

Neponset Wharf

Sediment Sampling

8R Ericsson Street
Boston, Massachusetts

SUBMITTED TO **Boston Conservation Commission**
City Hall Plaza, Room 709
Boston, MA 02201

PROPONENT **CPC Ericsson Street, LLC**
300 A Street
Boston, MA 02210

PREPARED BY **VHB**
99 High Street, 10th Floor
Boston, MA 02110

June 2, 2021

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- Fee Transmittal Form
- Copy of Filing Fee Checks

Attachment C – Abutter Notification Materials

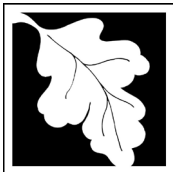
- List of Abutters
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Notice of Intent Forms

- WPA Form 3
- Boston Notice of Intent Form
- Extension Form



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

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):

<u>8R Ericsson Street</u>	<u>Boston</u>	<u>02122</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:		
<u>--</u>	<u>42° 17'33.49" N</u>	<u>71° 2'27.55" W</u>
	d. Latitude	e. Longitude
<u>--</u>	<u>1602617010</u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>Ryan</u>	<u>Sillery</u>	
a. First Name	b. Last Name	
<u>CPC Ericsson Street LLC</u>		
c. Organization		
<u>300 A Street, Suite 101</u>		
d. Street Address		
<u>Boston</u>	<u>MA</u>	<u>02210</u>
e. City/Town	f. State	g. Zip Code
<u>617.670.0653</u>	<u>--</u>	<u>rsillery@citypointcapital.com</u>
h. Phone Number	i. Fax Number	j. Email Address

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

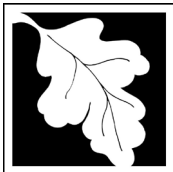
<u></u>	<u></u>	
a. First Name	b. Last Name	
<u></u>		
c. Organization		
<u></u>		
d. Street Address		
<u></u>	<u></u>	<u></u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

<u>Stephanie</u>	<u>Kruel</u>	
a. First Name	b. Last Name	
<u>VHB</u>		
c. Company		
<u>99 High Street, 10th Floor</u>		
d. Street Address		
<u>Boston</u>	<u>MA</u>	<u>02110</u>
e. City/Town	f. State	g. Zip Code
<u>617.607.2972</u>	<u>--</u>	<u>skruel@vhb.com</u>
h. Phone Number	i. Fax Number	j. Email address

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

<u>\$287.50</u>	<u>\$237.50</u>	<u>\$50.00</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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

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A. General Information (continued)

6. General Project Description:

Sediment sampling within existing marina to support future dredging.

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.

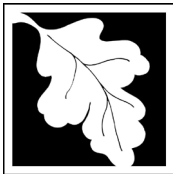
8. Property recorded at the Registry of Deeds for:

Suffolk	--
a. County	b. Certificate # (if registered land)
19645	338
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) - specify coastal or inland	

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:

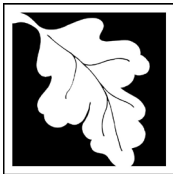
a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

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

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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 checked="" type="checkbox"/> Land Under the Ocean	0.6 1. square feet	
	0 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	

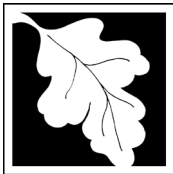
	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____	
	1. square feet	

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**

August 2017
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*

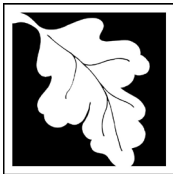
1. Percentage/acreage of property to be altered:
 - (a) within wetland Resource Area _____ percentage/acreage
 - (b) outside Resource Area _____ percentage/acreage

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). 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; 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:

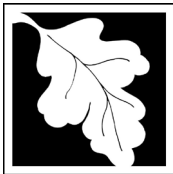
South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

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

North Shore - Hull to New Hampshire border:

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

City/Town

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.
 Neponset River Estuary
 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.

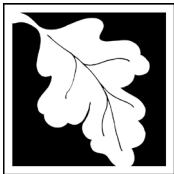
D. Additional Information

- 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.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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

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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.

X-106 Proposed Sampling Plan

a. Plan Title

Childs Engineering Corporation

b. Prepared By

5/11/21

d. Final Revision Date

David Porter

c. Signed and Stamped by

1"=40'

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:

0366145

2. Municipal Check Number

0366160

4. State Check Number

VHB

6. Payor name on check: First Name

05/26/21

3. Check date

05/26/21

5. Check date

VHB

7. Payor name on check: Last Name



A. GENERAL INFORMATION

1. Project Location

_____	_____	_____
a. Street Address	b. City/Town	c. Zip Code
_____	_____	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant

_____	_____	_____
a. First Name	b. Last Name	c. Company

d. Mailing Address		
_____	_____	_____
e. City/Town	f. State	g. Zip Code
_____	_____	_____
h. Phone Number	i. Fax Number	j. Email address

3. Property Owner

_____	_____	_____
a. First Name	b. Last Name	c. Company

d. Mailing Address		
_____	_____	_____
e. City/Town	f. State	g. Zip Code
_____	_____	_____
h. Phone Number	i. Fax Number	j. Email address

Check if more than one owner

(If there is more than one property owner, please attach a list of these property owners to this form.)

4. Representative (if any)

_____	_____	_____
a. First Name	b. Last Name	c. Company

d. Mailing Address		
_____	_____	_____
e. City/Town	f. State	g. Zip Code
_____	_____	_____
h. Phone Number	i. Fax Number	j. Email address



5. Is any portion of the proposed project jurisdictional under the Massachusetts Wetlands Protection Act M.G.L. c. 131 §40?

