

Massachusetts Port Authority

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

June 5, 2019

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

RE:

Notice of Intent for

Black Falcon Cruise Terminal Pier Repairs

South Boston

Dear Ms. Croteau:

Enclosed please find two (2) copies of the Notice of Intent (NOI) for the Black Falcon Cruise Terminal Pier Repairs Project proposed for the pier located on the Reserved Channel in South Boston. The proposed work consists of repairs to concrete beams and piling cap walls that support the pier deck. The repairs are proposed at locations identified during inspections where concrete and wooden pilings have deteriorated and the repairs are needed to retain the load capacity of the decking.

Similar repairs to the pier were completed under an Amended Order of Conditions (MassDEP File No. 006-1461) and received a Certificate of Compliance on February 6, 2019. The proposed work will be conducted within the 100-foot Buffer Zone of the Coastal Bank (assumed to be the outer edge of the pier bulkhead) and within Land Subject to Coastal Storm Flowage.

The NOI was submitted electronically to the Department of Environmental Protection (DEP) via eDEP, and two (2) copies of the NOI and project plans will be sent to the DEP's Northeast Regional Office. A check for \$1,500.00 for the City of Boston filing fee is being processed by the Massport Accounting Department, as the proposed project has a total estimated cost of more than \$3,000,000.

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

Sincerely,

Massachusetts Port Authority

James W. Stolecki, P.E., LSP

Senior Environmental Project Manager

Enclosures



eDEP Transaction Copy

Here is the file you requested for your records.

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

Username: JSTOLECKI1

Transaction ID: 1110986

Document: WPA Form 3 - NOI

Size of File: 249.21K

Status of Transaction: In Process

Date and Time Created: 6/5/2019:1:51:07 PM

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

Massachusetts Department of Environmental

Protection

Bureau of Resource Protection - Wetlands

WPA Form 3 - Notice of Intent

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

Provided by MassDEP: MassDEP File #:

eDEP Transaction #:1110986 City/Town:BOSTON

A.General Information

1 Proj	iect I o	cation:
1. F10	Ject Lo	cauon.

a. Street Address ONE BLACK FALCON AVENUE

b. City/Town BOSTON c. Zip Code 02210 d. Latitude 42.34345N e. Longitude 71.03258W f. Map/Plat # NA g.Parcel/Lot # 0602674015

2. Applicant:

☐ Individual ☐ Organization

a. First Name JAMES b.Last Name STOLECKI

c. Organization MASSACHUSETTS PORT AUTHORITY

d. Mailing Address ONE HARBORSIDE DRIVE

e. City/Town EAST BOSTON f. State MA g. Zip Code 02128

h. Phone Number 617-568-3552 i. Fax j. Email jstolecki@massport.com

3. Property Owner:

more than one owner

a. First Name JAMES b. Last Name STOLECKI

c. Organization MASSACHUSETTS PORT AUTHORITY

d. Mailing Address ONE HARBORSIDE DRIVE

e. City/Town EAST BOSTON f.State MA g. Zip Code 02128

h. Phone Number 617-568-3552 i. Fax j.Email jstolecki@massport.com

4. Representative:

a. First Name b. Last Name

c. Organization

d. Mailing Address

e. City/Town f. State g. Zip Code h.Phone Number i.Fax j.Email

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

a. Total Fee Paid 2,000.00 b. State Fee Paid 987.50 c. City/Town Fee Paid 1,012.50

6.General Project Description:

THE PROPOSED WORK CONSISTS OF REPAIRS TO THE EXISTING CONCRETE PILE CAPS, BEAMS AND DECK OF THE BERTH APRON LOCATED AT THE BLACK FALCON CRUISE TERMINAL. THE BERTHS ARE LOCATED ADJACENT TO THE RESERVED CHANNEL.

