



**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:

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MassDEP File Number

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Document Transaction Number

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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):

50 Battery Street  
 a. Street Address

Boston  
 b. City/Town

02210  
 c. Zip Code

Latitude and Longitude:  
 42.366399  
 d. Latitude

-71.049558  
 e. Longitude

Ward 3  
 f. Assessors Map/Plat Number

Parcel 3040  
 g. Parcel /Lot Number

2. Applicant:

Jim  
 a. First Name

Richard  
 b. Last Name

Burroughs Wharf Condominium Trust  
 c. Organization

50 Battery Street  
 d. Street Address

Boston  
 e. City/Town

MA  
 f. State

02210  
 g. Zip Code

(617)523-8188  
 h. Phone Number

(617)523-5054  
 i. Fax Number

bwcondo@comcast.net  
 j. Email Address

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

Same  
 a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Ryan  
 a. First Name

Young  
 b. Last Name

Childs Engineering Corporation  
 c. Company

34 William Way  
 d. Street Address

Bellingham  
 e. City/Town

MA  
 f. State

02019  
 g. Zip Code

(508)966-9092  
 h. Phone Number

(508)966-9096  
 i. Fax Number

youngr@childseng.com  
 j. Email address

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

\$1,312.50  
 a. Total Fee Paid

\$487.50  
 b. State Fee Paid

\$825.00  
 c. City/Town Fee Paid



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## A. General Information (continued)

### 6. General Project Description:

Clean and recoat steel piles and girders on the South, Central, and Northern Wharves; install new anodes; clean and patch spalls on concrete deck, beams, and pile caps; repair a 15 foot long area of the block seawall; and replace the adjacent floating dock marina along with guide piles in kind.

### 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)
18459	102
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)**

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
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	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
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. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - <b>specify coastal or inland</b>	

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. and 200 ft.
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5. Has an alternatives analysis been done and is it attached to this NOI?  Yes  No

6. Was the lot where the activity is proposed created prior to August 1, 1996?  Yes  No

3.  Coastal Resource Areas: (See 310 CMR 10.25-10.35)

**Note:** for coastal riverfront areas, please complete **Section B.2.f.** above.



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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.

Table with 3 columns: Resource Area, Size of Proposed Alteration, Proposed Replacement (if any). Rows include Designated Port Areas, Land Under the Ocean, Barrier Beach, Coastal Beaches, Coastal Dunes, Coastal Banks, Rocky Intertidal Shores, Salt Marshes, Land Under Salt Ponds, Land Containing Shellfish, Fish Runs, and Land Subject to Coastal Storm Flowage.

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](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**

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 <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/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 [http://www.mass.gov/dfwele/dfw/nhesp/regulatory\\_review/mesa/mesa\\_fee\\_schedule.htm](http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_fee_schedule.htm)). 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, [http://www.mass.gov/dfwele/dfw/nhesp/regulatory\\_review/mesa/mesa\\_exemptions.htm](http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_exemptions.htm); 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@state.ma.us](mailto:DMF.EnvReview-South@state.ma.us)

Division of Marine Fisheries -  
North Shore Office  
Attn: Environmental Reviewer  
30 Emerson Avenue  
Gloucester, MA 01930  
Email: [DMF.EnvReview-North@state.ma.us](mailto:DMF.EnvReview-North@state.ma.us)

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.



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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

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- 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.

Burroughs Wharf Repairs, Barkan Management Company, Boston, MA

a. Plan Title

R. Young

b. Prepared By

3/2/2018

d. Final Revision Date

C. Roberts

c. Signed and Stamped by

As indicated on drawings

e. Scale

f. Additional Plan or Document Title

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:

3447

2. Municipal Check Number

5/11/2018

3. Check date

3446

4. State Check Number

5/11/2018

5. Check date

Charles

6. Payor name on check: First Name

Roberts

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.

*Jim Richard*  
 1. Signature of Applicant

5-3-2018  
 2. Date

3. Signature of Property Owner (if different)

4. Date

*Ry-Y*  
 5. Signature of Representative (if any)

5-3-2018  
 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:**

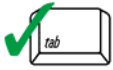
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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.



