



Pier #1 Emergency Repair Work

East Boston, Massachusetts

Notice of Intent

June 23, 2021
revised June 25, 2021

submitted to the **Boston Conservation Commission**

submitted by **Boston Harbor Shipyard & Marina**

prepared by **Fort Point Associates, Inc., a Tetra Tech Company**

in association with
Hancock Survey Associates Inc.
LJO Engineering, LLC.

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EXTENSION FORM



City of Boston
Environment



City of Boston
Mayor Martin J. Walsh

INSTRUCTIONS FOR COMPLETING THE EXTENSION FORM

Due to the ongoing public health crisis caused by COVID-19, Governor Baker signed Chapter 53 of the Acts of 2020 in April 2020 which allowed local permitting authorities to postpone processing permit applications and conduct meetings remotely without dire legal consequences while Governor Baker's March 10, 2020 COVID-19 state of emergency is in effect.

On November 17, 2020, Governor Baker signed Chapter 201 of the Acts of 2020, which ends the tolling of most timelines, including those for holding a public hearing for new filings; issuing a permit after the closure of a hearing; and holding a hearing on any application that was continued due to COVID-19. The normal regulatory timelines are back in effect as of December 1, 2020.

The Boston Conservation Commission has continued and will continue to accept applications, review project, and issue its final decisions within a timely manner throughout the state of emergency. However, there may be a need to extend the review of an application or the issuance of a final decision given the changing nature of the crisis. The Boston Conservation Commission is hereby requiring all submitted applications to include a completed Boston Extension Form acknowledging that there may be a delay in the review of the application and the issuance of a final decision.

Please complete the Boston Extension Form below and include it in your submission.



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:

Joseph

a. First Name

Sugar

b. Last Name

Boston Harbor Shipyard & Marina

c. Company

256 Marginal Street

d. Mailing Address

East Boston

e. City/Town

MA

f. State

02128

g. Zip Code

(617) 567-8200

h. Phone Number

jsugar@bhsmarina.com

j. Email address

i. Fax Number

JS

Signature of Applicant

June 22, 2021

Date

Property Owner (if different):

Peter

a. First Name

DeBruin

b. Last Name

Massachusetts Port Authority

c. Company

One Harborside Drive, Suite 200S

d. Mailing Address

East Boston

e. City/Town

MA

f. State

02128

g. Zip Code

(617) 568-5000

h. Phone Number

pdebruin@massport.com

j. Email address

i. Fax Number

Peter DeBruin

Signature of Property Owner (if different)

June 22, 2021

Date

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

SUBMISSION CHECKLIST

Checklist for Filing a Notice of Intent with Boston Conservation Commission

In order for the Boston Conservation Commission to effectively process your Notice of Intent, BCC requests that you complete the checklist below and include it with your submission. If you should need assistance please contact Commission Staff: 617-635-3850 (cc@boston.gov).

Please Submit the Following to the Conservation Commission:

- Two copies (a signed original and 1 copy) of a completed Notice of Intent (WPA Form 3)
- Two copies (a signed original and 1 copy) of a completed Boston Notice of Intent (Local Form)
Not applicable (Property owned by Massport)
- Two copies of plans (reduced to 11" X 17") in their final form with engineer's stamp affixed supporting calculations and other documentation necessary to completely describe the proposed work and mitigating measures. Plans must include existing conditions, the proposed project, erosion controls and mitigation measures, grading and spot elevations and all wetland resource areas and associated buffer zones. Some projects may require both an aerial view of the plans along with a profile view of plans depending on the scope of work.
- Two copies of an 8 ½" x 11" section of the [USGS quadrangle map](#) of the area, containing sufficient information for the Conservation Commission and the Department to locate the site of the work.
- (If applicable) Two copies the Federal Emergency Management Agency Flood Insurance Rate Map for the project site. FEMA Flood Maps: <https://msc.fema.gov/portal>.
- Two copies of the determination regarding the Natural Heritage and Endangered Species Program: Review Section C. Other Applicable Standards and Requirements of the Notice of Intent, page 4 of 8, pertaining to wildlife habitat. The Conservation Commission and the [Natural Heritage & Endangered Species Program](#) have the maps necessary to make this determination.
Not applicable
- (If applicable) Two hard copies of a Stormwater Report to document compliance with the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q), including associated drainage calculations for rooftops, parking lots, driveways, etc., for the required design storm events.
Not applicable
- (If applicable) A narrative detailing best management practices for stormwater management as set forth in the Stormwater Management Standards of the Massachusetts Department of Environmental Protection and any separate standards and guidelines prepared by the City and the Boston Water and Sewer Commission.
Not applicable
- (If applicable) Two hard copies of the Checklist for Stormwater Report
Not applicable
- Details of the stormwater management system, including: catch basins, oil separating tanks, detention basins, outfalls, sewer connections, etc.
Not applicable
- Any photographs related to the project representing the wetland resource areas.
- Two copies of a detailed project narrative describing the following: an overview of the entire project, the work proposed within wetland resource areas and/or buffer zones; how the performance standards specific to the wetland resource areas will be met (listing out each performance standard); a consideration of the effect that projected sea level rise, changes in storm intensity and frequency, and other consequences of climate change may have on the resource areas and proposed activities; construction equipment and material involved; and measures to protect wetland resource areas and mitigate impacts. The applicant shall also include narrative on how they plan to integrate climate change and adaptation planning considerations into their project to promote climate resilience to protect and promote Resource Area Values and functions into the future.
- Two copies of an Abutters List, Affidavit of Service and [Abutter Notification](#), filed concurrently with the Notice of Intent. Abutter notices shall be sent in both English and the second most commonly spoken language(s) in the neighborhood(s) where the project is proposed. Notices shall also include Babel notice cards for additional translation and language access services. [All abutters within 300' of the project](#)

