



MASSACHUSETTS WATER RESOURCES AUTHORITY

Chelsea Facility
2 Griffin Way
Chelsea, Massachusetts 02150

Telephone: (617) 242-6000
Facsimile: (617) 305-5990

Frederick A. Laskey
Executive Director

April 14, 2022

Mr. Nicholas Moreno
Boston Conservation Commission
1 City Hall Square, Room 709
Boston, MA 02201

Re: Notice of Intent – Siphon Structure dd – VFW Parkway

Dear Mr. Moreno and Members of the Conservation Commission,

The Massachusetts Water Resources Authority (MWRA) will be performing necessary maintenance and repair activities to improve flood protection, site access, structural conditions, operational requirements, and odor control for selected sewer siphon and junction structures in the MWRA wastewater system as part of the Siphon/Junction Structure Rehabilitation Project (Project). The attached Notice of Intent is for MWRA's Section 638, Station 201+99 (referred to as Structure dd). The structure is located within a 100-foot wetland buffer zone, a 25-foot riverfront protection area, and a FEMA Flood Zone (Bordering Lands Subject to Flooding).

The notice of intent is being submitted under the Massachusetts Wetlands Protection Act. MWRA is claiming an exemption from the municipal bylaw. MWRA's enabling act, Chapter 372 of the Acts of 1984, exempts it from local wetland bylaws. The section including this exemption is as follows:

SECTION 3

There is hereby created and placed in the executive office of environmental affairs a body politic and corporate and a public instrumentality to be known as the Massachusetts Water Resources Authority, which shall be an independent public authority not subject to the supervision or control of the executive office of environmental affairs or of any other executive office, department, commission, board, bureau, agency or political subdivision of the commonwealth except to the extent and in the manner provided in this act. The exercise by the Authority of the powers conferred by this act shall be deemed to be the performance of an essential public function.

We appreciate your time and look forward to working with you on this important Project. Please do not hesitate to contact the Project Manager, Milan Horbaczewski at Milan.Horbaczewski@mwra.com if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "John Colbert".

John Colbert, PE Chief Engineer

cc: Rebecca Weidman, Director of Environmental & Regulatory Affairs, MWRA
Milan Horbaczewski, PE, Program Manager, MWRA
Michael Cunningham, PE, Kleinfelder
Eileen Piskura, Kleinfelder
Rachel Freed, Massachusetts Department of Environmental Protection
Kate Oetheimer, Assistant Conservation Agent, City of Boston

Attachments

Appendix A: WPA Form 3 – Notice of Intent

Appendix B: Figures

Figure 1: USGS Locus Map

Figure 2: FEMA Flood Map

Figure 3: Existing Site Plan Structure DD

Figure 4: Proposed Site Plan Structure DD

Appendix C: Project Narrative

Appendix D: Affidavit of Service, List of Abutters, and Notification Form

Appendix E: Wetland Delineation Report

Appendix F: NOI Fee Transmittal Form and Copy of Fee Checks

APPENDIX A

WPA Form 3 – Notice of Intent



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands

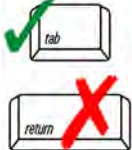
WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number
Document Transaction Number
Boston
City/Town

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



Note:
 Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

VFW Parkway	Boston	02132
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:	42.265097	-71.170143
	d. Latitude	e. Longitude
	2010646002	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

John	Colbert	
a. First Name	b. Last Name	
Massachusetts Water Resources Authority (MWRA)		
c. Organization		
100 First Avenue, Building 39		
d. Street Address		
Boston	MA	02129
e. City/Town	f. State	g. Zip Code
	John.Colbert@MWRA.com	
h. Phone Number	i. Fax Number	j. Email Address

3. Property owner (required if different from applicant): Check if more than one owner

a. First Name	b. Last Name	
United States of America		
c. Organization		
VFW Parkway		
d. Street Address		
West Roxbury	MA	02132
e. City/Town	f. State	g. Zip Code
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

Christine	Walsh	
a. First Name	b. Last Name	
CDW Consultants, Inc.		
c. Company		
6 Huron Drive		
d. Street Address		
Natick	MA	01760
e. City/Town	f. State	g. Zip Code
508-813-4257	cwalsh@cdwconsultants.com	
h. Phone Number	i. Fax Number	j. Email address

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

\$500	\$237.50	\$262.50
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

The MWRA is planning to perform sewer structure upgrades and create access routes to the structures as needed. Three structures are located within the City of Boston and a Notice of Intent will be submitted individually for each structure. The structure subject to this Notice of Intent is Sewer Section 638, Station 201+99.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- 1. Single Family Home
- 2. Residential Subdivision
- 3. Commercial/Industrial
- 4. Dock/Pier
- 5. Utilities
- 6. Coastal engineering Structure
- 7. Agriculture (e.g., cranberries, forestry)
- 8. Transportation
- 9. Other

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration 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. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Suffolk	
a. County	b. Certificate # (if registered land)
7794	224
c. Book	d. Page Number

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

- 1. Buffer Zone Only – 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).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



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

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	_____	
	1. square feet	

	2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	_____	_____
	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	_____	_____
	1. square feet	2. cubic yards dune nourishment
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	_____	
	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	_____	
	1. square feet	
h. <input type="checkbox"/> Salt Marshes	_____	_____
	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	_____	
	1. square feet	

	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	_____	
	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	

	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____	
	1. square feet	

4. Restoration/Enhancement
If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

a. square feet of BVW

b. square feet of Salt Marsh

5. Project Involves Stream Crossings

a. number of new stream crossings

b. number of replacement stream crossings



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C. Other Applicable Standards and Requirements

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

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 and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

- 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**

8/1/2021

- b. Date of map _____

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review*

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

2. Project plans for entire project site, including wetland resource areas and areas outside of wetlands 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

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



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C. Other Applicable Standards and Requirements (cont'd)

(c) MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" 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

(f) 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, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; 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. a. NHESP Tracking # _____ 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.

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

a. Not applicable – project is in inland resource area only b. Yes No

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

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

North Shore - Hull to New Hampshire border:

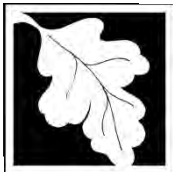
Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: dmf.envreview-north@mass.gov

Also if yes, the project 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.

c. Is this an aquaculture project? d. Yes No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



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C. Other Applicable Standards and Requirements (cont'd)

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

- 4. 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 MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
 b. ACEC

- 5. 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
- 6. 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
- 7. 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.
 b. No. Check why the project is exempt:
 - 1. Single-family house
 - 2. Emergency road repair
 - 3. Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

- 1. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
- 2. Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



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D. Additional Information (cont'd)

3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. List the titles and dates for all plans and other materials submitted with this NOI.

Site Plan Structure dd

a. Plan Title

Rishabh Iyer

b. Prepared By

10/2021

d. Final Revision Date

Locus Map

f. Additional Plan or Document Title

c. Signed and Stamped by

1" = 20'

e. Scale

7/23/2021

g. Date

5. If there is more than one property owner, please attach a list of these property owners not listed on this form.

6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.