- Yes No

If yes, please file the WPA Form 3 - Notice of Intent with this form

6. General Information

7. Project Type Checklist

- | | |
|---|---|
| a. <input type="checkbox"/> Single Family Home | b. <input type="checkbox"/> Residential Subdivision |
| c. <input type="checkbox"/> Limited Project Driveway Crossing | d. <input type="checkbox"/> Commercial/Industrial |
| e. <input type="checkbox"/> Dock/Pier | f. <input type="checkbox"/> Utilities |
| g. <input type="checkbox"/> Coastal Engineering Structure | h. <input type="checkbox"/> Agriculture – cranberries, forestry |
| i. <input type="checkbox"/> Transportation | j. <input type="checkbox"/> Other |

8. Property recorded at the Registry of Deeds

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

B. BUFFER ZONE & RESOURCE AREA IMPACTS

Buffer Zone Only - Is the project located only in the Buffer Zone of a resource area protected by the Boston Wetlands Ordinance?

- Yes No

1. Coastal Resource Areas

<u>Resource Area</u>	<u>Resource Area Size</u>	<u>Proposed Alteration*</u>	<u>Proposed Mitigation</u>
<input type="checkbox"/> Coastal Flood Resilience Zone	_____ Square feet	_____ Square feet	_____ Square feet



4. Is the proposed project subject to provisions of the Massachusetts Stormwater Management Standards?

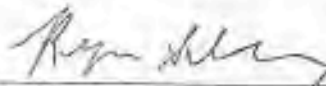
- Yes, Attach a copy of the Stormwater Checklist & Stormwater Report as required
 - Applying for a Low Impact Development (LID) site design credits
 - A portion of the site constitutes redevelopment
 - Proprietary BMPs are included in the Stormwater Management System
- No. Check below & include a narrative as to why the project is exempt
 - Single-family house
 - Emergency road repair
 - Small Residential Subdivision (less than or equal to 4 single family houses or less than or equal to 4 units in a multifamily housing projects) with no discharge to Critical Areas

5. Is the proposed project subject to Boston Water and Sewer Commission Review?

- Yes
- No

D. 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 Protection Ordinance.



Signature of Applicant

5/27/21

Date

Signature of Property Owner (if different) 

Date

Signature of Representative (if any)

5/28/21

Date



City of Boston
Environment



City of Boston
Mayor Martin J. Walsh

EXTENSION FORM

The undersigned hereby allows the **Boston Conservation Commission** an extension of time, beyond the statutory limit, to review an application or issue a final decision under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, Section 40, and the Boston Wetlands Ordinance, Boston City Code, Ordinances, Chapter 7-1.4d during the state of emergency declared by the Governor on March 10, 2020.

Applicant:

Ryan Sillery CPC Ericsson Street, LLC
a. First Name b. Last Name c. Company

300 A Street, Suite 101
d. Mailing Address

Boston MA 02210
e. City/Town f. State g. Zip Code

617-670-0653 -- rillery@citypointcapital.com
h. Phone Number i. Fax Number j. Email address

 5/27/21
Signature of Applicant Date

Property Owner (if different):

a. First Name b. Last Name c. Company

d. Mailing Address

e. City/Town f. State g. Zip Code

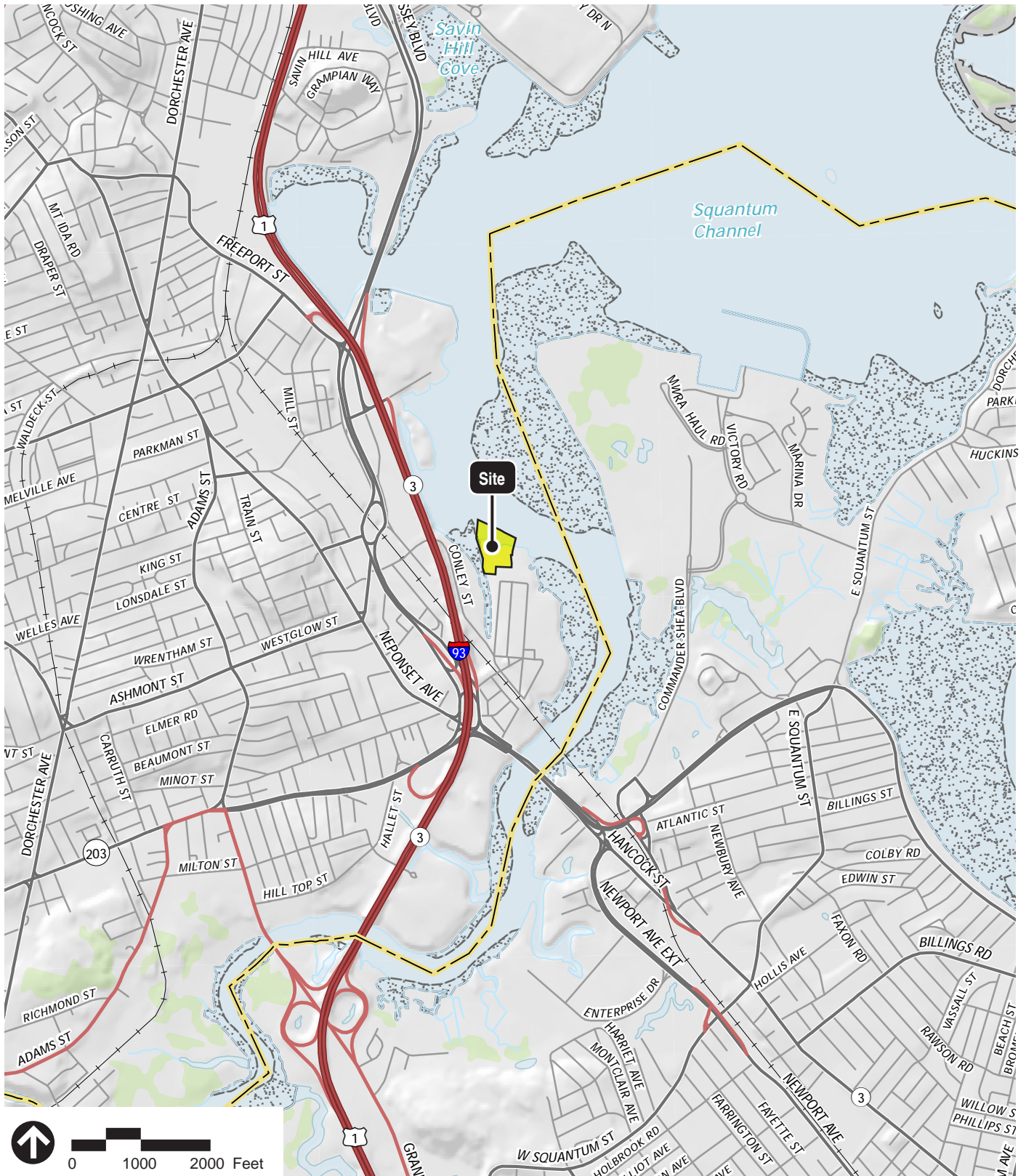
h. Phone Number i. Fax Number j. Email address