Checklist for Filing a Notice of Intent with Boston Conservation Commission

[property line](#) must be notified including those in a neighboring municipality. In such an instance, a copy of the filing must also be sent to the local Conservation Commission of the neighboring municipality.

EXCEPTION: When work is in land under water bodies and waterways or on a tract of land greater than 50 acres, written notification must only be given to abutters within 300 feet of the “project site.”

Abutter notification includes all abutters within 100' feet per state Wetlands Regulations

- Two copies of the BPDA Climate Resiliency Checklist (for new buildings). This can be completed online at <http://www.bostonplans.org/planning/planning-initiatives/article-37-green-building-guidelines>. Please print the pdf that you will receive via email after completion and include it in your submission.
Not applicable
- Electronic copies.** Documents may be submitted via email, or via an email link to downloadable documents.



To minimize the use of non-recyclable materials ***please do not include vinyl or plastic binders, bindings, folders or covers with the filing.*** Staples and binder clips are good choices.

FEE TRANSMITTAL FORM



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:

233 Marginal Street

a. Street Address

197122246 (local), 197122247 (state)

c. Check number

East Boston

b. City/Town

\$142.50

d. Fee amount

2. Applicant Mailing Address:

Joseph

a. First Name

Boston Harbor Shipyard & Marina

c. Organization

256 Marginal Street

d. Mailing Address

East Boston

e. City/Town

(617) 567-8200

h. Phone Number

i. Fax Number

MA

f. State

02128

g. Zip Code

jsugar@bhsmarina.com

j. Email Address

3. Property Owner (if different):

a. First Name

Massachusetts Port Authority

c. Organization

One Harborside Drive, Suite 200S

d. Mailing Address

East Boston

e. City/Town

(617) 568-5000

h. Phone Number

i. Fax Number

MA

f. State

02128

g. Zip Code

j. Email Address

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

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.

Application

WPA FORM 3



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
East Boston
City/Town

A. General Information (continued)

6. General Project Description:

The project, completed in February 2021, involved emergency repairs to a section of Pier #1 at Boston Harbor Shipyard & Marina. To secure a failing pier section in close proximity to a transformer, six timber piles, bracing, and blocks were installed by a contractor. This NOI is being submitted after-the-fact and seeks authorization for the as-built condition of the pier.

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	99032
a. County	b. Certificate # (if registered land)
_____	_____
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.



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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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.
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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.



Massachusetts Department of Environmental Protection
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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.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input checked="" type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input checked="" type="checkbox"/> Land Under the Ocean	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	_____	_____ 2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	_____ 1. square feet	_____ 2. cubic yards dune nourishment

	Size of Proposed Alteration	Proposed Replacement (if any)
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
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5. Project Involves Stream Crossings

_____ a. number of new stream crossings	_____ b. number of replacement stream crossings
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Massachusetts Department of Environmental Protection
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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

- 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*

- Percentage/acreage of property to be altered:
 - (a) within wetland Resource Area _____ percentage/acreage
 - (b) outside Resource Area _____ percentage/acreage
- Assessor's Map or right-of-way plan of site

- Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **
 - (a) Project description (including description of impacts outside of wetland resource area & buffer zone)
 - (b) Photographs representative of the site

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

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

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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

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

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

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

(d) Vegetation cover type map of site

(e) Project plans showing Priority & Estimated Habitat boundaries

(f) OR Check One of the Following

1. Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. Separate MESA review ongoing. a. NHESP Tracking # b. Date submitted to NHESP

3. Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

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

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

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

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

North Shore - Hull to New Hampshire border:

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

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

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

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

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



Massachusetts Department of Environmental Protection
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WPA Form 3 – Notice of Intent

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

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

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
 a. Yes No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
 b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
 a. Yes No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
 a. Yes No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
 a. Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
 1. Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 2. A portion of the site constitutes redevelopment
 3. Proprietary BMPs are included in the Stormwater Management System.
 b. No. Check why the project is exempt:
 1. Single-family house
 2. Emergency road repair
 3. Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

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

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

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

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



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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East Boston
City/Town

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.

See Section 1.5 in Attachment A: Supplemental Information for a list of plans

a. Plan Title

b. Prepared By

c. Signed and Stamped by

d. Final Revision Date

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:

197122246

2. Municipal Check Number

06/18/2021

3. Check date

197122247

4. State Check Number

06/18/2021

5. Check date

Tetra Tech, Inc.