7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.

8. Attach NOI Wetland Fee Transmittal Form

9. Attach Stormwater Report, if needed.

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:

26428

2. Municipal Check Number

26425

4. State Check Number

CDW Consultants, Inc.

6. Payor name on check: First Name

3/3/2022

3. Check date

3/3/2022

5. Check date

7. Payor name on check: Last Name



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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.

John Collett

1. Signature of Applicant

2/28/2022

2. Date

3. Signature of Property Owner (if different)

Christine Walsh

4. Date

5/25/2022

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 any part of Section C, Item 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.

APPENDIX B

Figures

USGS Locus Map – Structure DD
Boston, MA
Massachusetts Water Resources Authority



Legend

 Site Location



Sources: MassGIS, FEMA, Klienfelder



FEMA Flood Zone Map – Structure DD
 Boston, MA
 Massachusetts Water Resources Authority



Legend

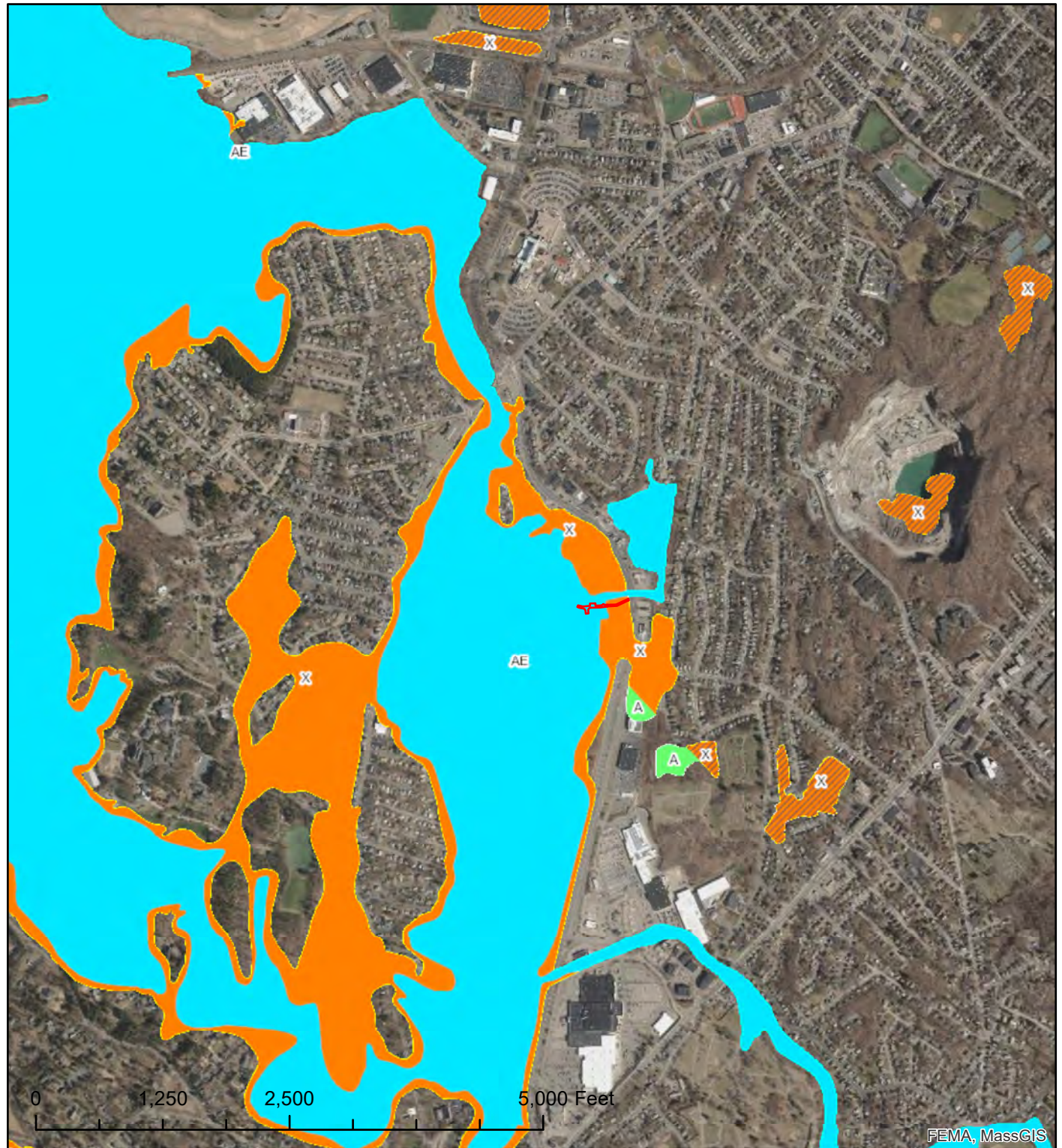
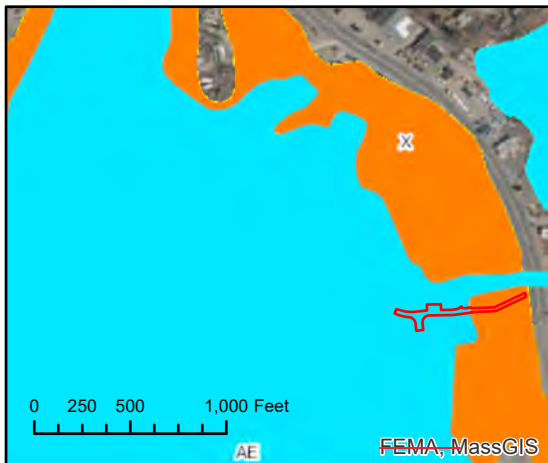
FEMA National Flood Hazard Layer Legend