7a.Project Type:

Single Family Home
 Residential Subdivision
 Limited Project Driveway Crossing
 Commercial/Industrial

5. ✓ Dock/Pier 6. ☐ Utilities

7. ☐ Coastal Engineering Structure 8. ☐ Agriculture (eg., cranberries, forestry)

9. ☐ Transportation 10. ☐ Other

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7b.Is any portion of the pro CMR 10.53 (inland)?	oposed activity eligible to be tr	eated as a limited project subject to 3	10 CMR 10.24 (coastal) or 310
 ☐ Yes ☑ No Limited Project 	If yes, describe which li	mited project applies to this project:	
8.Property recorded at the	Registry of Deeds for:		
a.County:	b.Certificate:	c.Book:	d.Page:
SUFFOLK		40587	149
	source Area Impacts (ten Area Impacts (temporary & pe		
☐ This is a Buffer Zone of Inland Bank, or Coastal Re		et is located only in the Buffer Zone o	f a Bordering Vegetated Wetland,
2.Inland Resource Areas:	(See 310 CMR 10.54 - 10.58,	if not applicable, go to Section B.3.	Coastal Resource Areas)
Resource Area		Size of Proposed Alteration	n Proposed Replacement (if any)
a. □ Bank		1. linear feet	2. linear feet
b. Bordering Vegetated	Wetland	1. square feet	2. square feet
c. ☐ Land under Waterboo	lies and Waterways	1. Square feet	2. square feet
		3. cubic yards dredged	
d. ☐ Bordering Land Subje	ect to Flooding	1. square feet	2. square feet
		3. cubic feet of flood storag	ge lost 4. cubic feet replaced
e. ☐ Isolated Land Subject	t to Flooding	1. square feet	
		2. cubic feet of flood storag	ge lost 3. cubic feet replaced
f. ☐ Riverfront Area		1. Name of Waterway (if a	m;)
2. Width of Riverfront	Area (check one)	☐ 25 ft Designated Dens☐ 100 ft New agricultura☐ 200 ft All other project	sely Developed Areas only al projects only
3. Total area of Riverfr	ront Area on the site of the proj	posed project	
4. Proposed Alteration	of the Riverfront Area:		square feet
a total square feet	h square feet within 100	off c square feet between 100 ft	

Bureau of Resource Protection - Wetlands

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a. square feet of BVW

5. Projects Involves Stream Crossings

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

Provided by MassDEP: MassDEP File #: eDEP Transaction #:1110986 City/Town:BOSTON

	and 2	00 ft.	•				
5. Has an alternatives analysis been done and is it attached to this NOI? ☐ Yes☐ No							
6. Was the lot where the acti	Γ Yes Γ No						
3. Coastal Resource Areas: (See 310 CMR 10.25 - 10.35)							
Resource Area Size of Proposed Alteration Proposed Replacement (if a							
a. ✓ Designated Port Areas	Indicate size under	Land under the ocean l	below,				
b. ☐ Land Under the Ocean	1. square feet						
	2. cubic yards dredged						
c. ☐ Barrier Beaches	Indicate size under Coastal Beaches	and/or Coatstal Dunes, bel	low				
d. ☐ Coastal Beaches	1. square feet	2. cubic yards beach no	purishment				
e. Coastal Dunes	1. square feet	2. cubic yards dune not	urishment				
f. Coastal Banks	1. linear feet						
g. Rocky Intertidal Shores	1. square feet						
h. Salt Marshes	1. square feet	2. sq ft restoration, reh	ab, crea.				
i. Land Under Salt Ponds	1. square feet						
	2. cubic yards dredged						
j. Land Containing Shellfish	1. square feet						
k. ☐ Fish Runs	Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above						
	cubic yards dredged						
1. ✓ Land Subject to Coastal Storm Flowage	10000 1. square feet						
4.Restoration/Enhancement							
Restoration/Replacement 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 entered the additional amount here.							

b. square feet of Salt Marsh

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☐ Project Involves Streams Crossings

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

a. number of new stream crossings

b. number of replacement stream crossings

C. Other Applicable Standards and Requirements

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

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

 ☐ Yes

 ☐ No

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

Natural Heritage and Endangered Species

Program

Division of Fisheries and Wildlife

1 Rabbit Hill Road

Westborough, MA 01581

b. Date of map:2008

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

- c. Submit Supplemental Information for Endangered Species Review * (Check boxes as they apply)
 - 1. ☐ Percentage/acreage of property to be altered:
 - (a) within Wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