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**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>50 Battery Street</u>	<u>Boston</u>
a. Street Address	b. City/Town
<u>3446</u>	<u>\$487.50</u>
c. Check number	d. Fee amount

2. Applicant Mailing Address:

<u>Jim</u>	<u>Richard</u>	
a. First Name	b. Last Name	
<u>Burroughs Wharf Condominium Trust</u>		
c. Organization		
<u>50 Battery Street</u>		
d. Mailing Address		
<u>Boston</u>	<u>MA</u>	<u>02109</u>
e. City/Town	f. State	g. Zip Code
<u>(617)523-8188</u>	<u>(617)523-5054</u>	<u>bwcondo@comcast.net</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></u>		
c. Organization		
<u></u>		
d. Mailing Address		
<u></u>	<u></u>	<u></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).



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**B. Fees** (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 5	1	\$1,312.50	\$1,312.50
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
<b>Step 5/Total Project Fee:</b>			<u>\$1,312.50</u>
<b>Step 6/Fee Payments:</b>			
Total Project Fee:			<u>\$1,312.50</u> a. Total Fee from Step 5
State share of filing Fee:			<u>\$487.50</u> b. 1/2 Total Fee <b>less</b> \$12.50
City/Town share of filing Fee:			<u>\$825.00</u> c. 1/2 Total Fee <b>plus</b> \$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.)

ATTACHMENT A – PROJECT DESCRIPTION  
Proposed Repairs at Burroughs Wharf

This summary outlines the proposed project activities, existing conditions, anticipated impacts and mitigation measures to ensure that the proposed project minimizes impacts on wetland resource areas.

## **1.0 PROJECT PURPOSE AND NEED**

The proposed project involves making repairs to the existing steel piles and girders, concrete superstructure and deck, and stone block seawall under the North, Central, and South Wharf, as well as, replacing (in kind) the floating dock marina adjacent to the wharf. These repairs are to take place at Burroughs Wharf at 50 Battery Street, Boston, MA. The steel pile repairs will consist of cleaning and recoating 153 steel H piles supporting the North, Central, and South Wharf. Approximately 10 existing sacrificial anodes for the steel piles will be replaced as well as 1 additional anode being reconnected. The steel girder repairs will consist of cleaning and recoating the 9 girders located on the South Wharf. Additionally, there are a few areas on the concrete beams, pile caps, and deck that require repairing; including spalls and disintegration around drilled drain holes in the deck. The spall and disintegration repairs will be made by chipping and removing unsound concrete and exposed reinforcing steel and repairing the areas with new concrete. These repairs are regular maintenance and typical with this type of structure in this location. Similar repairs have been done over the life of the structure with the last set of these repairs completed in 2010.

Repairs will also be made to a concrete utility chase located under the deck of the South Wharf. These repairs will entail replacing a fiberglass utility cover and re-sealing the new cover as well as the joints of the concrete utility chase. In addition, the existing marina located to the south of the South Wharf will be replaced in kind. This marina consists of floating docks anchored by steel pipe guide piles. The marina provides approximately 14 berths and is accessed by a gangway extending down from the South Wharf.

## **2.0 ANTICIPATED IMPACTS AND MITIGATION MEASURES**

### **Resource Areas and Anticipated Impacts**

#### Designated Port Area

A Designated Port Area means those areas designated in 301 CMR 25.00: Designation of Port Areas. The proposed project is not within a Designated Port Area. The closest boundary of a Designated Port Area is approximately 170 feet from the edge of the project area.

There will be no permanent alterations to the land under the ocean within any Designated Port Areas.

ATTACHMENT A – PROJECT DESCRIPTION  
Proposed Repairs at Burroughs Wharf

Coastal Banks

A Coastal Bank means the seaward face or side of any elevated landform, other than a coastal dune, which lies at the landward edge of land subject to tidal action or other wetland.

The pile repairs are located outshore of a block seawall which is considered a manmade coastal bank and is significant to storm damage prevention or flood control because it is a vertical buffer to storm waters. The pile repairs will not affect the coastal bank since repairs will be made to the piles above the Mean Low Water elevation with no proposed earthwork or alteration of the mudline. However, there is an approximately 15 foot long section of the existing block wall which will be repaired. The stone blocks within this section of the wall have become dislodged.