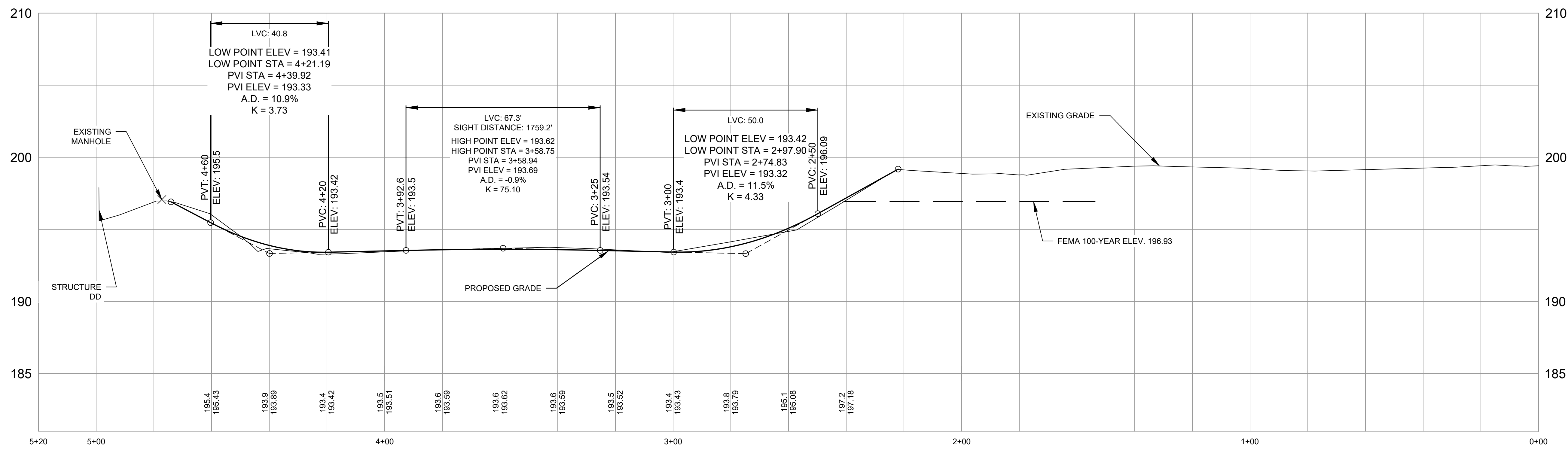
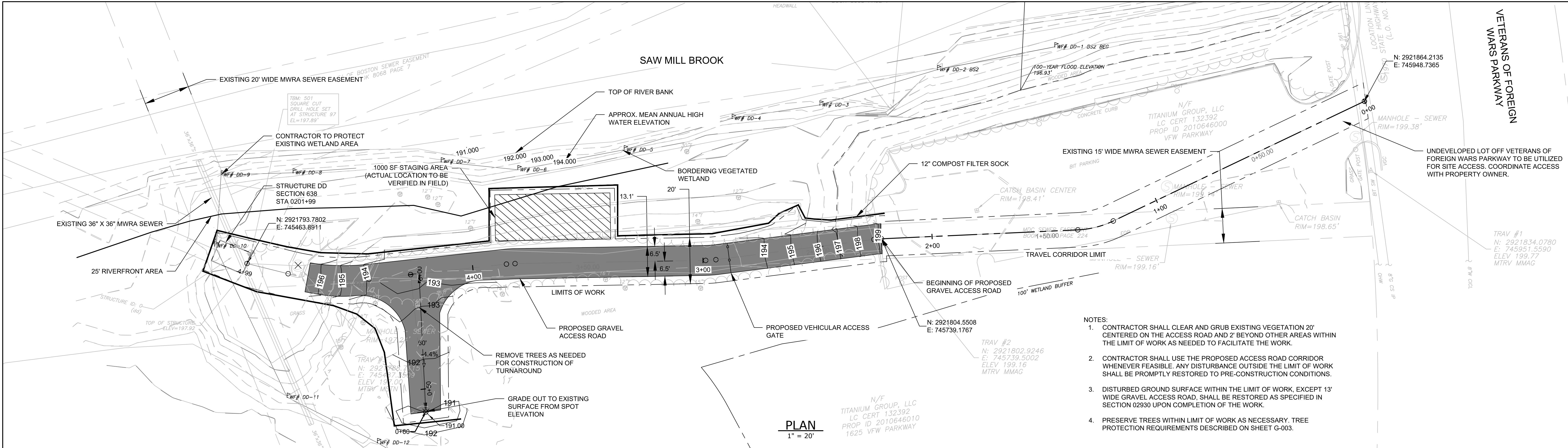
Flood Zone Designations

- A: 1% Annual Chance of Flooding, no BFE
- AE: 1% Annual Chance of Flooding, with BFE
- AE: Regulatory Floodway
- AH: 1% Annual Chance of 1-3ft Ponding, with BFE
- AO: 1% Annual Chance of 1-3ft Sheet Flow Flooding, with Depth
- VE: High Risk Coastal Area
- D: Possible But Undetermined Hazard
- X: 0.2% Annual Chance of Flooding
- X: 1% Drainage Area < 1 Sq. Mi.
- X: Reduced Flood Risk due to Levee
- Area Not Included
- Area with no DFIRM - Paper FIRMs in Effect
- Site Location



Sources: MassGIS, FEMA, Klienfelder





100% DESIGN
NOT FOR CONSTRUCTION

REFERENCE:	CONTRACT NO. : 6225	CAD FILE NO. : 6225-C-SITEPLAN-DD-EE-FF-GG-II_52522	<p>MASSACHUSETTS WATER RESOURCES AUTHORITY</p>	<p>SIPHON/JUNCTION STRUCTURE REHABILITATION PHASE 1</p>	DRAWING NO. C-141 - P
	ACCESSION NO. :	SECTION NO. : 638			
DATE: JUNE 2022	DESIGNED BY: TW	DRAWN BY: RI	<p>One Beacon Street, Suite 8100 Boston, MA 02108 Phone: 617-497-7800 www.kleinfelder.com</p>	<p>93 of 125</p>	
SCALE: AS NOTED	CHECKED BY: JJ	APPROVED BY: MC			
NO. DATE BY CHK'D REVISION					

APPENDIX C

Project Narrative



Notice of Intent – Project Narrative

MWRA Siphon/Junction Structure Rehabilitation Project
June 2022

Introduction

This Notice of Intent is submitted under the Massachusetts Wetlands Protection Act (WPA) (310 CMR 10.0000) for the proposed work associated with necessary maintenance and repair activities to improve flood protection, site access, structural conditions, operational requirements, and odor control for selected sewer siphon and junction structures in the Massachusetts Water Resources Authority (MWRA) wastewater system as part of the Siphon/Junction Structure Rehabilitation Project (Project). Three structures are located within the City of Boston (City) and, as instructed by the Commission, a Notice of Intent will be submitted individually for each structure. The structure subject to this Notice of Intent is Sewer Section 638, Station 201+99 (referred to as structure dd). This structure is located within a 100-foot wetland buffer zone, 25-foot riverfront protection area, and Bordering Land Subject to Flooding (BLSF). MWRA sought to have this utility maintenance work exempt per 310 CMR 10.02(2)(a)2:

(a) Activities Within the Areas Subject to Protection under M.G.L. c. 131, § 40. Any activity proposed or undertaken within an area specified in 310 CMR 10.02(1), which will remove, fill, dredge or alter that area, is subject to Regulation under M.G.L. c. 131, § 40 and requires the filing of a Notice of Intent except:

2. activities conducted to maintain, repair or replace, but not substantially change or enlarge an existing and lawfully located structure or facility used in the service of the public and used to provide...water, sewer...provided said work utilizes the best practical measures to avoid or minimize impacts to wetland resource areas outside the footprint of said structure or facility. A project proponent claiming that work to remove, fill, dredge or alter an area specified in 310 CMR 10.02(1) does not require the filing of a Notice of Intent has the burden of establishing that the work is not subject to Regulation under M.G.L. c. 131, § 40.

MWRA requested the exemption in a letter dated September 16, 2021 and was instructed by the Boston Conservation Commission to submit this Notice of Intent.