6. Payor name on check: First Name

Tetra Tech, Inc.

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

MassDEP File Number _____

Document Transaction Number _____

East Boston

City/Town _____

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.

1. Signature of Applicant

[Handwritten Signature]

2. Date

6/21/2021

3. Signature of Property Owner (if different)

[Handwritten Signature]

4. Date

6/17/21

5. Signature of Representative (if any)

[Handwritten Signature]

6. Date

6/21/21

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.

Attachment A

SUPPLEMENTAL INFORMATION

ATTACHMENT A: SUPPLEMENTAL INFORMATION

1.1 PROJECT OVERVIEW

Boston Harbor Shipyard & Marina (the “Applicant” or the “Shipyard”) is seeking authorization for the as-built condition of a section of Pier #1 (the “Pier”) at the Shipyard in East Boston, Massachusetts (the “Project Site”). A failing section of the Pier was subject to emergency repair work, including limited in-water work in a wetland resource area, in February 2021. The Pier is located at 233 Marginal Street on one of several adjacent parcels of land comprising the Shipyard. The parcel is owned by the Massachusetts Port Authority (“Massport”). The Pier is bordered by the Shipyard to the north, six floats (Docks A-F) connected to the Pier by gangways to the east, Boston Harbor to the south, and a parallel-running float (H Dock) also connected to the Pier by gangways. See Figure 1, Locus Map and Figure 2, Aerial View of Project Site.

On February 17, 2021, staff at the Shipyard observed that a deck section of the Pier in the vicinity of Dock E was failing under a 480V transformer. The deck section had subsided approximately six inches and was endangering the stability of a portion of the Pier, the transformer, marina float utility conduits, and public safety. The Applicant began emergency repair work on the failing section of the Pier on February 18, 2021. The in-water emergency repair work consisted of the installation of timber piles, bracing, and wood blocks to support the failing deck section. The Applicant called the Boston Conservation Commission (“the Commission”) to notify them of the situation and left a message.

On the morning of February 19, 2021, the Applicant contacted the Commission via email to inform the Commission that emergency in-water repair work was being performed on the Pier. The Commission directed all work to cease and desist until an Emergency Certification or Order of Conditions was issued by the Commission. At this point, all in-water (driving of piles) emergency work had been completed and the Applicant asked the contractor to secure the stringers above the piles and then lower the deck back on top of the stringers ensuring that the electrical transformer was no longer in danger of collapsing into the water.

The Commission ratified an Enforcement Order against the Applicant at a hearing on March 3, 2021 and required the filing of a Notice of Intent (NOI). A modified Enforcement Order was issued on May 18, 2021 and required an NOI for the previously completed emergency repairs to the Pier to be filed by June 23, 2021. The Applicant is filing this NOI to cover the emergency repair work and authorize the as-built condition of the Pier.

1.2 PROJECT DESCRIPTION

As mentioned above, the Applicant noticed a section of the Pier was failing under a transformer adjacent to the Dock E entrance on February 17, 2021. The Applicant called

ACK Marine & General Contracting (“ACK”) to initiate emergency actions to ensure that the transformer did not fall into the water. On February 18, ACK mobilized a barge and crane to attempt to temporarily hold up the failing section of the Pier. Since the east side of the Pier is bordered by access floats and docks, ACK brought the barge in from the west side of the Pier, moving a small number of floats out of the way to get the crane in close enough. The failing section was successfully held up, but this solution was extremely temporary. No permanent components of the Pier, fender piles, or other structures in the water aside from the floating docks were disturbed in the process.

Next, ACK proceeded to drive six piles in three sets of two. Three piles were driven on the outer edge of the Pier and three piles were driven under Pier through sawcut holes in the concrete Pier deck. After driving these piles under the Pier, the holes cut in the deck were filled in. Stringers were then slipped into place, connecting each of the three pairs of driven piles. Solid timber blocking was also added to secure the Pier decking. During the process of installing the stringers, cross bracing was also added to improve the stability of the Pier.

While in the process of sliding the stringers under the Pier, Massport notified the Applicant that it was to cease and desist from all activities and directed the Applicant to notify the Commission. The Applicant immediately instructed ACK to cease all work and called Nick Moreno, Executive Director of the Commission, to notify him of the situation.

On February 19, the Applicant contacted Mr. Moreno again via email. Mr. Moreno responded immediately, stating the Applicant was to cease and desist from any and all activity in the water. By this point, all emergency work that occurred in the water, consisting of the driving of the six piles, had been completed. All the work was secured and the barge was removed from the Project Site. See Attachment C, NOI Plans.

1.3 WETLAND RESOURCE AREAS

Based on the definitions provided in the WPA (310 CMR 10.21 through 10.37), the Project Site is located within Land under the Ocean and a Designated Port Area. See Figure 7, Wetland Resources.

1.3.1 LAND UNDER THE OCEAN

Land under the Ocean is defined in 310 CMR 10.25 as:

Land extending from the mean low water line seaward to the boundary of the municipality’s jurisdiction and includes land under estuaries.