Signature of Property Owner (if different) Date

Applications will only be accepted when submitted with a properly executed Extension Form.

Notice of Intent Figures

- Figure 1 – Site Locus Map
- Figure 2 – FEMA FIRM
- Figure 3 – Existing Conditions and Environmental Constraints

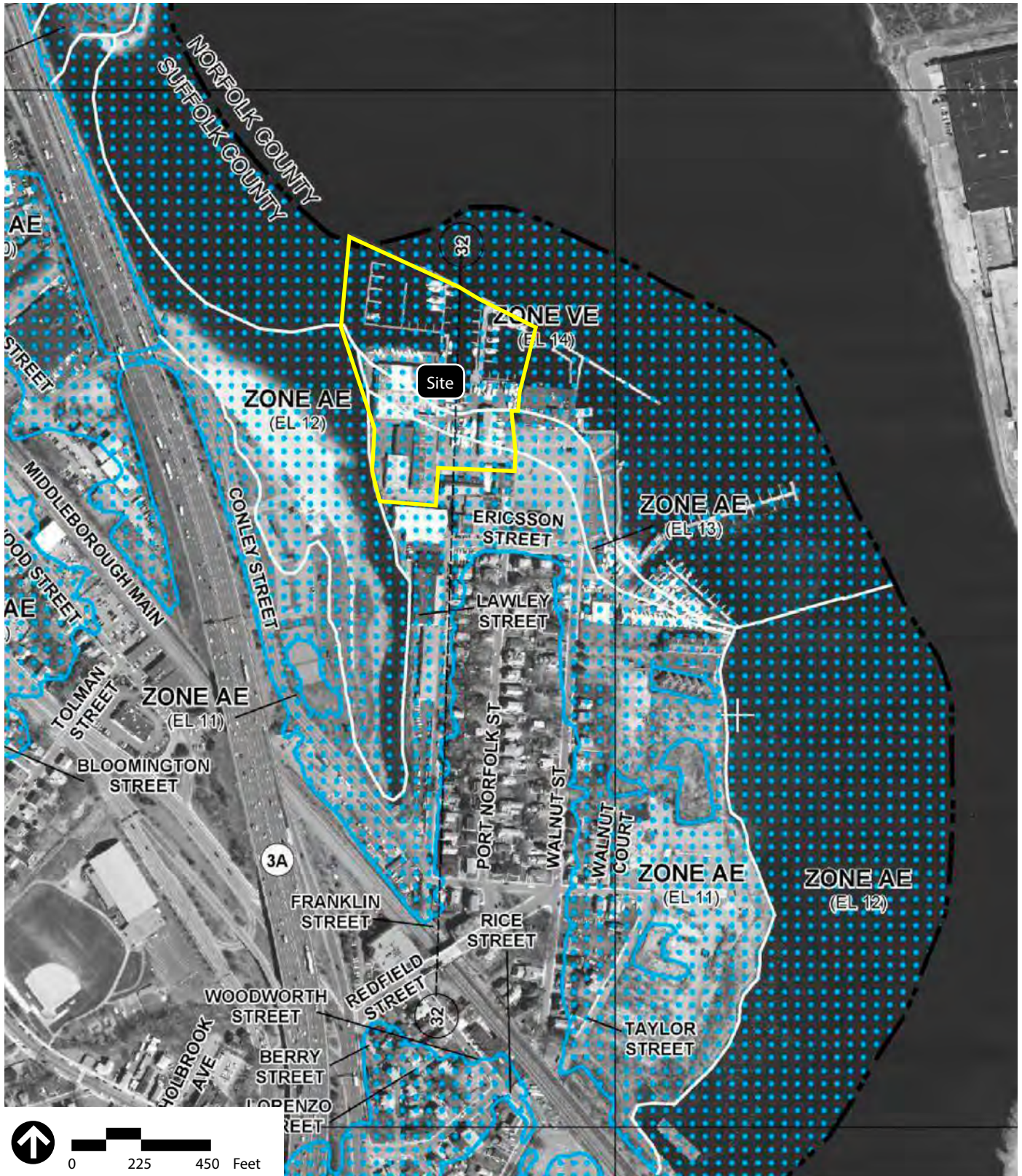


Source: USGS 2015 Boston South



Figure 1
USGS Locus Map

**Neponset Wharf
Boston, Massachusetts**

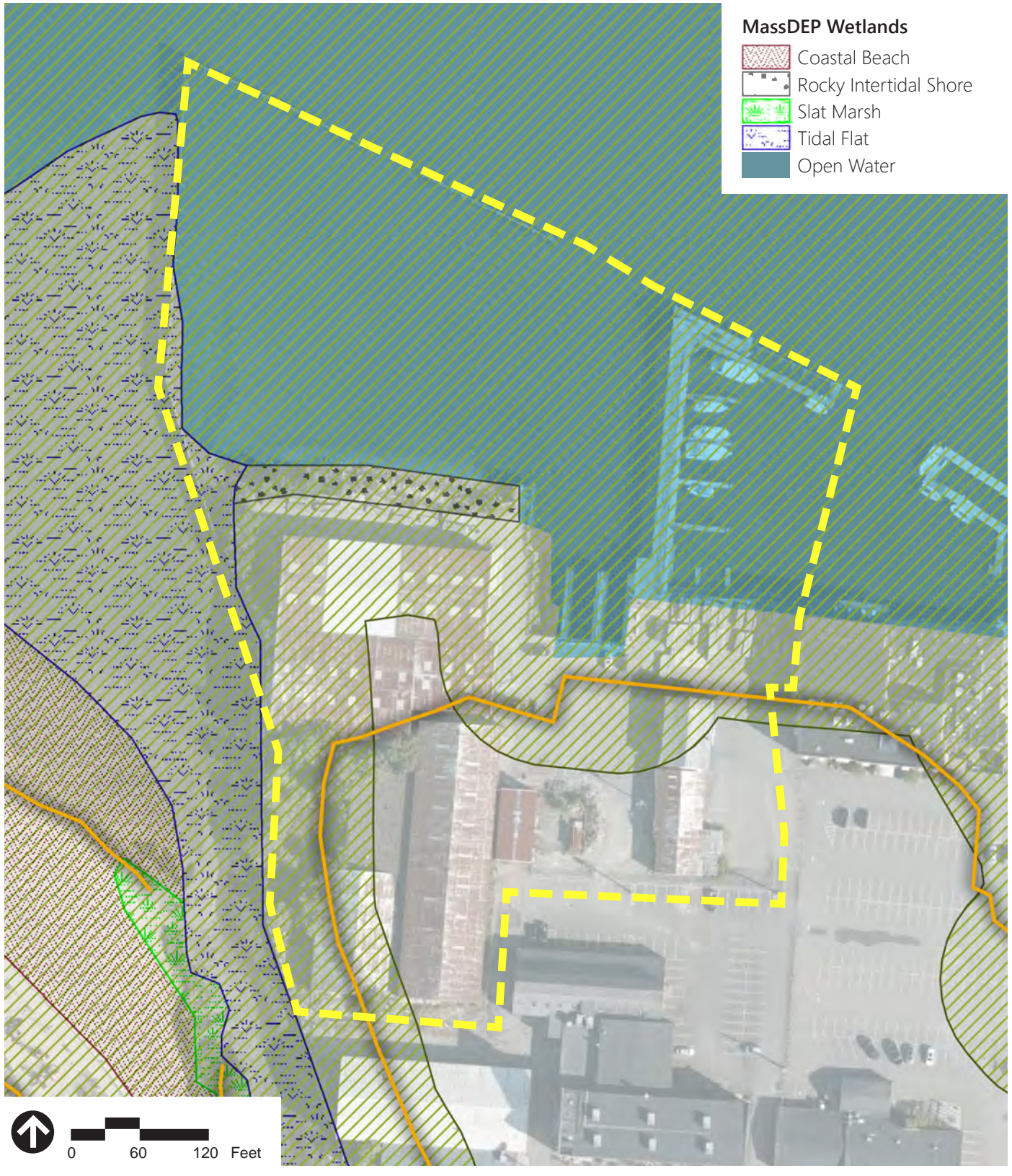


Source: FIRM Panel 91 of 176, Map Revised March 16, 2016



Figure 2
FEMA 100-Year Floodplain

**Neponset Wharf
Boston, Massachusetts**



- MassDEP Wetlands**
- Coastal Beach
 - Rocky Intertidal Shore
 - Slat Marsh
 - Tidal Flat
 - Open Water

- Site Boundary
- ACEC (Areas of Critical Environmental Concern)
- Chapter 91 Jurisdiction

Not Present Within the Map Area - NHESP Priority Habitats



Figure 3
Existing Conditions and
Environmental Constraints

**Neponset Wharf
Boston, Massachusetts**

Attachment A

Notice of Intent Narrative

- Introduction
- Project Overview
- Site Description
- Work Description
- Mitigation Measures
- Regulatory Compliance

Attachment A

Notice of Intent Narrative

This Notice of Intent (NOI) is submitted pursuant to the requirements of the Massachusetts Wetlands Protection Act (WPA)(MGL Chapter 131, Section 40) and its implementing regulations (310 CMR 10.00) and the requirements of the Boston Wetlands Ordinance (BWO) and associated regulations.

1.1 Introduction

CPC Ericsson Street, LLC (the "Proponent") is requesting that the Boston Conservation Commission (the "Commission") issue an Order of Conditions for 24 sediment sample borings (the "Project") within the existing marina at 8R Ericsson Street (the "Site"). The purpose of this activity is to evaluate the sediment that is proposed for dredging at a later date (for which a separate NOI will be filed). The sediment sampling work will temporarily impact approximately 0.6 square feet (sf) of Land Under Ocean (LUO).

1.2 Project Overview

Renovation of the existing marina is contemplated as part of the Neponset Wharf development project, which proposes two new residential buildings and one new mixed use (office/residential) building totaling as well as a replacement Boathouse on a 3.6-acre site along the Neponset River and Pine Neck Creek. Over 50 percent of the site will consist of landscaped outdoor space, which will significantly expand public accessibility to this unique waterfront site.

The marina at the Site has been in continuous use since 1911, although the water-side portion has been functioning at a greatly reduced capacity since it was purchased by the Proponent in 2017. Silting in the boat basin has reduced the usable area for in-water boat storage to less than half the tidal surface area. Dredging the boat basin will restore the functionality to the Site as a marina. Prior to dredging, collection of sediment samples is required for dredge spoils pre-characterization.