Background

The MWRA has 146 sewer siphon structures and junction structures located throughout the MWRA's wastewater collection system. The MWRA, through its engineering and operations staff, conducted inspections in 2019 to review and update the recommended improvements and developed a prioritized list of 41 structures to include in this Project. The MWRA based its evaluation on both the need for improvements and flood protection.

The purpose of the Project is to improve flood protection, site access, structural conditions, operational requirements, and odor control for the selected siphon and junction structures. Increased flooding caused by climate change has the potential to inundate MWRA sewer structures located near riverine areas, which could lead to backups and overflows of sewer pipelines. This work to maintain structural integrity to avoid backups and overflows of wastewater of the sewer system is essential to preserve public health and the environment.

Location Description – Section 201, Station 201+99 (referred to as Structure dd)

Structure dd is located in a wooded area along the Charles River in Boston on a parcel listed by the City Assessor's Department as owned by the United States of America (US Army Corps of Engineers). Current access is through an undeveloped commercial lot off of Veterans of Foreign Wars Parkway and downhill towards a wooded area. The structure is near the bank of an unnamed tributary to the Charles River and current access does not allow vehicles to safely access the structure. MWRA is proposing to install a permanent gravel access road within the existing MWRA easement from the paved portion of the undeveloped lot west to the structure across a mostly cleared and level portion of the commercial parcel in order to provide safe access for future maintenance. The limits of work are shown on Figure 3.

The structure is within the 100-foot buffer zone of bordering vegetated wetlands (BVW) located to the north and west. The Charles River is located to the west. An unnamed tributary of the Charles River is located to the north; the structure is located within the riverfront area of this waterbody. Commercial properties abut the undeveloped area to the east, beyond which is the VFW Parkway. The structure and a portion of the access route are located within a FEMA Flood Zone AE with a 1% annual chance of flooding, with Base Flood Elevation (BLSF) as shown on Figure 2.

In general, the sequence of work will begin with clearing and minor grading as needed to provide access to the structure for construction. Due to the existing site conditions, MWRA anticipates removing shrubs and invasive species along the northern edge of the proposed permanent road so that the mature cottonwood trees along the southern edge can remain. These trees will be protected during the work. Construction of the proposed turn around area near the end of the gravel access path will require removal of three 6-14" diameter cottonwood trees. The permanent access route is located outside of the wetland but within FEMA Flood Zone.

The second stage of work will be the structure improvements. The contractor will rehabilitate and line the interior of the structure and then replace the top slab.

During construction, an approximately 1,000-square foot staging area will be utilized on the north side of the access route near the structure where existing clearings are available. This area will provide limited materials storage; the majority of materials will be brought in and out daily with the construction crew, however, some machinery and equipment may be stored overnight. No materials with the potential to cause contamination will be stored overnight unless it is in a secure, weatherproof container. The staging area will be removed after construction is completed and returned to reconstruction conditions.

Lastly, the contractor will establish a gravel access path within the cleared limits of the MWRA's existing easement so the MWRA can access the structure for future maintenance and restore all other disturbed land to pre-construction conditions. This path will enable vehicle access and eliminate need for future clearing without increasing surface runoff over existing conditions. Establishing the gravel road will not result in any net increases to surface elevations within the floodplain and so no compensatory storage is necessary. Establishing the gravel road will result in a net reduction in the elevation of the FEMA Flood Zone which will result in an increase of flood storage of approximately 405 cubic feet.

The Project's topsoil and seeding specifications require the contractor to decompact and prepare areas to be restored and maintain seeded areas throughout the duration of a "maintenance period," which lasts one year after substantial completion, i.e. the warranty period. There are requirements within those specifications for ensuring germination, fixing erosion, and reseeded. The Project's environmental protection procedures specifications (Sections 01100, 01110) require procedures for protecting features

throughout the project area, restricting operations to the limits of the designated locations, regular sweeping and dust control, and paving.

The proposed design and restoration have been reviewed by the US Army Corps of Engineers (USACE) through a pre-application meeting with the MWRA for the Access Permit that will be submitted for this project prior to construction. In addition, the MWRA has contacted the commercial property owner and provided them with the NOI and drawings for this project.

Wetland Resource Areas/Buffer Zones

Wetland resource areas relative to the project sites were delineated in accordance with the procedures described in the WPA regulations by CDW Consultants, Inc. (CDW) through field inspections in August 2020. The Wetland Resource Evaluation and Massachusetts Department of Environmental Protection (MassDEP) BVW Field Data Forms are attached.

As previously stated, the work is proposed to be conducted within a riverfront, within a 100-foot buffer zone of BVW, and within a BLSF. The project site is not located within any Tidelands Jurisdiction Chapter 91 areas, Areas of Critical Environmental Concern (ACEC), Natural Heritage and Endangered Species Program (NHESP) Priority Habitat or Estimated Habitat of Rare Species, or vernal pools according to data available on the Massachusetts Geographic Information System (MassGIS) Online Mapping Tool.

The project has been designed to comply with the Massachusetts Wetlands Protection Act (M.G.L. Chapter 131, Section 40) and its implementing Regulations (310 CMR 10.00). The project meets the performance standards for each applicable resource area:

- **310 CMR 10.55(4) – Bordering Vegetated Wetlands**
 - (a) Temporary alterations to the BVW will be restored to pre-construction conditions.
 - (b) Temporary alterations to the BVW will be restored to pre-construction conditions.
 - (c) The work is not located within a Priority Habitat or Estimated Habitats of Rare Wildlife or certified vernal pool.
 - (d) The work is not located within an Area of Critical Environmental Concern.
- **310 CMR 10.57(4)(a) – Bordering Land Subject to Flooding**
 - 1. Compensatory storage will be provided for all flood storage volume that will be lost as the result of a proposed project within Bordering Land Subject to Flooding.
 - 2. The work within the BLSF will not restrict flows so as to cause an increase in flood stage or velocity.
 - 3. The work is not within a portion of BLSF that is significant to the protection of wildlife habitat as shown on the attached Simplified Wildlife Habitat Evaluation form.
- **310 CMR 10.58(4) – Riverfront Area**
 - (a) The work meets the performance standards for all other resource areas within the riverfront area.
 - (b) The work is not located within a Priority Habitat or Estimated Habitats of Rare Wildlife or certified vernal pool.

- (c) There is no practicable and substantially equivalent economic alternative to the proposed project with less adverse effects.
- (d) The work has no significant adverse impact on the riverfront area.

The wetland flags depicted on Figure 3 represent the edge of BVW as well as the mean annual high water line. The water's edge in this area is considered the top of bank. Temporary alterations to the BVW (approximately 50 square feet) in the direct vicinity of the structure will be restored to pre-construction conditions. The contractor will use a seed mix appropriate for the area being restored and maintain seeded areas throughout the duration of a "maintenance period," which lasts one year after substantial completion, i.e. the warranty period. The proposed alteration to BLSF is 5,370 square feet and to Riverfront Area is 460 square feet to establish the permanent gravel access path. Most of the existing easement from the paved parking lot to the siphon structure and the area at the beginning of the turn-around is already compacted gravel with weeds growing through it. Approximately, 1,200 square feet of surface area along the access route will be changed from wooded to gravel and the remaining 2,900 square feet along the route will stay as a gravel surface.