- 2. ☐ Assessor's Map or right-of-way plan of site
- 3. Project plans for entire project site, including wetland resource areas and areas outside of wetland jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **
- a. ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)
- b. ☐ Photographs representative of the site
- c. MESA filing fee (fee information available at: http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/mass-endangered-species-act-mesa/mesa-fee-schedule.html)

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

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

- d. ☐ Vegetation cover type map of site
- e. Project plans showing Priority & Estimated Habitat boundaries
- d. OR Check One of the following
 - 1. Project is exempt from MESA review. Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/eea/agencies/dfg/dfw/laws-regulations/cmr/321-cmr-1000-massachusetts-endangered-species-act.html#10.14; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
 - 2. ☐ Separate MESA review ongoing.
 - a. NHESP Tracking Number

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h	Date	cuhr	nitted	l to	NH	ESP

3. ☐ Separate MESA review completed.

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

- * Some projects not in Estimated Habitat may be located in Priority Habitat, and require NHESP review...
- 2. For coastal projects only, is any portion of the proposed project located below the mean high waterline or in a fish run? a. □ Not applicable project is in inland resource area only

b.
✓ Yes

No

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

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

North Shore - Hull to New Hampshire:

Division of Marine Fisheries -Southeast Marine Fisheries Station Attn: Environmental Reviewer 836 S. Rodney French Blvd New Bedford, MA 02744 Division of Marine Fisheries -North Shore Office Attn: Environmental Reviewer 30 Emerson Avenue Gloucester, MA 01930

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

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

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

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

a.

☐ Yes
☐ No

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

a.

☐ Yes

☐ No

- 6. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
 - a. Yes, Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
 - 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
 - Proprietary BMPs are included in the Stormwater Management System
 - b. **▼** No, Explain why the project is exempt:
 - 1. Single Family Home

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2.	Emergency	Road	Repair
	- 0 1		- I

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

 $\overline{\checkmark}$

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 by regular mail delivery.

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

a. Plan Title: b. Plan Prepared By: c. Plan Signed/Stamped By: c. Revised Final Date: e. Scale: OVERVIEW PLAN **FOTH** May 31, 2019 SECTIONS AND **FOTH** May 31, 2019 **DETAILS**

- 5. If there is more than one property owner, please attach a list of these property owners not listed on this form.
- Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed. 6.
- Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
- 8. Attach NOI Wetland Fee Transmittal Form.

Attach Stormwater Report, if needed.

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	projects of any city, town, county, or district of the Commonwealth, federally recognized Indias thority, or the Massachusetts Bay Transportation Authority.
Applicants must submit the following information ((in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment
2. Municipal Check Number	3. Check date
4. State Check Number	5. Check date
6. Payer name on check: First Name	7. Payer name on check: Last Name
urther certify under penalties of perjury that all abutte	ers were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40.
tice must be made by Certificate of Mailing or in writ	ing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet
otice must be made by Certificate of Mailing or in write the property line of the project location.	ing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet
otice must be made by Certificate of Mailing or in writing	ing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet
tice must be made by Certificate of Mailing or in writ the property line of the project location.	ing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet
James Stolecki 1. Signature of Applicant	6/5/2019 2. Date
James Stolecki 1. Signature of Applicant Massport	6/5/2019 6/5/2019 6/5/2019

For Conservation Commission:

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

For MassDEP:

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

Other

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

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

Bureau of Resource Protection - Wetlands

WPA Form 3 - Notice of Wetland FeeTransmittal

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

Provided by MassDEP: MassDEP File #: eDEP Transaction #:1110986 City/Town:BOSTON

A. Applicant Information

1. Applicant:						
a. First Name	JAMES		b.Last Name	STOLECKI		
 c. Organization 	MASSACHUSETTS I	PORT AU	JTHORITY			
d. Mailing Address	ONE HARBORSIDE	DRIVE				
e. City/Town	EAST BOSTON	f. State	MA	g. Zip Code	02128	
h. Phone Number	6175683552	i. Fax		j. Email	jstolecki@mass	sport.com
2.Property Owner:(if differen	nt)					
a. First Name	JAMES		b. Last Name	STOLECKI		
 c. Organization 	MASSACHUSETTS I	PORT AU	JTHORITY			
d. Mailing Address	ONE HARBORSIDE	DRIVE				
e. City/Town	EAST BOSTON	f.State	MA	g. Zip Code	02128	
h. Phone Number	6175683552	i. Fax		j.Email	jstolecki@mass	sport.com
3. Project Location:						
a. Street Address	ONE BLACK FAI	LCON AV	/ENUE	b.	City/Town	BOSTON

Are you exempted from Fee? ☐ (YOU HAVE SELECTED 'NO')

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

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

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

B. Fees

Activity Type	Activity Number	Activity Fee	RF Multiplier	Sub Total
A.) WORK ON DOCKS, PIERS, REVETMENTS, DIKES, ETC. (COASTAL OR INLAND).	500	4.00		2000.00
	City/Town	share of filling fee	State share of filing fee. Tot	tal Project Fee

\$1,012.50

\$2,000.00

\$987.50

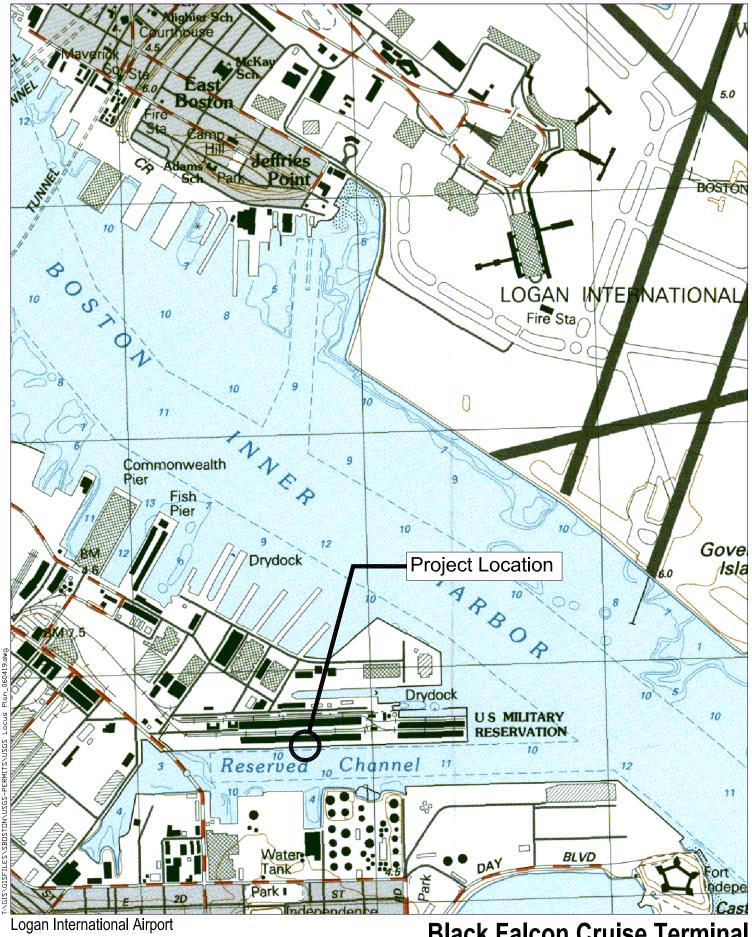
The Massachusetts Port Authority (Massport) is requesting approval to conduct repairs to the pile caps, beams and concrete deck for the berth apron located at the Black Falcon Cruise Terminal, in South Boston, Massachusetts. The items requiring repair include: spalls, cracks in concrete, degraded concrete, and degradation of existing wooden pilings supporting the concrete deck. These repairs are needed to retain the load capacity of the decking. Similar repairs to the pier were completed under an Amended Order of Conditions (MassDEP File No. 006-1461) and received a Certificate of Compliance on February 6, 2019. The proposed work will be conducted within the 100-foot Buffer Zone of the Coastal Bank (assumed to be the outer edge of the pier bulkhead) and within Land Subject to Coastal Storm Flowage. The proposed work is also within the Designated Port Area.