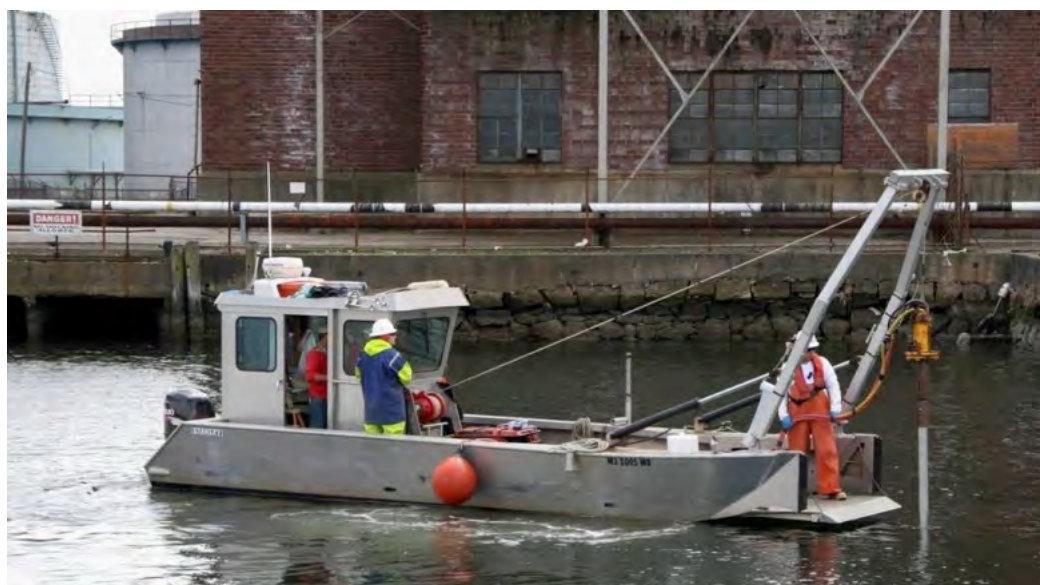
1.3 Site Description

The Project Site is located in Boston's Dorchester neighborhood, and is within the Neponset River Estuary Area of Critical Environmental Concern (ACEC). The marina includes 3.73 acres of tidal and intertidal area. The boat basin is surrounded by a timber supported wall to reduce wave energy within the basin.

1.4 Work Description

Physical and chemical testing of the proposed dredged materials will be conducted in accordance with MassDEP sampling and analysis requirements (314 CMR 9.07(2)).

Vibracoring will be conducted from a vessel equipped with an A-frame or davit arm and a winch. A total of 24 vibracores (one per each 1,000 sf of proposed dredge materials) will be collected at the locations indicated on the Proposed Sampling Plan (Attachment D). The vessel will be equipped with GPS equipment to ensure each core is taken in the desired location and to record the sampling location. Based on field conditions at the time of the sampling, core locations may be adjusted as needed. The equipment will vibrate a 2-inch stainless steel or aluminum tube with an inner acrylic or polycarbonate liner into the sediment to the depth of dredging (ranging from approximately 2 to 6 feet below the existing sea floor surface). A core catcher installed in the bottom will prevent the collected sediment from slipping out as the corer is recovered. Once the desired depth is achieved, the corer will be retracted and brought onto the sampling vessel. The liner will be cut open to expose the sample for inspection and sample recovery. Samples will be collected in bottles prepared and provided by a state licensed laboratory. Excess sample material from the core will be returned to the harbor.



R/V Lophius collecting a vibracore sample

Source: crenvironmental.com

Work is anticipated to take place in June and/or July of 2021. The samples will be collected between the hours of 7 am and 5 pm on weekdays and/or weekends. Twenty-four-hour notification will be given to the Boston Conservation Commission prior to activity commencing. It is anticipated that the activity will require up to one week to complete.

1.5 Mitigation Measures

Any impacts to resource areas are expected to be negligible and temporary. All practical precautions will be used during in-water work. Should any floating debris result from the Project, the contractor will contain, collect and remove it from the Site. A quick-absorbent material, such as "Speedy Dry" or equivalent, will be readily available area at the work site and on any project related vessels for use in the event petroleum-based fluids are spilled or leaked. The contractor will have an oil sorbent boom at the Project Site and will deploy the boom immediately upon observing any petroleum sheen on the watersheet. Any equipment that uses fuel, oil or hydraulic fluid will be inspected daily for leakage.

1.6 Regulatory Compliance

1.6.1 Land Under Ocean

The Project will impact approximately 0.6 sf of Land Under Ocean (LUO). According to 310 CMR 10.25, LUO means land extending from the mean low water (MLW) line seaward to the boundary of the municipality's jurisdiction and includes land under estuaries.

LUO is likely to be significant to the protection of marine fisheries and, where there are shellfish, to protection of land containing shellfish. Nearshore areas of LUO are likely to be significant to storm damage prevention, flood control, and protection of wildlife habitat. When LUO or nearshore areas of LUO 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) Improvement dredging for navigational purposes affecting land under the ocean shall be designed and carried out using the best available measures so as to minimize adverse effects on such interests caused by changes in:*
 - a) bottom topography which will result in increased flooding or erosion caused by an increase in the height or velocity of waves impacting the shore;*
 - b) sediment transport processes which will increase flood or erosion hazards by affecting the natural replenishment of beaches;*
 - c) water circulation which will result in an adverse change in flushing rate, temperature, or turbidity levels; or*
 - d) marine productivity which will result from the suspension or transport of pollutants, the smothering of bottom organisms, the accumulation of pollutants by organisms, or the destruction of marine fisheries habitat or wildlife habitat.*

The Project does not include dredging; therefore, this performance standard is not applicable.

- *(4) Maintenance dredging for navigational purposes affecting land under the ocean shall be designed and carried out using the best available measures so as to minimize adverse effects on such interests caused by changes in marine productivity which will result from the suspension or transport of pollutants, increases in turbidity, the smothering of bottom organisms, the accumulation of pollutants by organisms, or the destruction of marine fisheries habitat or wildlife habitat.*

The Project does not include dredging; therefore, this performance standard is not applicable.