In accordance with the performance standards as defined in 310 CMR 10.30. as the coastal bank is not determined to be significant to storm damage prevention or flood control because it does not supply sediment to coastal beaches, coastal dunes or barrier beaches, therefore 310 CMR 10.30(3) through (5) do not apply. The seawall along the land side portion of the project is determined to be significant to storm damage prevention or flood control because it is a vertical buffer to storm waters, therefore 310 CMR 10.30 (6) through (8) shall apply. However, as the project is to do minor repairs to the seawall this will improve it stability and will have no adverse effects on the stability of the coastal bank per 310 CMR 10.30 (6). No new bulkhead, revetment, seawall, groin or other coastal engineering structure is being proposed therefore 310 CMR 10.30 (7) is not applicable. Per 310 CMR 10.30 (8) the minor repairs will not have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures established under 310 CMR 10.37. Additionally, the project site is not located within an estimated habitat of rare wildlife so it will not adversely affect this resource area.

Land Under the Ocean

Land Under the Ocean (LUO) means land extending from the mean low water line seaward to the boundary of the municipality's jurisdiction and includes land under estuaries.

Per the performance standards, when land under the ocean or nearshore areas of land under the ocean are found to be significant to the protection of marine fisheries, protection of wildlife habitat, storm damage prevention or flood control, 310 CMR 10.25(3) through (7) shall apply:

- (3) No improvement dredging is being proposed.
- (4) No maintenance dredging is being proposed.
- (5) The bottom topography will not be altered.
- (6) The proposed repairs will not alter LUO since the only proposed work being done below the mean low water consists of the replacement of anodes to existing piles which will not affect the existing mudline and new piles are being driven in the same place as

ATTACHMENT A – PROJECT DESCRIPTION  
Proposed Repairs at Burroughs Wharf

the existing piles at the marina. Any material or debris from the project which ends up on the mudline will be removed at the end of the project. All repairs and timing will be done to minimize the adverse effects on marine fisheries habitat and wildlife.

(7) As detailed above the project will not have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures established under 310 CMR 10.37, due to the minimal work below mean low water.

### **Mitigation Measures**

One of the proposed mitigation measures to reduce impacts due to the construction activities will be to have the Contractor deploy a floating debris boom around the proposed repair areas. This will prevent dispersal of debris material during construction work from migrating into the harbor. Additionally, the contractor shall be required to have hazardous materials spill prevention and clean up kits available on site for any waterborne equipment.

It is anticipated that the contractor will stage the construction, including all equipment and materials, from a work barge that will be temporarily moored with spud piles. We anticipate the contractor will use small work floats and a work skiff to stage the repairs and will remove all construction debris from the resource areas on a daily basis.

At the completion of the project, all construction equipment, material, and debris will be removed from the site.

### **Floodplain**

Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) for the city of Boston FEMA Community Panel Map Number 25025C0081J was reviewed. As per review of the FIRM map, most of the project is located in Zone AE (EL. 10.0) of this resource area, with the exception of the in-kind replacement of the floating marina which is located in Zone VE (EL. 13.0).

### **3.0 FEE EXPLANATION**

The proposed work is classified as work on a pier and therefore is *Category 5*. The category 5 pricing is based on the linear feet of the pier. The price per foot is \$4. The area that is to be repaired is 250 linear feet. This means the fee is  $\$4 \times 250' = \$1,000.00$ . The state fee is figured by dividing the total feel by 2 and subtracting \$12.50, which is \$487.50.