Summary of Proposed Work

Proposed improvements to the structures include:

- Waterproofing/Flood Protection – Providing resistance to flooding and inundation
 - Watertight manhole ingress and internal leak sealing
- Ingress – Improving access into the structure through top of structure modifications
 - New concrete top slab with 4-foot by 8-foot mounted hatch
- Structural – Providing structure renewal through internal surface rehabilitations and repairs
 - Replace coating with internal resurfacing and coating
- Mechanical/Operational – Providing operational enhancements through stop log/weir plate modifications
 - Add new weir plate guides
- Odor Control – Providing odor (and moisture) mitigation
 - None

Proposed improvements to the access route for structure dd include:

- Clearing – Removing and disposing of all unwanted surface material along the access route and at the structure site, such as brush, grass, downed trees, and other material.
- Tree Removal – Removing and disposing of trees along the route and at the site.
- Grading – Leveling the ground surface along the route and at the site to provide safe access for personnel and vehicles.

Alternatives Analysis

Structure dd is located in the West Roxbury section of Boston and is surrounded by vegetation and a tributary to the Charles River. It is accessible only from Veterans of Foreign Wars Parkway through a commercial property that is currently an undeveloped, paved lot. Approximately 265 feet of the route is through a partially wooded, partially cleared area. This portion of the route requires clearing and minor tree removal for vehicle access. MWRA enlisted an arborist to evaluate the access route and structure to provide guidance on reducing tree removal while still providing safe access to the structure. Based on information from the arborist, MWRA shifted the proposed access road north so that mature cottonwood trees would not be disturbed. Most of the route requires negligible grading, but some minor grading is needed at each end of the of the route where is transitions from the paved lot to the wooded area and near the structure. Access to the structure is only available from Veterans of Foreign Wars Parkway, no other public roads are present in the vicinity. MWRA chose the proposed route because it provides the most direct route to the structure, utilizes the existing paved lot off of the Parkway and the existing MWRA easement, and is has been maintained by the MWRA for maintenance access in the past. Therefore, the proposed route is the least impactful and no alternative routes were identified.

The proposed activities are necessary to prolong the functionality of the structure for transporting sewage and protecting the structure from floodwater inundation. Therefore, the alternative to leave the structure as is and not complete the maintenance activities was deemed infeasible.

Alternatives for the finishing material of the proposed access route included asphalt pavement, gravel, or leaving the area vegetated. Leaving the access route vegetated was deemed infeasible, because the MWRA's maintenance personnel and equipment would not be able to access the structure in the future. Gravel was chosen over asphalt because it would enable vehicle access without increasing surface runoff. The existing ground surface material consists of floodplain alluvium soils which have hydrologic soil properties that are more limiting to infiltration than the proposed surface.

Compliance with Massachusetts Stormwater Policy

Massachusetts Stormwater Management Policy and the standards at 310 CMR 10.05(6)(k) are generally not applicable because the Project is not creating any impervious surfaces, stormwater conveyances, or stormwater systems covered by the standards. The Stormwater standards and the manner the Project complies with them are summarized as follows:

- Standard 1:** As no new impervious surfaces will be constructed, there will be no new stormwater point source discharges to untreated stormwater into, or causing erosion to, wetlands and waters.
- Standard 2:** Post-development peak discharge rates will not exceed pre-development peak discharge rates.
- Standard 3:** This Project will not result in an increase in impervious area and no loss of groundwater recharge will occur.
- Standard 4:** This Project will not result in an increase in impervious area and therefore does not require TSS removal facilities.
- Standard 5:** This Project does not contain land uses with higher potential pollutants as described in MassDEP's Stormwater Management Policy.

- Standard 6:** This Project will not result in any new point-source discharges and will not, therefore, discharge to or affect a critical area.
- Standard 7:** This Project will not result in an increase in impervious areas or point source discharges and therefore, Standards 1, 2, 3, 4, 5, 6, 7, 9, and 10 are generally not applicable. Compliance with Standard 8 is discussed below.
- Standard 8:** Erosion and sedimentation controls for construction and land disturbance activities have been incorporated into the Project design.
- Standard 9:** No structural stormwater treatment devices are warranted or proposed for this Project (because no increase in impervious surfaces will occur), therefore, an Operation and Maintenance Plan is not necessary.
- Standard 10:** No illicit discharges to a stormwater management system will occur.

Environmental Controls and Additional Permitting

The MWRA's contractor will install and maintain temporary erosion and sediment controls around the work area, including fully biodegradable compost filter sock as the primary erosion and sediment control. Proposed erosion and sediment controls are depicted on Figure 3. Erosion and sediment controls will be monitored each workday and after precipitation events to ensure they are intact, and no sediment is bypassing the control measures. Necessary environmental and construction permits will be obtained prior to the start of work at each project area. Permit requirements will be followed as feasible and practical to maintain compliance with applicable regulations.

APPENDIX D

Affidavit of Service, List of Abutters, and Notification Form



**AFFIDAVIT OF SERVICE
FOR ABUTTER NOTIFICATION**

**Under the Massachusetts Wetlands Protection Act
and Boston Wetlands Ordinance**

I, Christine Walsh, hereby certify under pains and penalties of perjury that that at least one week prior to the public hearing, I gave notice to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, section 40, and the DEP Guide to Abutter Notification dated April 8, 1994, in connection with the following matter:

A Notice of Intent _____ was filed under the Massachusetts Wetlands Protection Act and/or the Boston Wetlands Ordinance by MWRA _____ for necessary maintenance and repair activities for MWRA Sewer Section 638, Station 201+99 (structure dd) _____ located at VFW Parkway, Boston, MA _____.

The Abutter Notification For, the list of abutters to whom it was given, and their addresses are attached to this Affidavit of Service.

