deck with support from the remains of the existing concrete gravity wall on the inboard side and the new steel pipe piles on the outboard side.

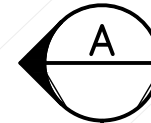
Massport anticipates that the total new impact to Land Under the Ocean will be no more than 19 square feet from these new pipe piles. The timber piles will not be reinstated, resulting in 3 square feet of reduction in impact to Land Under the Ocean; the net impact is 16 square feet. No additional impacts (other than temporary impacts from the removal of the timber fender piles) is anticipated as part of this project.

Given the timing of the incident, the minimal impacts from the work, and the urgency of the work to protect public safety, Massport requests that no time of year restriction be imposed on the pile driving portion of the proposed work.

LIMIT OF 100' BUFFER ZONE

PARCEL ID 0602674015
N/F MASS PORT AUTHORITY

PROP. 6-24"Ø
BATTERED PIPE
PILES (TYP.); PILES
MAY BE SOCKETED



EX. 12"Ø TIMBER FENDER
PILE TO BE REMOVED
(TYP.)(4 TOTAL)

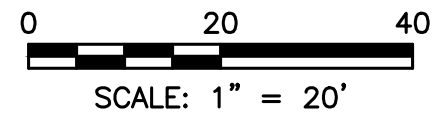
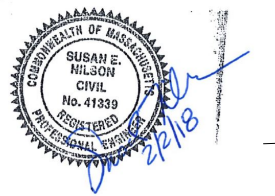
EX. BOLLARD TO BE
REPLACED

EXISTING 8'-2"
FENDERS TYP OF 5,
"K" TO "O"

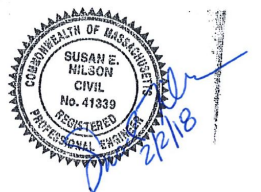
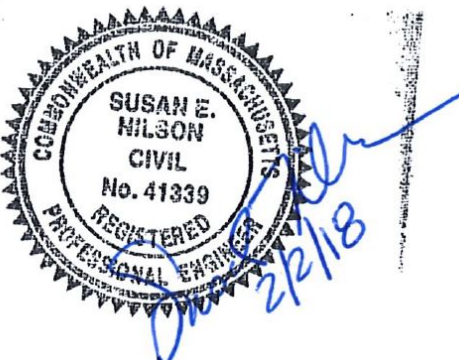
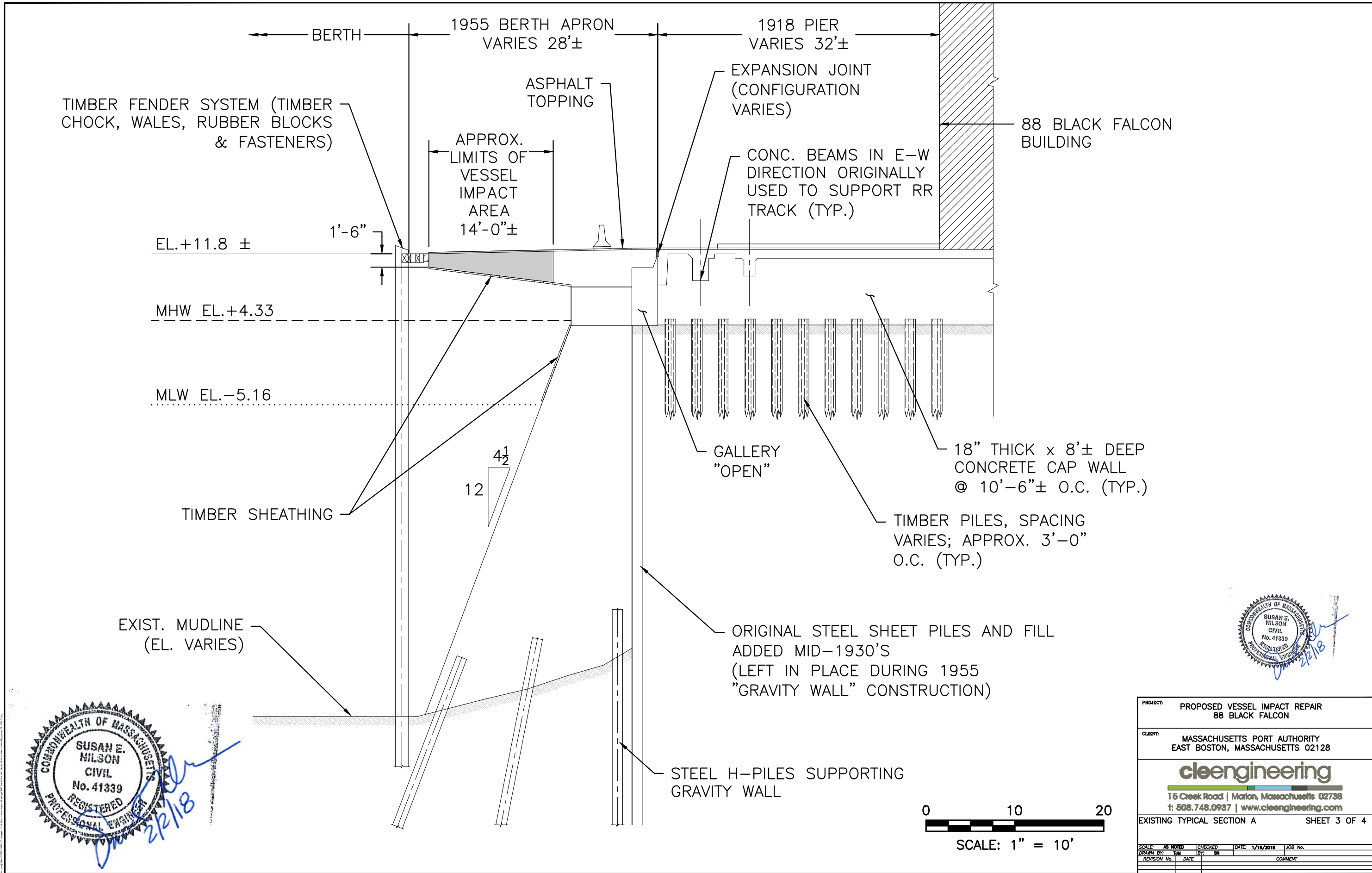
APPROX. LIMITS OF
VESSEL IMPACT
40'± REQUIRED
REPAIR