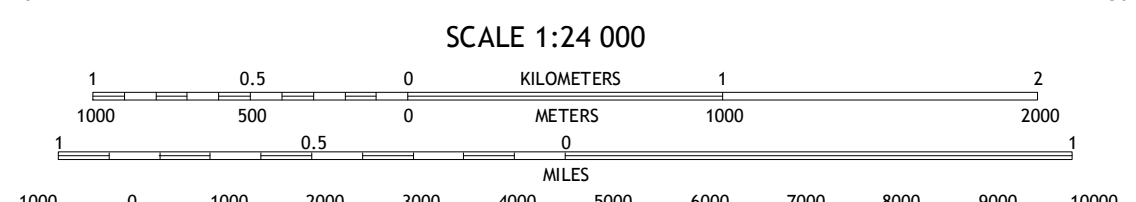
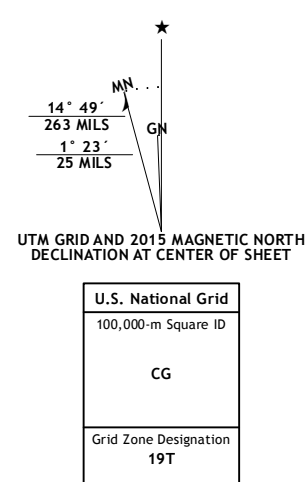
The Boston Conservation Commission does not accept the municipal portion of the NOI fee, they use a separate fee structure. The fee is determined by taking 0.075% of the fair project cost but not more than \$1500. The estimated project cost is \$1,100,000.00. This means the municipal portion of the fee is  $0.075\% \times \$1,100,000.00 = \$825.00$ .



Produced by the United States Geological Survey North American Datum of 1983 (NAD83) World Geodetic System of 1984 (WGS84) Projection and 1000-meter grid: Universal Transverse Mercator, Zone 19T 10 000-foot ticks: Massachusetts Coordinate System of 1983 (mainland zone)

This map is not a legal document. Boundaries may be generalized for this map scale. Private lands within government reservations may not be shown. Obtain permission before entering private lands.

Imagery: N.A.P., July 2014  
Roads: HERE, ©2013 2014  
Names: GNS, 2015  
Hydrography: National Hydrography Dataset, 2014  
Contours: National Elevation Dataset, 2008  
Boundaries: Multiple sources; see metadata file 1972 - 2015



SCALE 1:24 000  
CONTOUR INTERVAL 10 FEET  
NORTH AMERICAN VERTICAL DATUM OF 1988  
This map was produced to conform with the National Geospatial Program US Topo Product Standard, 2011. A metadata file associated with this product is draft version 0.6.18

ROAD CLASSIFICATION  
Expressway  
Secondary Hwy  
Ramp  
Interstate Route  
Local Connector  
Local Road  
4WD  
US Route  
State Route