1.3.2 DESIGNATED PORT AREA

Designated Port Areas (DPAs) are defined in 310 CMR 10.26 as:

Those areas designated in 301 CMR 25.00: Designation of Port Areas.

The Project Site is located within the East Boston DPA.

1.4 COMPLIANCE WITH WPA PERFORMANCE STANDARDS

The majority of the emergency repair work was conducted above MHW and not in a wetland resource area. The installation of the six piles, each twelve inches in diameter, into Land under the Ocean resulted in approximately six square feet of impact to Land under the Ocean. The following section describes the Project's compliance with performance standards for Land under the Ocean and Designated Port Areas.

1.4.1 LAND UNDER THE OCEAN

310 CMR 10.25(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 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.*

This standard is not applicable because the Project did not involve any dredging.

310 CMR 10.25(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 interest 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.*

This standard is not applicable because the Project did not involve any dredging.

310 CMR 10.25(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 installation of piles did not affect the bottom topography such that they will increase storm damage of, or erosion to, the nearest Coastal Bank, which is more than 500 feet away. The six new piles, which are within an existing pile field, allow for the flow of currents and waves around the structures, which prevents changes that would alter the energy of the ocean patterns and increase potential storm damage and erosion to landward resource areas.

310 CMR 10.25(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 (*Rupia 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.

All completed activities are water-dependent. The installation of six piles in Boston Harbor under the existing pile-supported Pier did not alter water circulation. There are no known sea grass beds in the vicinity of the Project Site that would have been impacted. The free flow of water did not impede littoral drift, and grain size distribution remained the same post construction.

Construction phase turbidity was expected to be minimal since only six piles were driven into the sediment. The driven piles will not have significant or cumulative effects on the functions and values of the resource area, nor will it add additional pollutants to the Boston Inner Harbor. The Project was designed to minimize adverse effects on marine fisheries caused by changes in water circulation or quality. The installation of the piles did not alter any shallow submerged lands with high densities of polychaetes, mollusks, or macrophytic algae.

310 CMR 10.25(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.

The Project Site is more than 4,500 feet from the nearest known specified habitat site of rare vertebrates or invertebrate species as identified on the most recent Estimated Habitat Map, and therefore no adverse effect is expected.

1.4.2 DESIGNATED PORT AREAS

310 CMR 10.26(3): *Projects shall be designed and constructed, using best practical measures, so as to minimize adverse effects on marine fisheries caused by changes in:*

- (a) water circulation;*
- (b) 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.*

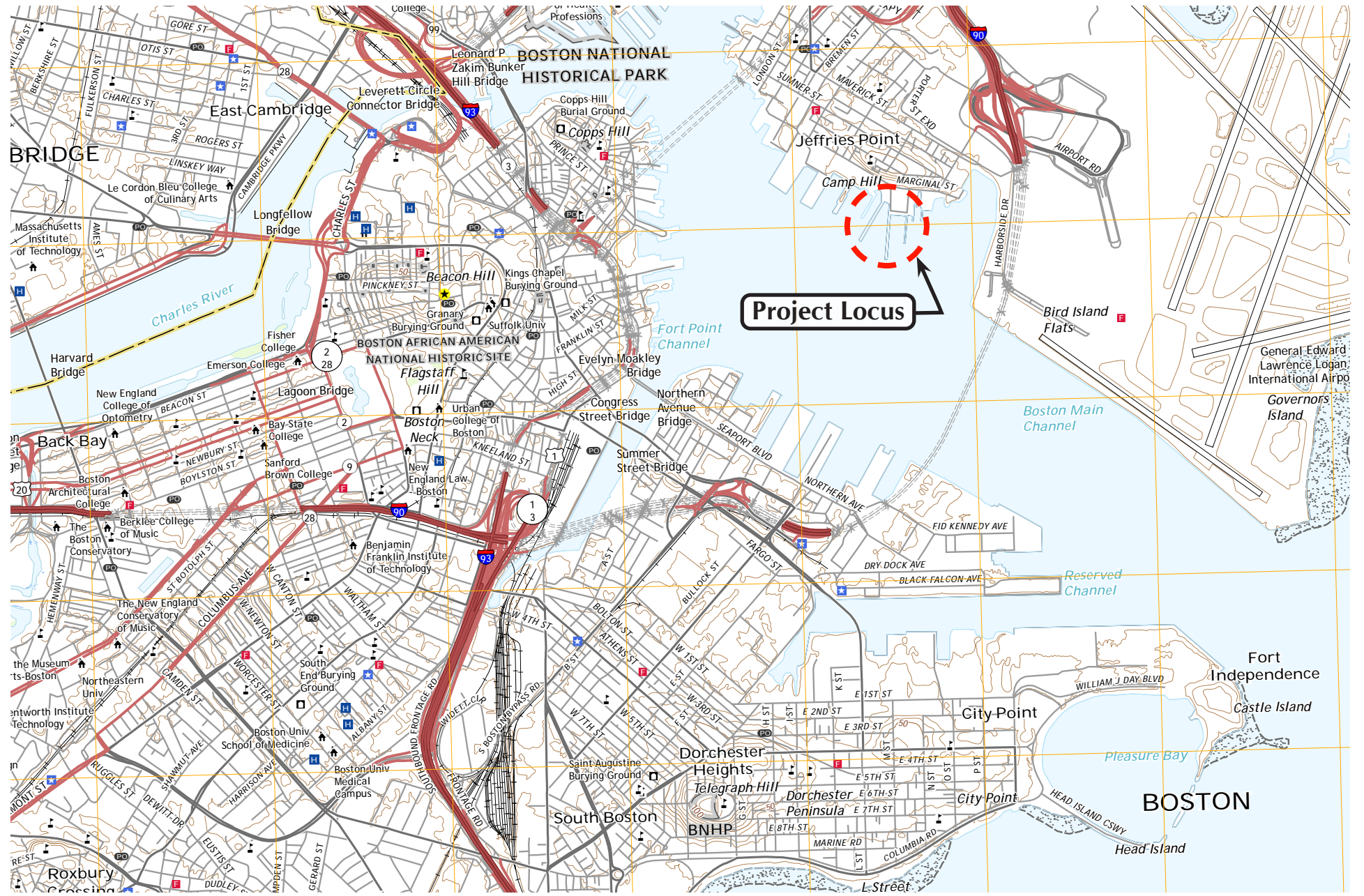
The Project was designed to minimize the number of piles (six) that were placed in the water to support the Pier near the transformer and therefore did not change the circulation of water in Boston Harbor. The six new piles will not impact the levels of dissolved oxygen levels, temperature, or turbidity, nor will they create additional pollutants.