Christine Walsh Digitally signed by Christine Walsh
Date: 2022.05.25 14:18:40 -0400'

Name

5/25/2022

Date

List of Abutters

PARCEL ID	PROPERTY ADDRESS	CITY	ZIPCODE	OWNER	ADDRESSEE	MAILING ADDRESS	MAILING CITY	MAILING STATE	MAILING ZIPCODE
2010646002	VFW PW	WEST ROXBURY	02132	UNITED STATES OF AMERICA		VFW PKWY	WEST ROXBURY	MA	02132
2010646010	1625 VFW PW	WEST ROXBURY	02132	TITANIUM GROUP LLC		500 TURNPIKE ST	CANTON	MA	02021
2010647000	1675 VFW PW	WEST ROXBURY	02132	R K WEST ROXBURY LLC	C/O RK CENTERS	50 CABOT ST SUITE 200	NEEDHAM	MA	02494
2010643010	1525 1607 VFW PW	WEST ROXBURY	02132	AMR REAL ESTATE HOLDINGS LLC	C/O MATTHEW MCGOVERN	425 PROVIDENCE HW	WESTWOOD	MA	02090
2010646000	VFW PW	WEST ROXBURY	02132	TITANIUM GROUP LLC		275 N PEARL ST	BROCKTON	MA	02302
2010646020	1665 VFW PW	WEST ROXBURY	02132	R K WEST ROXBURY LLC	C/O RK CENTERS	50 CABOT ST SUITE 200	NEEDHAM	MA	02494
9299	135 PROVIDENCE HWY	DEDHAM	02132	R K WEST ROXBURY LLC	C/O RK CENTERS	50 CABOT ST SUITE 200	NEEDHAM	MA	02494



**NOTIFICATION TO ABUTTERS
BOSTON CONSERVATION COMMISSION**

In accordance with the Massachusetts Wetlands Protection Act, Massachusetts General Laws Chapter 131, Section 40, and the Boston Wetlands Ordinance, you are hereby notified as an abutter to a project filed with the Boston Conservation Commission.

A. Massachusetts Water Resources Authority (MWRA) has filed a Notice of Intent with the Boston Conservation Commission seeking permission to alter an Area Subject to Protection under the Wetlands Protection Act (General Laws Chapter 131, section 40) and Boston Wetlands Ordinance.

B. The address of the lot where the activity is proposed is VFW Parkway, Boston, MA _____.

C. The project involves necessary maintenance and repair activities for MWRA Sewer Section 638, Station 201+99 (structure dd).

D. Copies of the Notice of Intent may be obtained by contacting the Boston Conservation Commission at CC@boston.gov.

E. Copies of the Notice of Intent may be obtained from Milan Horbaczewski _____ by contacting them at Milan.Horbaczewski@mwra.com ___ between the hours of 9 AM to 5 PM _____, Monday through Friday__.

F. In accordance with the Chapter 20 of the Acts of 2021, the public hearing will take place **virtually** at <https://zoom.us/j/6864582044>. If you are unable to access the internet, you can call 1-929-205-6099, enter Meeting ID 686 458 2044 # and use # as your participant ID.

G. Information regarding the date and time of the public hearing may be obtained from the **Boston Conservation Commission** by emailing CC@boston.gov or calling **(617) 635-3850** between the hours of **9 AM to 5 PM, Monday through Friday**.

NOTE: Notice of the public hearing, including its date, time, and place, will be published at least five (5) days in advance in the **Boston Herald**.

NOTE: Notice of the public hearing, including its date, time, and place, will be posted on www.boston.gov/public-notices and in Boston City Hall not less than forty-eight (48) hours in advance. If you would like to provide comments, you may attend the public hearing or send written comments to CC@boston.gov or Boston City Hall, Environment Department, Room 709, 1 City Hall Square, Boston, MA 02201

NOTE: If you would like to provide comments, you may attend the public hearing or send written comments to CC@boston.gov or Boston City Hall, Environment Department, Room 709, 1 City Hall Square, Boston, MA 02201

NOTE: You also may contact the Boston Conservation Commission or the Department of Environmental Protection Northeast Regional Office for more information about this application or the Wetlands Protection Act. To contact DEP, call: the Northeast Region: (978) 694-3200.

NOTE: If you plan to attend the public hearing and are in need of interpretation, please notify staff at CC@boston.gov by 12 PM the day before the hearing.

APPENDIX E

Wetland Delineation Report



September 4, 2020

Re: MWRA structure dd Wetland Delineation

Dear Sir or Madam:

On August 28, 2020 William E. Kuriger, Ph.D. delineated wetlands at the above referenced structure. The delineation was at the edge of bordering vegetated wetlands, which could also be the annual high water locations. The top of bank is at the edge of water along the Charles River. Between wetland flags 0 dd-9 and 0 dd-11 was an area where a wetland delineation flag should be placed, about 50 feet to the southwest off the southwest corner of the siphon structure that could not be accessed due to impenetrable thorny (*Rubus spp.*) vegetation. Previous delineations could be reviewed to determine where the wetland edge in this area was in the past.

The delineation included flags 0-dd-1 to 0-dd-18. The delineation was completed during drought conditions. United States Army Corps of Engineers Wetland Delineation Automated Forms version ADF_NCNE_v1.15 were prepared. Copies of the forms are attached. A copy of the soil map for the site from the U.S.D.A. Natural Resources Service is also attached.

Sincerely,

A handwritten signature in black ink that reads 'William E. Kuriger'. The signature is written in a cursive style.

William E. Kuriger, Ph.D., P.W.S., L.S.P.
Environmental Scientist
Certified Wetland Scientist (NH) 069
Senior Professional Wetland Scientist (SWS)
Licensed Site Professional (MA) 8104

WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: MWRA ID dd City/County: West Roxbury Sampling Date: 08/28/20
 Applicant/Owner: MWRA State: MA Sampling Point: 16 Upland
 Investigator(s): W. E. Kuriger Section, Township, Range: _____
 Landform (hillside, terrace, etc.): Terrace Local relief (concave, convex, none): Concave Slope %: 0-15
 Subregion (LRR or MLRA): LRR R, MLRA 144A Lat: 321031 Long: 4681495 Datum: 1983
 Soil Map Unit Name: Urban land NWI classification: Upland

Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No x (If no, explain in Remarks.)
 Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes x No _____
 Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <u>X</u> No _____ Hydric Soil Present? Yes _____ No <u>X</u> Wetland Hydrology Present? Yes _____ No <u>X</u>	Is the Sampled Area within a Wetland? Yes _____ No <u>X</u> If yes, optional Wetland Site ID: _____
Remarks: (Explain alternative procedures here or in a separate report.) Drought conditions present.	

HYDROLOGY

Wetland Hydrology Indicators: <u>Primary Indicators (minimum of one is required; check all that apply)</u> _____ Surface Water (A1) _____ Water-Stained Leaves (B9) _____ High Water Table (A2) _____ Aquatic Fauna (B13) _____ Saturation (A3) _____ Marl Deposits (B15) _____ Water Marks (B1) _____ Hydrogen Sulfide Odor (C1) _____ Sediment Deposits (B2) _____ Oxidized Rhizospheres on Living Roots (C3) _____ Drift Deposits (B3) _____ Presence of Reduced Iron (C4) _____ Algal Mat or Crust (B4) _____ Recent Iron Reduction in Tilled Soils (C6) _____ Iron Deposits (B5) _____ Thin Muck Surface (C7) _____ Inundation Visible on Aerial Imagery (B7) _____ Other (Explain in Remarks) _____ Sparsely Vegetated Concave Surface (B8)	<u>Secondary Indicators (minimum of two required)</u> _____ Surface Soil Cracks (B6) _____ Drainage Patterns (B10) _____ Moss Trim Lines (B16) _____ Dry-Season Water Table (C2) _____ Crayfish Burrows (C8) _____ Saturation Visible on Aerial Imagery (C9) _____ Stunted or Stressed Plants (D1) _____ Geomorphic Position (D2) _____ Shallow Aquitard (D3) _____ Microtopographic Relief (D4) _____ FAC-Neutral Test (D5)
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Field Observations: Surface Water Present? Yes _____ No <u>x</u> Depth (inches): _____ Water Table Present? Yes _____ No <u>x</u> Depth (inches): _____ Saturation Present? Yes _____ No <u>x</u> Depth (inches): _____ (includes capillary fringe)	Wetland Hydrology Present? Yes _____ No <u>X</u>
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Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION – Use scientific names of plants.