ADJOINING QUADRANGLES

1	2	3
4	5	6
7	8	9

1 Lexington  
2 Boston North  
3 Lynn  
4 Newton  
5 Hull  
6 Norwood  
7 Blue Hills  
8 Weymouth

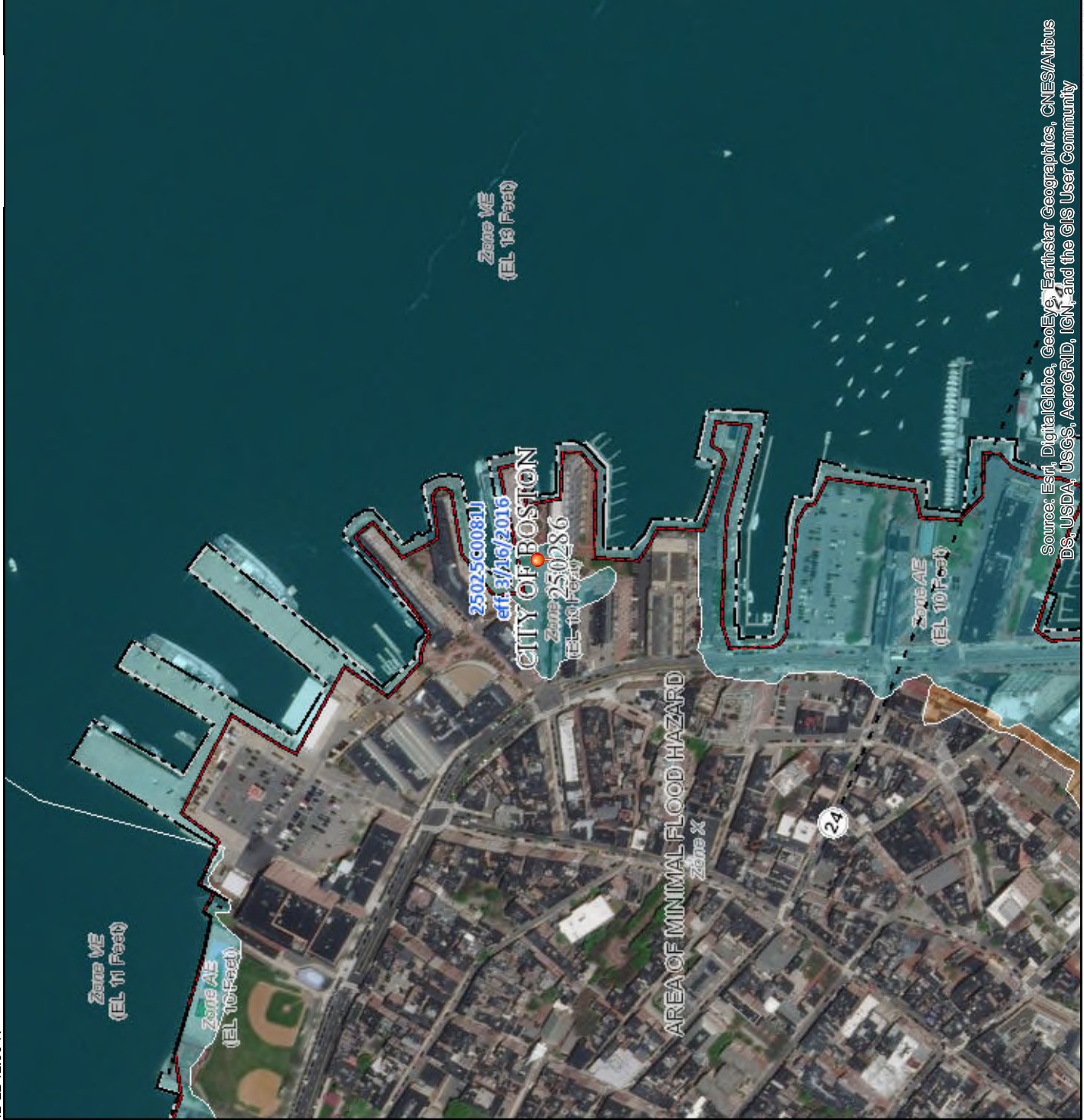


# National Flood Hazard Layer FIRMette



42°22'12.50"N

71°31'19.29"W



71°24'1.84"W

## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

**SPECIAL FLOOD HAZARD AREAS**

- Without Base Flood Elevation (BFE)  
*Zone A, V, A99*
- With BFE or Depth
- Regulatory Floodway *Zone AE, AO, AH, VE, AR*

0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*

- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

**OTHER AREAS OF FLOOD HAZARD**

- NO SCREEN
- Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone D*

**OTHER AREAS**

- Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall

**GENERAL STRUCTURES**

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

**OTHER FEATURES**

- Digital Data Available
- No Digital Data Available
- Unmapped

**MAP PANELS**

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The base map shown complies with FEMA's base map accuracy standards