- *(5) Projects not included in 310 CMR 10.25(3) or (4) which affect nearshore areas of land under the ocean shall not cause adverse effects by altering the bottom topography so as to increase storm damage or erosion of coastal beaches, coastal banks, coastal dunes, or salt marshes.*

The Project will not result in alteration of the bottom topography.

- *(6) Projects not included in 310 CMR 10.25(3) which affect land under the ocean shall if water-dependent be designed and constructed, using best available measures, so as to minimize adverse effects, and if non-water-dependent, have no adverse effects, on marine fisheries habitat or wildlife habitat caused by:*
 - a) alterations in water circulation;*
 - b) destruction of eelgrass (*Zostera marina*) or widgeon grass (*Ruppia maritima*) beds;*
 - c) alterations in the distribution of sediment grain size;*
 - d) changes in water quality, including, but not limited to, other than natural fluctuations in the level of dissolved oxygen, temperature or turbidity, or the addition of pollutants; or*
 - e) alterations of shallow submerged lands with high densities of polychaetes, mollusks or macrophytic algae.*

The sediment sampling will be conducted in such a way so as not to affect water circulation or water quality in the Neponset River Estuary. The Site does not contain eelgrass or areas with high densities of polychaetes, mollusks or macrophytic algae. There will be no change to the contour of the sea floor.

- *(7) Notwithstanding the provisions of 310 CMR 10.25(3) through (6), no project may be permitted which will have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures established under 310 CMR 10.37.*

There are no specified habitat sites located on the Project Site; therefore, this performance standard is not applicable.

As per the Massachusetts Division of Marine Fisheries (DMF) Technical Report TR-47, Dorchester Bay and the Neponset River are subject to a Time of Year (TOY) restriction for in-water construction work from February 15 to November 15. The Project will be completed outside of the TOY restriction period.

1.6.2 Neponset River Estuary ACEC

The Neponset River Estuary was designated as an ACEC in 1995, and a Resource Management Plan (RMP) was approved by the EEA Secretary on May 5, 1996. The Project Site is within the reach called the lower Neponset River Estuary, which is identified as that portion of the ACEC most suitable for the continuation of water-dependent recreational uses. The RMP acknowledges and specifically endorses expansion/improvement of existing facilities and maintenance dredging activities that allow for the continued use of those spaces. Further, the RMP identifies the existing extent of the marina as an area of “previously authorized dredging.” Maintenance dredging for navigational purposes may be conducted in compliance with 310 CMR 10.24(5)(b) and 10.25(4). The proposed Project is being conducted in support of this allowable activity.

1.6.3 Permits and Approvals

Physical and chemical testing of the proposed dredged materials will be conducted in accordance with MassDEP sampling and analysis requirements (314 CMR 9.07(2)). A Dredge Material Sampling Plan was submitted for approval by MassDEP on May 24, 2021. The Project will not commence until that plan has been approved.

The Neponset Wharf development plan is in the process of undergoing review by the BPDA and MEPA office. These agencies have reviewed an Environmental Notification Form/Project Notification Form (ENF/PNF) and a Draft Environmental Impact Report/Draft Project Impact Report (DEIR/DPIR). A Final Environmental Impact Report (FEIR) is currently being prepared. The results of the currently proposed sediment sampling are required for inclusion in the FIER.

Attachment B

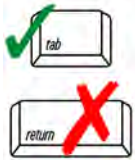
Filing Fee Information

- Fee Transmittal Form
- Copy of Filing 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:

8R Ericsson Street Boston
 a. Street Address b. City/Town
 _____ \$237.50
 c. Check number d. Fee amount

2. Applicant Mailing Address:

Ryan Sillery
 a. First Name b. Last Name
 CPC Ericsson Street LLC
 c. Organization
 300 A Street, Suite 101
 d. Mailing Address
 Boston MA 02210
 e. City/Town f. State g. Zip Code
 617.670.0653 -- rsillery@citypointcapital.com
 h. Phone Number i. Fax Number j. Email Address

3. Property Owner (if different):

 a. First Name b. Last Name

 c. Organization

 d. Mailing Address

 e. City/Town f. State g. Zip Code

 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
Category 2, j.	1	\$500	\$500
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Step 5/Total Project Fee:			\$500
Step 6/Fee Payments:			
Total Project Fee:			\$500.00
			a. Total Fee from Step 5
State share of filing Fee:			\$237.50
			b. 1/2 Total Fee less \$12.50
City/Town share of filing Fee:			\$50.00 as per BCC fee schedule

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.

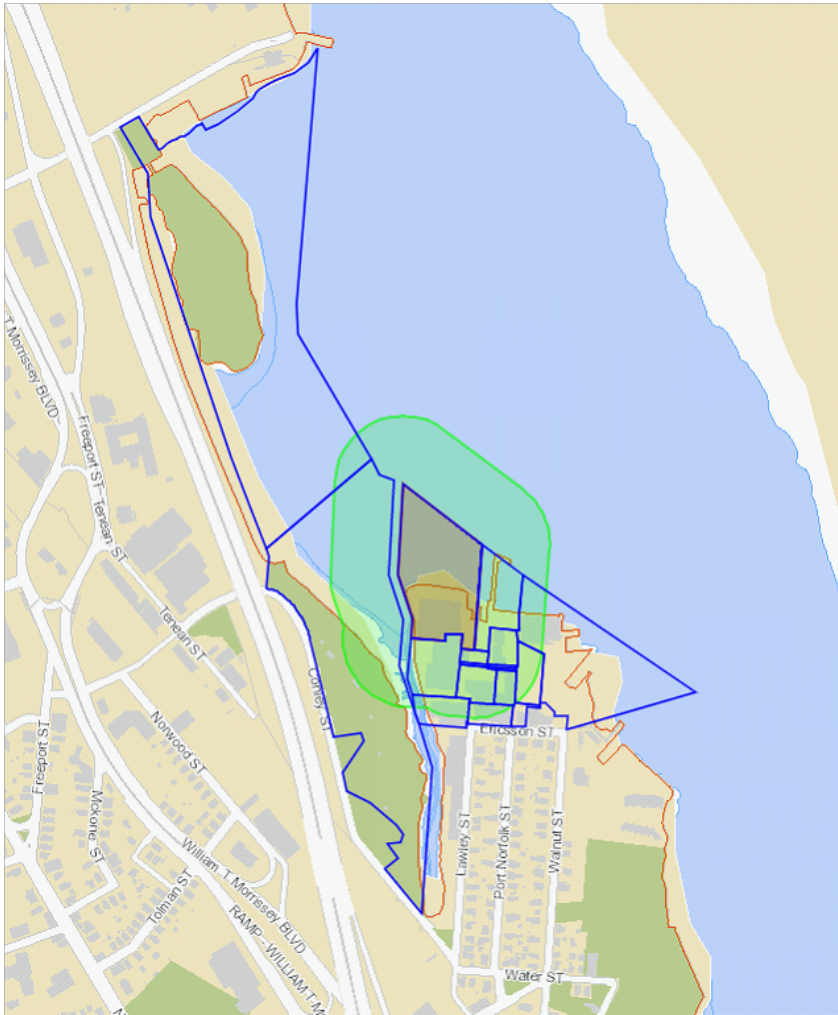
To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