The area of proposed work is a concrete deck used for support of shipside operations at the cruise terminal. The deck is supported by a series of concrete beams that run east-west, which are then supported by north-south pile caps located on 10 foot centers. This configuration creates 10-foot wide galleries where the work will be conducted. The pile caps are supported by timber piles that date back to the decks original construction in 1919. In the 1930s, a sheet pile wall was constructed along the outside of the deck, and the piles were buried in sediment to protect them from degradation. The sediment still exists in place today, although it has settled somewhat since the 1930s, exposing the tops of the timber piles, which have since degraded; in some cases such that the timber piles are no longer in contact with the pile caps. In the 1950s, an enormous gravity wall was constructed outshore of the pile supported deck, which mostly blocks direct contact to the harbor, and serves as the most outshore portion of the Black Falcon Cruise Terminal berth.

The work will include: repair of existing concrete within the gallery system below the Black Falcon decking and encasement of existing wooden pilings in concrete to prevent further degradation. At some locations, demolition of the existing concrete deck and installation of new concrete will be necessary. In the worst cases, additional piles will be necessary to support sections of beam that have cracked so severely that they are no longer connected to the historic pile network. The work includes installation of formwork, pouring of concrete, pile driving, demolition of existing concrete; however, the work will take place within the enclosed gallery system below the deck, instead of directly over the resource area. This phase of the work will involve addressing approximately 500 linear feet of deck, pile caps, and beams, primarily in front of the Main Berth at Black Falcon Cruise Terminal. Subsequent phases of work will address repairs over a length of up to 1,500 feet and will scheduled as determined by capital programming and the cruise season.

As stated above, the proposed work is located within a Designated Port Area, however, there is no work within Land Under the Ocean. Therefore, there will be no changes in water circulation and water quality that would affect marine fisheries, and no change to the ability of the Land Under the Ocean to support adjacent coastal engineering structures. All construction materials and debris generated during the work will be contained within the gallery system and removed through manhole access ways prior to becoming inundated to prevent turbidity or other impacts to the harbor. The construction debris will be staged on the deck, within containers or completely covered, and transported offsite for reuse/disposal at a permitted facility.

We anticipate that the work will begin on or about August 1, 2019 and last for approximately nine months (with work occurring sporadically during that time period). Work will need to be sequenced around existing cruise terminal operations, the highest volume of which occurs from September to November each year.



East Boston, MA



Massachusetts Port Authority Capital Programs Department June 2019

This plan is intended for informational purposes only and no use maybe made of the same without the express written permission of the Massachusetts Port Authority ("Massport"). Massport does not certify the accuracy, information or title to the properties contained in this plan nor make any warranties of any kind, express or implied, in fact or by law, with respect to any boundaries, easements, restrictions, claims, overlaps or other encumbrances affecting such properties.

Black Falcon Cruise Terminal Pier Repairs Site Locus Plan

National Flood Hazard Layer FIRMette **FEMA** (EL 10 Feet) (EL 12 Feet) CITY OF BUSTON 250286 (EL 13 Feet)

25025 C0083 J

eff. 3/16/2016

250

500

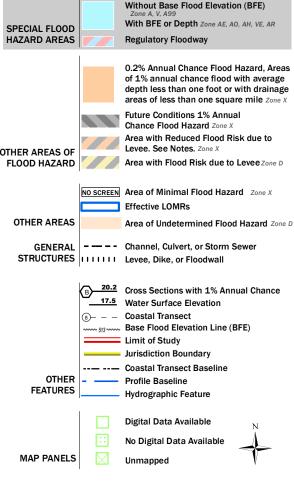
1,000

1,500

(EL 12 Feet)



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





(EL 12 Feet)

USGS The National Map: Orthoimagery. Data refreshed October 2017.

1:6,000

Feet

2,000

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

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

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 6/4/2019 at 12:47:00 PM 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: basemap 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.