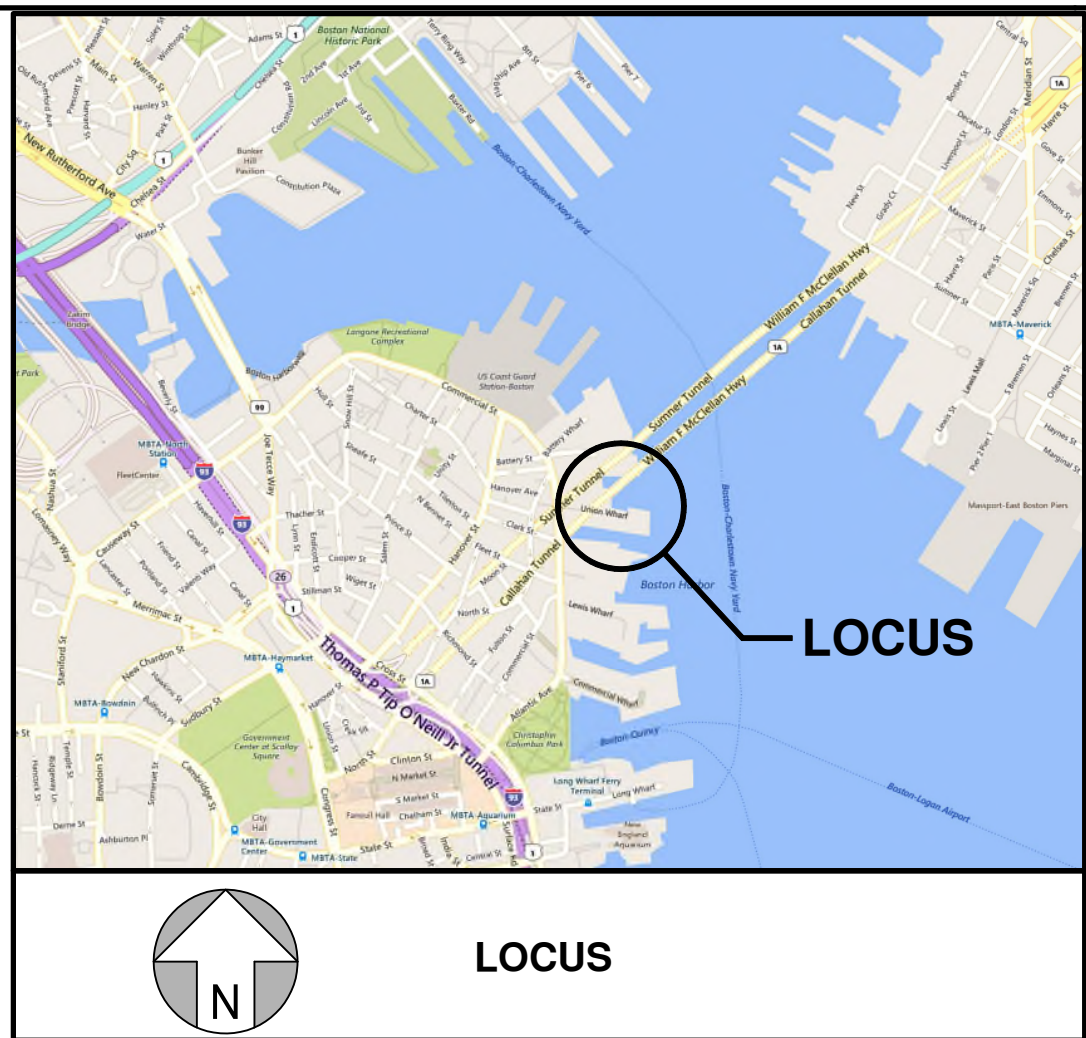
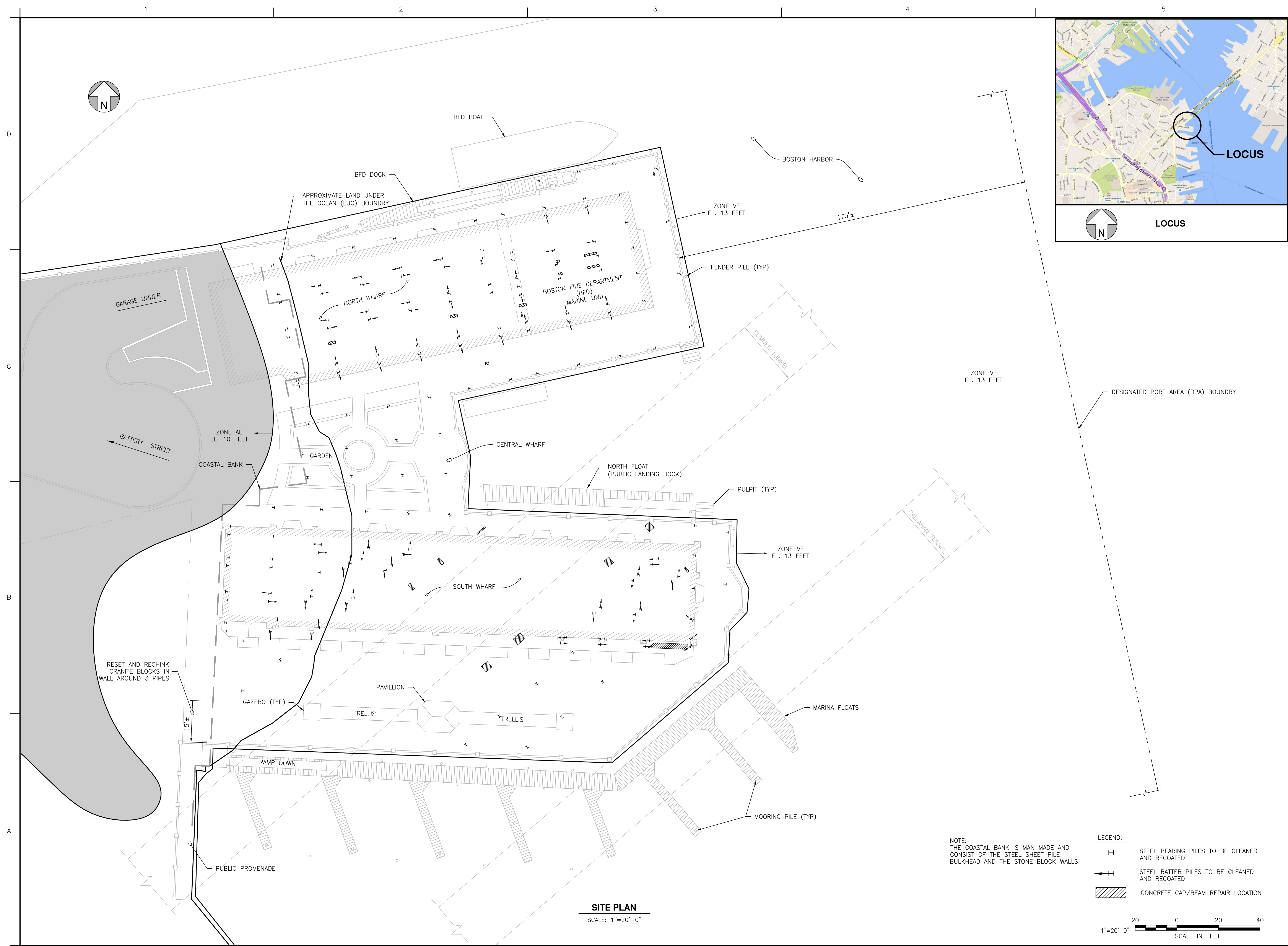
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 5/24/2018 at 10:42:17 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: base map imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.