Attachment C

Abutter Notification Materials

- List of Abutters
- Abutter Notification Form (English)
- Abutter Notification Form (Spanish)
- Babel Notice
- Translation Certification
- Affidavit of Service

PID	OWNER	MLG_ADDRESS	MLG_CITYSTATE	MLG_ZIPCODE
1600226000, 1602566000	COMM OF MASS MDC	201 VICTORY RD	DORCHESTER MA	02122
1602617000, 1602617004	VENEZIA REAL ESTATE LLC	20R ERICSSON ST	DORCHESTER MA	02122
1602617003	BOSTON WINERY REAL ESTATE	26 ERICSSON ST	BOSTON MA	02122
1602617005, 1602617006, 1602617008	PORT NORFOLK DEVELOPMENT LLC	20 ERICSSON ST	DORCHESTER MA	02122
1602617012	ACOUSTIC TECHNOLOGY INC	30 JEFFRIES ST	EAST BOSTON MA	02128
1602617020	BRUNO HOLDINGS LLC	20R ERICSSON ST	DORCHESTER MA	02122



Source: <http://gis.cityofboston.gov/Abutter/>



**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. **CPC Ericsson Street LLC** 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 **8R Ericsson Street, Boston**.

C. The project involves **Sediment sampling within existing marina to support future dredging**.

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 **Stephanie Krueel**, skrueel@vhb.com, 617-607-2972 between the hours of **9am-4pm, Monday-Friday**.

F. In accordance with the Commonwealth of Massachusetts Executive Order Suspending Certain Provisions of the Open Meeting Law, 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.

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.



**NOTIFICACIÓN PARA PROPIETARIOS Y/O VECINOS COLINDANTES
COMISIÓN DE CONSERVACIÓN DE BOSTON**

De conformidad con la Ley de protección de los humedales de Massachusetts, el Capítulo 131, Sección 40 de las Leyes Generales de Massachusetts y la Ordenanza sobre los humedales de Boston, por la presente queda usted notificado como propietario o vecino colindante de un proyecto presentado ante la Comisión de Conservación de Boston.

A. **CPC Ericsson Street LLC** ha presentado una solicitud a la Comisión de Conservación de Boston pidiendo permiso para modificar una zona sujeta a protección en virtud de la Ley de protección de los humedales (Leyes generales, capítulo 131, sección 40) y la Ordenanza sobre los humedales de Boston.

B. La dirección del lote donde se propone la actividad es **8R Ericsson Street, Boston**.

C. El proyecto consiste en la toma de muestras de sedimento en la marina existente con el fin de posibilitar el dragado a futuro.

D. Se pueden obtener copias del Aviso de Intención comunicándose con la Comisión de Conservación de Boston en CC@boston.gov.

E. Las copias de la notificación de intención pueden obtenerse en **Stephanie Krueel**, skrueel@vhb.com, **617-607-2972** entre las **9 y las 4, de lunes a viernes**.

F. De acuerdo con el Decreto Ejecutivo de la Mancomunidad de Massachusetts que suspende ciertas disposiciones de la Ley de reuniones abiertas, la audiencia pública se llevará a cabo virtualmente en <https://zoom.us/j/6864582044>. Si no puede acceder a Internet, puede llamar al 1-929-205-6099, ingresar ID de reunión 686 458 2044 # y usar # como su ID de participante.

G. La información relativa a la fecha y hora de la audiencia pública puede solicitarse a la **Comisión de Conservación de Boston** por correo electrónico a CC@boston.gov o llamando al **(617) 635-4416** entre las **9 AM y las 5 PM, de lunes a viernes**.

NOTA: La notificación de la audiencia pública, incluida su fecha, hora y lugar, se publicará en el **Boston Herald** con al menos cinco (5) días de antelación.

NOTA: La notificación de la audiencia pública, incluida su fecha, hora y lugar, se publicará en www.boston.gov/public-notices y en el Ayuntamiento de Boston con no menos de cuarenta y ocho (48) horas de antelación. Si desea formular comentarios, puede asistir a la audiencia pública o enviarlos por escrito a CC@boston.gov o al Ayuntamiento de Boston, Departamento de Medio Ambiente, Sala 709, 1 City Hall Square, Boston, MA 02201.

NOTA: También puede comunicarse con la Comisión de Conservación de Boston o con la Oficina Regional del Noreste del Departamento de Protección Ambiental para obtener más información sobre esta solicitud o la Ley de Protección de Humedales. Para comunicarse con el DEP, llame a la Región Noreste: (978) 694-3200.

NOTA: si tiene previsto asistir a la audiencia pública y necesita servicios de interpretación, sírvase informar al personal en CC@boston.gov antes de las 12 PM del día anterior a la audiencia.