310 CMR 10.26(4): *Projects shall be designed and constructed, using the best practical measures, so as to minimize, adverse effects on storm damage prevention or flood control caused by changes in such land's ability to provide support for adjacent coastal banks or adjacent coastal engineering structures.*

The Project work within the LUO will improve the stability of the existing pile-supported Pier, which is a coastal engineering structure that extends approximately 875 feet from the vertical coastal bank. This repair work was the most practical method to repair the Pier by using timber pile caps, bracing, and stringers on top of the six new piles to support and secure the failing deck.

1.5 NOI PLAN LIST

Title	Date	Signed and Stamped
ALTA/NSPS Land Title Survey in Boston (East Boston), MA, sheet 2 of 5	01/05/2018	Jason Ellis
ALTA/NSPS Land Title Survey in Boston (East Boston), MA, sheet 3 of 5	01/05/2018	Jason Ellis
General Plan and Repair Work Location	06/14/2021	Lisa J. O'Donnell
Pier 1 Plan and Elevation w/ Work Area	06/14/2021	Lisa J. O'Donnell
Typical Bent Elevation with Repair Bent	06/14/2021	Lisa J. O'Donnell
Detail Plan of Repair Work Location	06/14/2021	Lisa J. O'Donnell

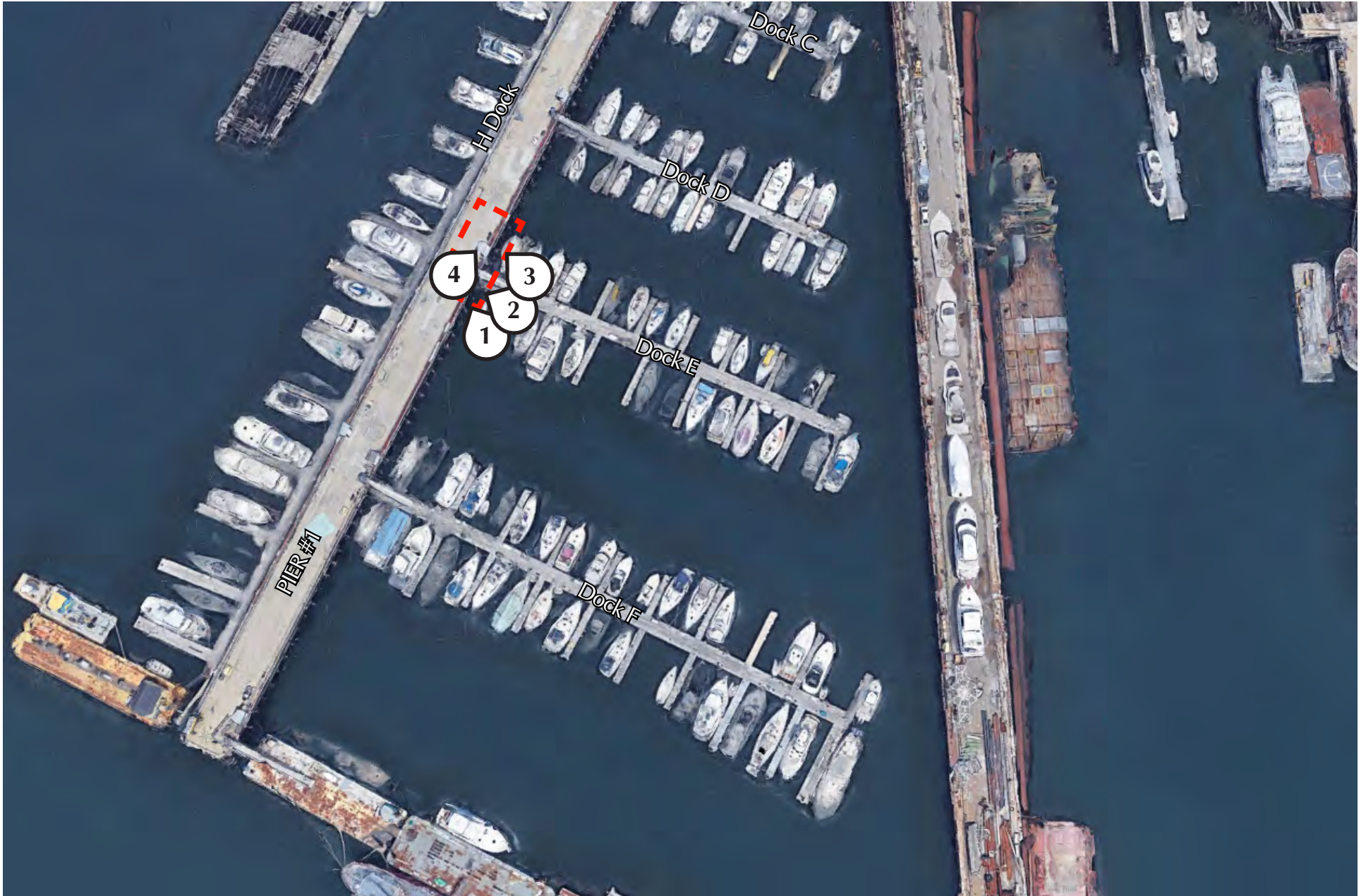


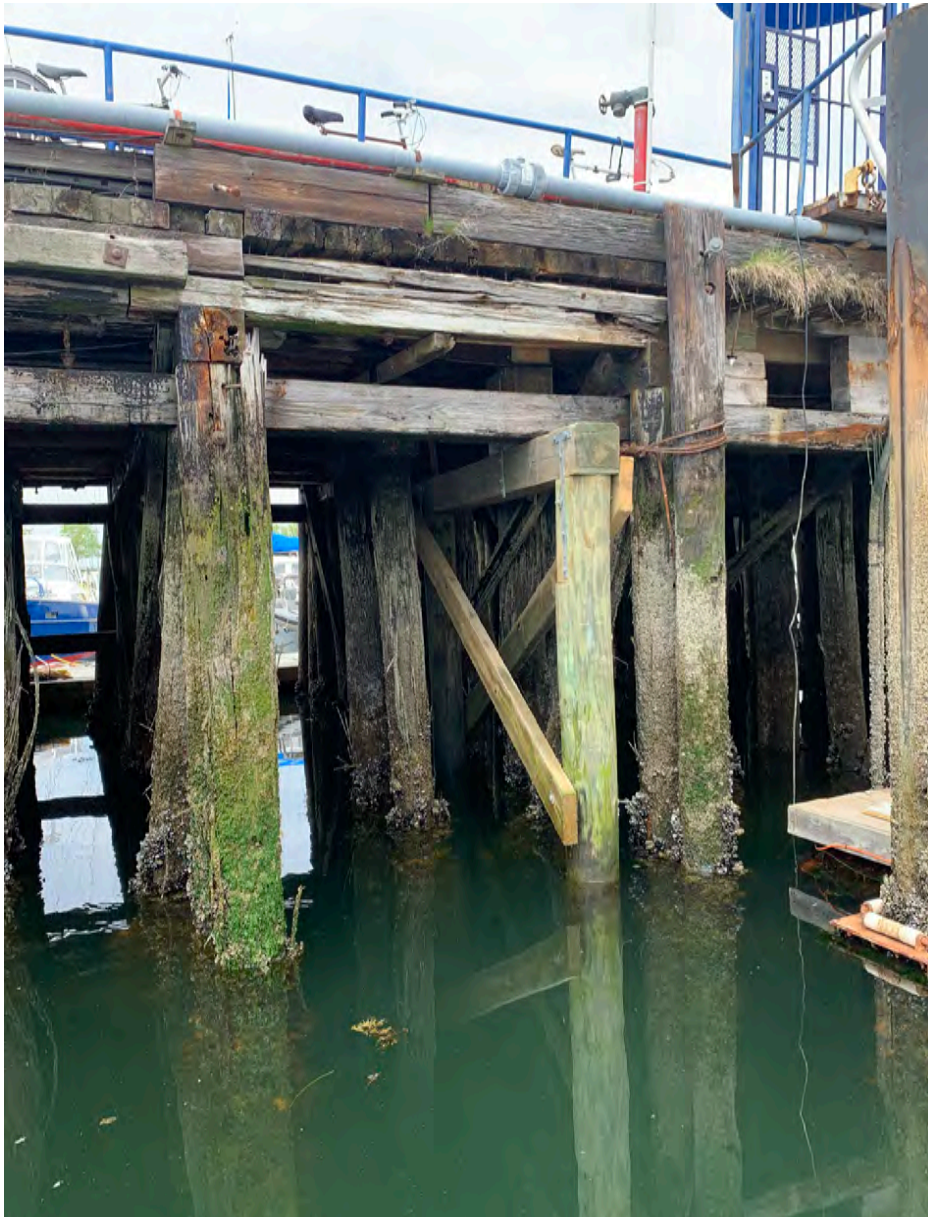
East Boston, Massachusetts

Figure 1
Locus Map

Source: USGS, 2018; Fort Point Associates, Inc., 2021







Looking northwest at recently driven piles on the Project Site.