AL LEDUC K:\2774-17.00 BURROUGHS WHARF REPAIRS\CADD\CURRENT WORKING DWGS\RESOURCE AREA IMPACT.DWG May 24, 2018 3:45pm



**CHILDS ENGINEERING CORPORATION**  
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 E-mail: [mail@childsendg.com](mailto:mail@childsendg.com)

Mark	Description	Date	Appr.

Designed by:	TEC	Date:	5/24/18
Drawn by:	RPY	Check by:	RPY
Reviewed by:	CMR	Design file no.:	277417_X-101
		Scale:	1"=20'-0"

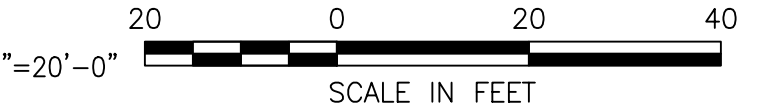
BURROUGHS WHARF  
 BARKAN MANAGEMENT COMPANY  
 BOSTON, MA

**RESOURCE AREA IMPACTS**

Sheet reference number:  
**X-101**  
 Sheet 1 of 1

NOTE:  
 THE COASTAL BANK IS MAN MADE AND CONSIST OF THE STEEL SHEET PILE BULKHEAD AND THE STONE BLOCK WALLS.

- LEGEND:
- STEEL BEARING PILES TO BE CLEANED AND RECOATED
  - STEEL BATTER PILES TO BE CLEANED AND RECOATED
  - CONCRETE CAP/BEAM REPAIR LOCATION



**SITE PLAN**  
 SCALE: 1"=20'-0"