APPROXIMATE PROPERTY LINE

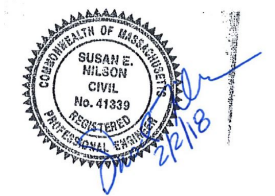
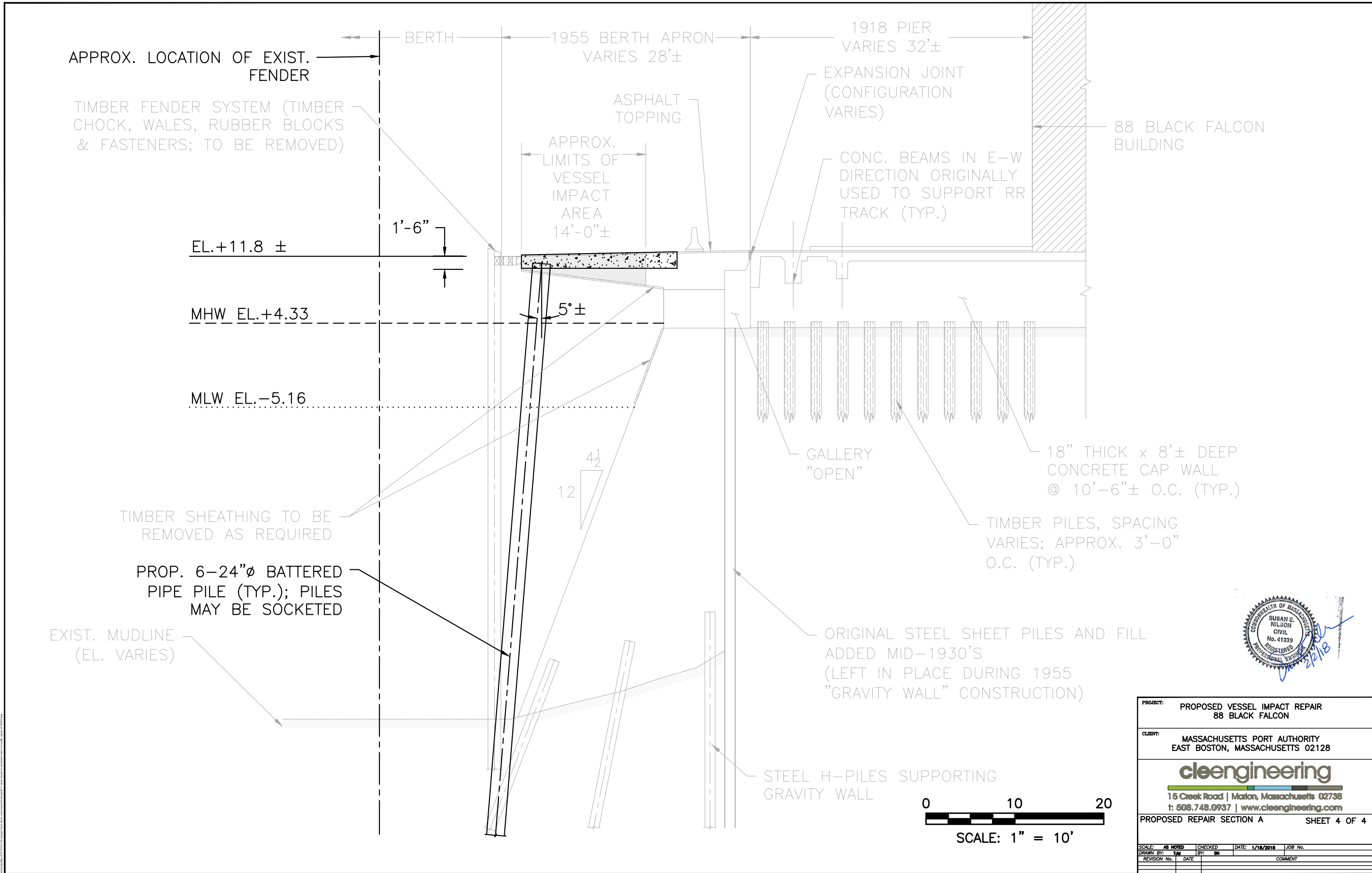
LAND UNDER OCEAN



PROJECT: PROPOSED VESSEL IMPACT REPAIR 88 BLACK FALCON			
CLIENT: MASSACHUSETTS PORT AUTHORITY EAST BOSTON, MASSACHUSETTS 02128			
cleengineering 15 Creek Road Marion, Massachusetts 02738 t: 508.748.0937 www.cleengineering.com			
EXISTING & PROPOSED CONDITIONS SHEET 2 OF 4			
SCALE: AS NOTED	CHECKED:	DATE: 1/18/2018	JOB No.
DRAWN BY: TUM	BY: SM		
REVISION No.	DATE	COMMENT	



PROJECT: PROPOSED VESSEL IMPACT REPAIR 88 BLACK FALCON			
CLIENT: MASSACHUSETTS PORT AUTHORITY EAST BOSTON, MASSACHUSETTS 02128			
 15 Creek Road Marion, Massachusetts 02738 t: 508.748.0937 www.cleengineering.com			
EXISTING TYPICAL SECTION A		SHEET 3 OF 4	
SCALE: AS NOTED	CHECKED:	DATE: 1/18/2018	JOB No.
DRAWN BY: TUM	BY: SN		
REVISION No.	DATE	COMMENT	



PROJECT: PROPOSED VESSEL IMPACT REPAIR 88 BLACK FALCON			
CLIENT: MASSACHUSETTS PORT AUTHORITY EAST BOSTON, MASSACHUSETTS 02128			
 15 Creek Road Marion, Massachusetts 02738 t: 508.748.0937 www.cleengineering.com			
PROPOSED REPAIR SECTION A		SHEET 4 OF 4	
SCALE: AS NOTED	CHECKED:	DATE: 1/18/2018	JOB No.
DRAWN BY: TJM	BY: SM		
REVISION No.	DATE	COMMENT	