Looking west at recently installed bracing and pile caps on the Project Site.



Looking north at completed work on the Project Site.



Looking north at the repaired deck section of Pier #1.

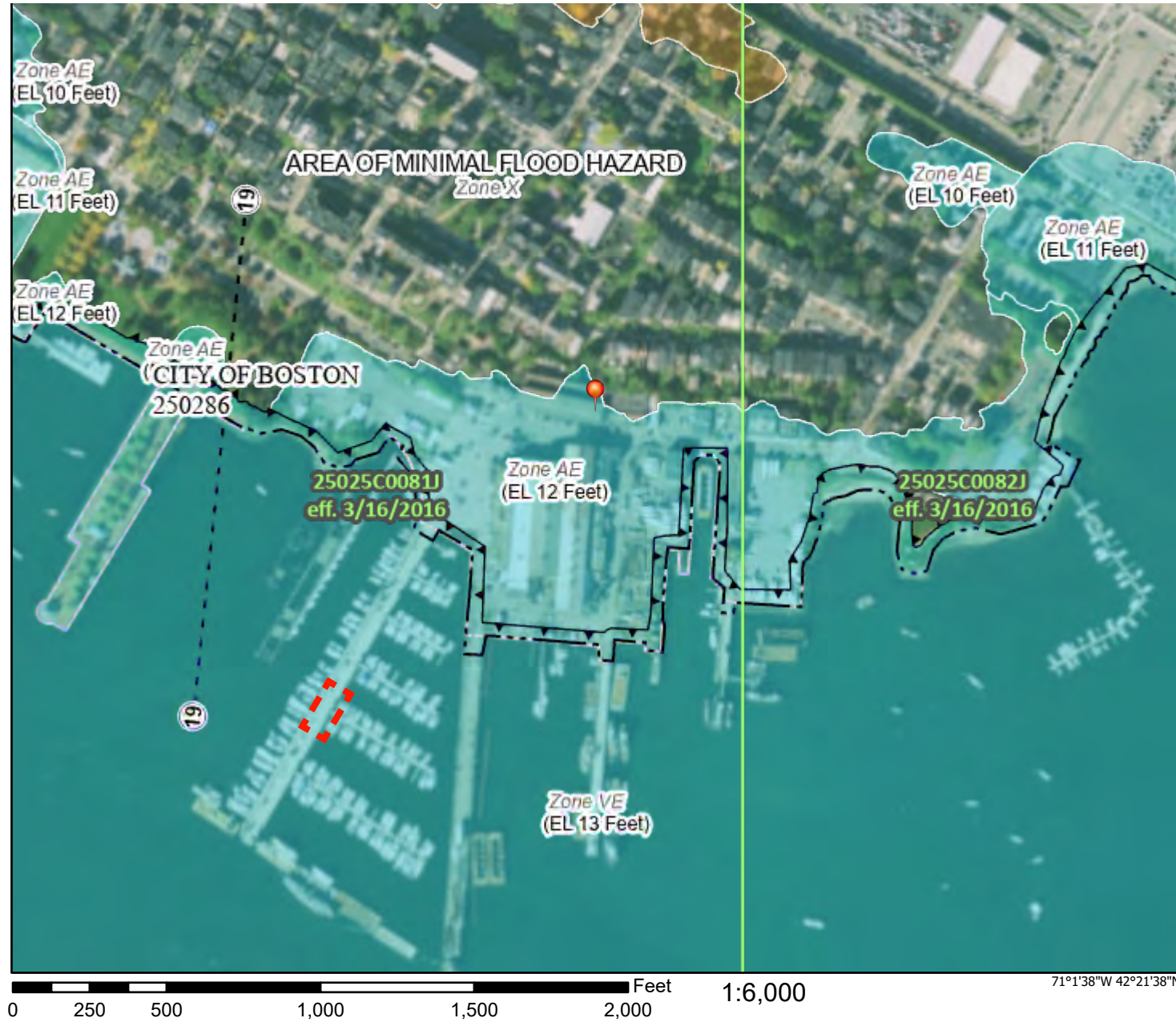


Before: Decking is collapsed onto the power cables below the electrical transformer.