Sampling Point: 16 Upland

<u>Tree Stratum</u> (Plot size: <u>30</u>)	Absolute % Cover	Dominant Species?	Indicator Status																	
1. <u>Populus deltoides</u>	40	Yes	FAC	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>5</u> (A) Total Number of Dominant Species Across All Strata: <u>5</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100.0%</u> (A/B)																
2. _____																				
3. _____																				
4. _____																				
5. _____																				
6. _____																				
7. _____																				
	<u>40</u>	=Total Cover		Prevalence Index worksheet: <table style="width:100%; border:none;"> <tr> <td style="width:50%; text-align:center;">Total % Cover of:</td> <td style="width:50%; text-align:center;">Multiply by:</td> </tr> <tr> <td>OBL species <u>0</u></td> <td>x 1 = <u>0</u></td> </tr> <tr> <td>FACW species <u>10</u></td> <td>x 2 = <u>20</u></td> </tr> <tr> <td>FAC species <u>120</u></td> <td>x 3 = <u>360</u></td> </tr> <tr> <td>FACU species <u>0</u></td> <td>x 4 = <u>0</u></td> </tr> <tr> <td>UPL species <u>0</u></td> <td>x 5 = <u>0</u></td> </tr> <tr> <td>Column Totals: <u>130</u></td> <td>(A) <u>380</u> (B)</td> </tr> <tr> <td colspan="2" style="text-align:center;">Prevalence Index = B/A = <u>2.92</u></td> </tr> </table>	Total % Cover of:	Multiply by:	OBL species <u>0</u>	x 1 = <u>0</u>	FACW species <u>10</u>	x 2 = <u>20</u>	FAC species <u>120</u>	x 3 = <u>360</u>	FACU species <u>0</u>	x 4 = <u>0</u>	UPL species <u>0</u>	x 5 = <u>0</u>	Column Totals: <u>130</u>	(A) <u>380</u> (B)	Prevalence Index = B/A = <u>2.92</u>	
Total % Cover of:	Multiply by:																			
OBL species <u>0</u>	x 1 = <u>0</u>																			
FACW species <u>10</u>	x 2 = <u>20</u>																			
FAC species <u>120</u>	x 3 = <u>360</u>																			
FACU species <u>0</u>	x 4 = <u>0</u>																			
UPL species <u>0</u>	x 5 = <u>0</u>																			
Column Totals: <u>130</u>	(A) <u>380</u> (B)																			
Prevalence Index = B/A = <u>2.92</u>																				
<u>Sapling/Shrub Stratum</u> (Plot size: <u>15</u>)				Hydrophytic Vegetation Indicators: <input type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation <input checked="" type="checkbox"/> 2 - Dominance Test is >50% <input type="checkbox"/> 3 - Prevalence Index is ≤3.0 ¹ <input type="checkbox"/> 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <input type="checkbox"/> Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.																
1. <u>Frangula alnus</u>	10	Yes	FAC																	
2. <u>Rhamnus cathartica</u>	25	Yes	FAC																	
3. <u>Ulmus americana</u>	10	Yes	FACW																	
4. _____																				
5. _____																				
6. _____																				
	<u>45</u>	=Total Cover																		
<u>Herb Stratum</u> (Plot size: <u>5</u>)				Definitions of Vegetation Strata: Tree – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height. Sapling/shrub – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall. Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall. Woody vines – All woody vines greater than 3.28 ft in height. Hydrophytic Vegetation Present? Yes <u>X</u> No <u>x</u>																
1. <u>Toxicodendron radicans</u>	45	Yes	FAC																	
2. _____																				
3. _____																				
4. _____																				
5. _____																				
6. _____																				
7. _____																				
8. _____																				
9. _____																				
10. _____																				
11. _____																				
	<u>45</u>	=Total Cover																		
<u>Woody Vine Stratum</u> (Plot size: <u>30</u>)																				
1. _____																				
2. _____																				
3. _____																				
4. _____																				
		=Total Cover																		

Remarks: (Include photo numbers here or on a separate sheet.)

WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: MWRA ID dd City/County: West Roxbury Sampling Date: 08/28/20
 Applicant/Owner: MWRA State: MA Sampling Point: 16 Wetland
 Investigator(s): W. E. Kuriger Section, Township, Range: _____
 Landform (hillside, terrace, etc.): Terrace Local relief (concave, convex, none): Concave Slope %: 0-3
 Subregion (LRR or MLRA): LRR R, MLRA 144A Lat: 321031 Long: 4681495 Datum: 1983
 Soil Map Unit Name: Saco silt loam NWI classification: Upland

Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No x (If no, explain in Remarks.)
 Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes x No _____
 Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <u>X</u> No _____ Hydric Soil Present? Yes <u>X</u> No _____ Wetland Hydrology Present? Yes <u>X</u> No _____	Is the Sampled Area within a Wetland? Yes <u>X</u> No _____ If yes, optional Wetland Site ID: _____
Remarks: (Explain alternative procedures here or in a separate report.) Drought conditions present.	

HYDROLOGY

Wetland Hydrology Indicators: <u>Primary Indicators (minimum of one is required; check all that apply)</u> _____ Surface Water (A1) <u>x</u> Water-Stained Leaves (B9) _____ High Water Table (A2) _____ Aquatic Fauna (B13) <u>x</u> Saturation (A3) _____ Marl Deposits (B15) _____ Water Marks (B1) _____ Hydrogen Sulfide Odor (C1) _____ Sediment Deposits (B2) _____ Oxidized Rhizospheres on Living Roots (C3) _____ Drift Deposits (B3) _____ Presence of Reduced Iron (C4) _____ Algal Mat or Crust (B4) _____ Recent Iron Reduction in Tilled Soils (C6) _____ Iron Deposits (B5) _____ Thin Muck Surface (C7) _____ Inundation Visible on Aerial Imagery (B7) _____ Other (Explain in Remarks) _____ Sparsely Vegetated Concave Surface (B8)	<u>Secondary Indicators (minimum of two required)</u> _____ Surface Soil Cracks (B6) _____ Drainage Patterns (B10) _____ Moss Trim Lines (B16) _____ Dry-Season Water Table (C2) _____ Crayfish Burrows (C8) _____ Saturation Visible on Aerial Imagery (C9) _____ Stunted or Stressed Plants (D1) _____ Geomorphic Position (D2) _____ Shallow Aquitard (D3) _____ Microtopographic Relief (D4) _____ FAC-Neutral Test (D5)
---	---

Field Observations: Surface Water Present? Yes _____ No <u>x</u> Depth (inches): _____ Water Table Present? Yes _____ No <u>x</u> Depth (inches): _____ Saturation Present? Yes <u>x</u> No _____ Depth (inches): <u>12</u> (includes capillary fringe)	Wetland Hydrology Present? Yes <u>X</u> No _____
--	---

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION – Use scientific names of plants.