CITY of BOSTON



BABEL NOTICE

English:

IMPORTANT! This document or application contains **important information** about your rights, responsibilities and/or benefits. It is crucial that you understand the information in this document and/or application, and we will provide the information in your preferred language at no cost to you. If you need them, please contact us at cc@boston.gov or 617-635-3850.

Spanish:

¡IMPORTANTE! Este documento o solicitud contiene **información importante** sobre sus derechos, responsabilidades y/o beneficios. Es fundamental que usted entienda la información contenida en este documento y/o solicitud, y le proporcionaremos la información en su idioma preferido sin costo alguno para usted. Si los necesita, póngase en contacto con nosotros en el correo electrónico cc@boston.gov o llamando al 617-635-3850.

Haitian Creole:

AVI ENPÒTAN! Dokiman oubyen aplikasyon sa genyen **enfòmasyon ki enpòtan** konsènan dwa, responsablite, ak/oswa benefis ou yo. Li enpòtan ke ou konprann enfòmasyon ki nan dokiman ak/oubyen aplikasyon sa, e n ap bay enfòmasyon an nan lang ou prefere a, san ou pa peye anyen. Si w bezwen yo, tanpri kontakte nou nan cc@boston.gov oswa 617-635-3850.

Traditional Chinese:

非常重要！這份文件或是申請表格包含關於您的權利，責任，和／或福利的重要信息。請您務必完全理解這份文件或申請表格的全部信息，這對我們來說十分重要。我們會免費給您提供翻譯服務。如果您有需要請聯系我們的郵箱 cc@boston.gov 電話# 617-635-3850..

Vietnamese:

QUAN TRỌNG! Tài liệu hoặc đơn yêu cầu này chứa **thông tin quan trọng** về các quyền, trách nhiệm và/hoặc lợi ích của bạn. Việc bạn hiểu rõ thông tin trong tài liệu và/hoặc đơn yêu cầu này rất quan trọng, và chúng tôi sẽ cung cấp thông tin bằng ngôn ngữ bạn muốn mà không tính phí. Nếu quý vị cần những dịch vụ này, vui lòng liên lạc với chúng tôi theo địa chỉ cc@boston.gov hoặc số điện thoại 617-635-3850.

Simplified Chinese:

非常重要！这份文件或是申请表格包含关于您的权利，责任，和／或福利的重要信息。请您务必完全理解这份文件或申请表格的全部信息，这对我们来说十分重要。我们会免费给您提供翻译服务。如果您有需要请联系我们的邮箱 cc@boston.gov 电话# 617-635-3850.

Cape Verdean Creole:

INPURTANTI! Es dukumentu ó aplikason ten **informason inpurtanti** sobri bu direitus, rasponsabilidadi i/ó benefisius. Ê krusial ki bu intendi informason na es dukumentu i/ó aplikason ó nu ta da informason na língua di bu preferênsia sen ninhun kustu pa bó. Si bu prisiza del, kontata-nu na cc@boston.gov ó 617-635-3850.

Arabic:

مهم! يحتوي هذا المستند أو التطبيق على معلومات مهمة حول حقوقك ومسؤولياتك أو فوائده. من الأهمية أن تفهم المعلومات الواردة في هذا المستند أو التطبيق. سوف نقدم المعلومات بلغتك المفضلة دون أي تكلفة عليك. إذا كنت في حاجة إليها، يرجى الاتصال بنا على cc@boston.gov أو 617-635-3850.

Russian:

ВАЖНО! В этом документе или заявлении содержится **важная информация** о ваших правах, обязанностях и/или льготах. Для нас очень важно, чтобы вы понимали приведенную в этом документе и/или заявлении информацию, и мы готовы бесплатно предоставить вам информацию на предпочитаемом вами языке. Если Вам они нужны, просьба связаться с нами по адресу электронной почты cc@boston.gov, либо по телефону 617-635-3850.

Portuguese:

IMPORTANTE! Este documento ou aplicativo contém **Informações importantes** sobre os seus direitos, responsabilidades e/ou benefícios. É importante que você compreenda as informações contidas neste documento e/ou aplicativo, e nós iremos fornecer as informações em seu idioma de preferência sem nenhum custo para você. Se precisar deles, fale conosco: cc@boston.gov ou 617-635-3850.

French:

IMPORTANT ! Ce document ou cette demande contient des **informations importantes** concernant vos droits, responsabilités et/ou avantages. Il est essentiel que vous compreniez les informations contenues dans ce document et/ou cette demande, que nous pouvons vous communiquer gratuitement dans la langue de votre choix. Si vous en avez besoin, veuillez nous contacter à cc@boston.gov ou au 617-635-3850.





Certification of Translation



COUNTY OF SUFFOLK
COMMONWEALTH OF MASSACHUSETTS

May 25, 2021

This is to certify that the **yellow-highlighted text within the translation** is, to the best of my knowledge and belief, a true and accurate translation from English into Spanish of the attached document:

ES - Abutter Notification Form_NW 13866.00

Linguistic Systems, Inc. adheres to an ISO-certified quality management system that ensures best practices are always followed in the selection of linguists skilled in both the languages and subject matters necessary for every translation.



Jessica Riley
Project Manager
Linguistic Systems

 Linguistic Systems, Inc.

260 Franklin Street, Suite 230, Boston MA 02110 • Phone 617-528-7400 • Fax 617-528-7490 • www.linguist.com

Certifications: ISO 9001 • ISO 17100 • ISO 18587 • ISO 27001



**AFFIDAVIT OF SERVICE
FOR ABUTTER NOTIFICATION**

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

I, _____, 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 _____ was filed under the Massachusetts Wetlands Protection Act and/or the Boston Wetlands Ordinance by _____ for _____ located at _____.

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



Stephanie Kuel

Date

Attachment D

Engineering Plans

- X-106 Proposed Sampling Plan