Sampling Point: 16 Wetland

	Absolute % Cover	Dominant Species?	Indicator Status																	
Tree Stratum (Plot size: <u>30</u>)																				
1. <u>Populus deltoides</u>	25	Yes	FAC	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>5</u> (A) Total Number of Dominant Species Across All Strata: <u>6</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>83.3%</u> (A/B)																
2. _____																				
3. _____																				
4. _____																				
5. _____																				
6. _____																				
7. _____																				
	<u>25</u>	=Total Cover																		
Sapling/Shrub Stratum (Plot size: <u>15</u>)																				
1. <u>Frangula alnus</u>	20	Yes	FAC	Prevalence Index worksheet: <table style="width:100%; border:none;"> <tr> <td style="width:50%; text-align:center;">Total % Cover of:</td> <td style="width:50%; text-align:center;">Multiply by:</td> </tr> <tr> <td>OBL species <u>0</u></td> <td>x 1 = <u>0</u></td> </tr> <tr> <td>FACW species <u>30</u></td> <td>x 2 = <u>60</u></td> </tr> <tr> <td>FAC species <u>55</u></td> <td>x 3 = <u>165</u></td> </tr> <tr> <td>FACU species <u>0</u></td> <td>x 4 = <u>0</u></td> </tr> <tr> <td>UPL species <u>5</u></td> <td>x 5 = <u>25</u></td> </tr> <tr> <td>Column Totals: <u>90</u> (A)</td> <td><u>250</u> (B)</td> </tr> <tr> <td colspan="2" style="text-align:center;">Prevalence Index = B/A = <u>2.78</u></td> </tr> </table>	Total % Cover of:	Multiply by:	OBL species <u>0</u>	x 1 = <u>0</u>	FACW species <u>30</u>	x 2 = <u>60</u>	FAC species <u>55</u>	x 3 = <u>165</u>	FACU species <u>0</u>	x 4 = <u>0</u>	UPL species <u>5</u>	x 5 = <u>25</u>	Column Totals: <u>90</u> (A)	<u>250</u> (B)	Prevalence Index = B/A = <u>2.78</u>	
Total % Cover of:	Multiply by:																			
OBL species <u>0</u>	x 1 = <u>0</u>																			
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UPL species <u>5</u>	x 5 = <u>25</u>																			
Column Totals: <u>90</u> (A)	<u>250</u> (B)																			
Prevalence Index = B/A = <u>2.78</u>																				
2. <u>Cornus amomum</u>	20	Yes	FACW																	
3. <u>Ulmus americana</u>	10	Yes	FACW																	
4. _____																				
5. _____																				
6. _____																				
7. _____																				
	<u>50</u>	=Total Cover																		
Herb Stratum (Plot size: <u>5</u>)																				
1. <u>Toxicodendron radicans</u>	10	Yes	FAC	Hydrophytic Vegetation Indicators: <input type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation <input checked="" type="checkbox"/> 2 - Dominance Test is >50% <input checked="" type="checkbox"/> 3 - Prevalence Index is ≤3.0 ¹ <input type="checkbox"/> 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <input type="checkbox"/> Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.																
2. <u>Diervilla lonicera</u>	5	Yes	UPL																	
3. _____																				
4. _____																				
5. _____																				
6. _____																				
7. _____																				
8. _____																				
9. _____																				
10. _____																				
11. _____																				
12. _____																				
	<u>15</u>	=Total Cover																		
Woody Vine Stratum (Plot size: <u>30</u>)																				
1. _____				Definitions of Vegetation Strata: Tree – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height. Sapling/shrub – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall. Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall. Woody vines – All woody vines greater than 3.28 ft in height.																
2. _____																				
3. _____																				
4. _____																				
		=Total Cover																		
<table style="width:100%; border:none;"> <tr> <td style="width:60%;">Hydrophytic Vegetation Present?</td> <td style="width:20%; text-align:center;">Yes <u>X</u></td> <td style="width:20%; text-align:center;">No _____</td> </tr> </table>					Hydrophytic Vegetation Present?	Yes <u>X</u>	No _____													
Hydrophytic Vegetation Present?	Yes <u>X</u>	No _____																		

Remarks: (Include photo numbers here or on a separate sheet.)

Soil Map—Norfolk and Suffolk Counties, Massachusetts
(MWRA IDs dd ee ff gg ii)



Map Scale: 1:5,200 if printed on A landscape (11" x 8.5") sheet.

0 50 100 200 300 Meters

0 250 500 1000 1500 Feet

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 19N WGS84



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:25,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Norfolk and Suffolk Counties, Massachusetts

Survey Area Data: Version 16, Jun 11, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 31, 2019—Sep 24, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
1	Water	12.0	8.9%
5	Saco silt loam, 0 to 3 percent slopes	40.8	30.4%
104C	Hollis-Rock outcrop-Charlton complex, 0 to 15 percent slopes	0.1	0.0%
602	Urban land, 0 to 15 percent slopes	19.1	14.3%
603	Urban land, wet substratum, 0 to 3 percent slopes	4.0	3.0%
626B	Merrimac-Urban land complex, 0 to 8 percent slopes	20.2	15.1%
655	Udorthents, wet substratum	38.0	28.3%
Totals for Area of Interest		134.2	100.0%

APPENDIX F

NOI Fee Transmittal Form and Copy of Fee Checks



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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



A. Applicant Information

1. Location of Project:

<u>VFW Parkway</u>	<u>Boston</u>
a. Street Address	b. City/Town
<u>26425</u>	<u>\$237.50</u>
c. Check number	d. Fee amount

2. Applicant Mailing Address:

<u>John</u>	<u>Colbert</u>	
a. First Name	b. Last Name	
<u>Massachusetts Water Resources Authority (MWRA)</u>		
c. Organization		
<u>100 First Avenue, Building 39</u>		
d. Mailing Address		
<u>Boston</u>	<u>MA</u>	<u>02129</u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email Address

3. Property Owner (if different):

<u></u>	<u></u>	
a. First Name	b. Last Name	
<u>United States of America</u>		
c. Organization		
<u>VFW Parkway</u>		
d. Mailing Address		
<u>Boston</u>	<u>MA</u>	<u>02132</u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Utility structure maintenance	1	\$500	\$500
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Step 5/Total Project Fee:			\$500
Step 6/Fee Payments:			
Total Project Fee:			\$500
State share of filing Fee:			\$237.50
City/Town share of filing Fee:			\$262.50
			a. Total Fee from Step 5
			b. 1/2 Total Fee less \$12.50
			c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)