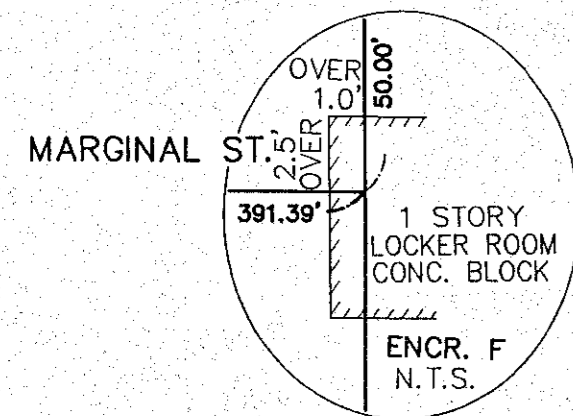
After: The decking is no longer sitting on the power cables and has been raised.





Attachment B

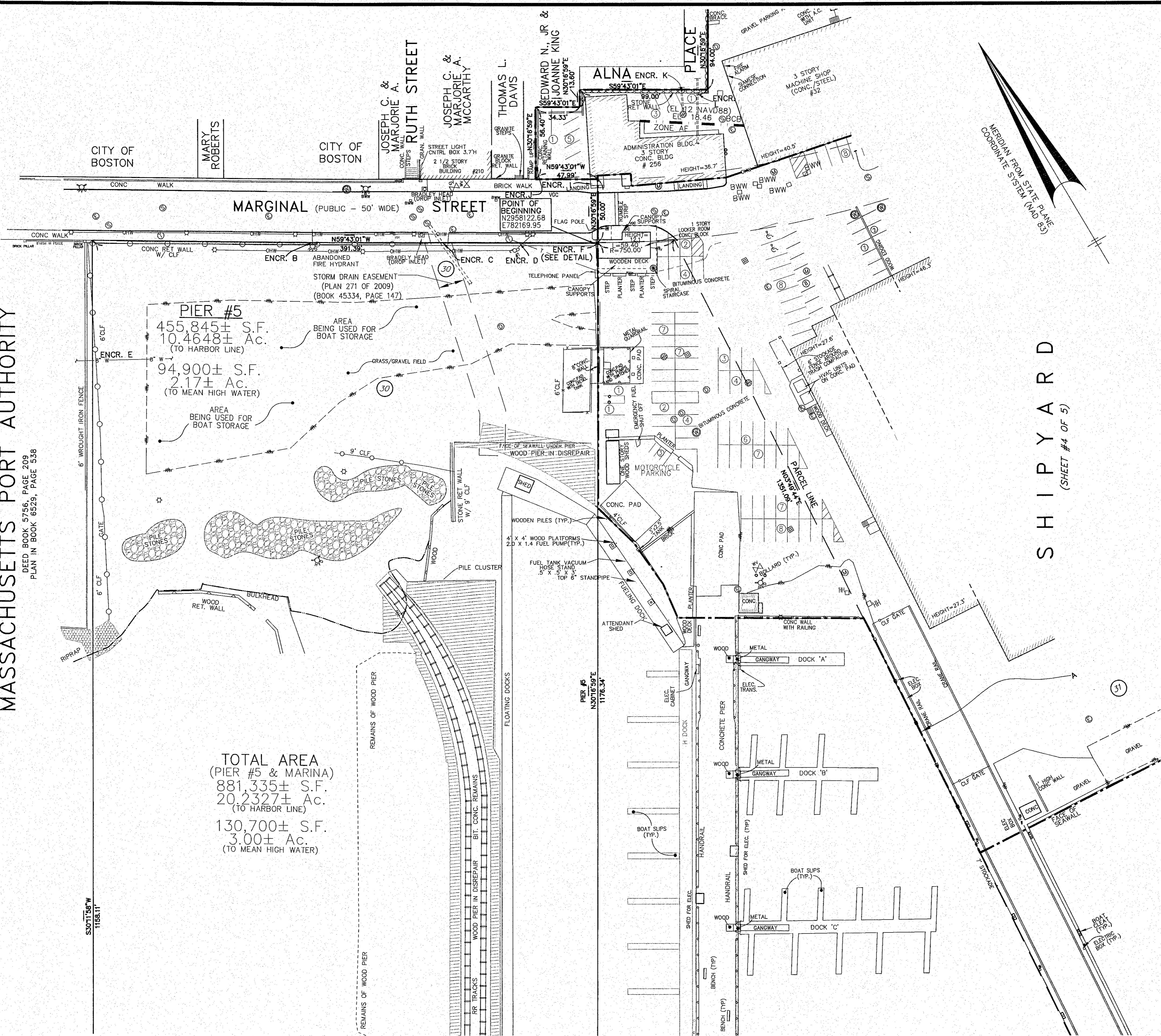
EXISTING CONDITIONS PLANS



DETAIL ENCROACHMENT "F".

PIER 5 PARK MASSACHUSETTS PORT AUTHORITY

DEED BOOK 5756, PAGE 208
PLAN IN BOOK 6529, PAGE 538



TOTAL AREA
(PIER #5 & MARINA)
881,335± S.F.
20,2327± Ac.
(TO HARBOR LINE)
130,700± S.F.
3.00± Ac.
(TO MEAN HIGH WATER)

(SHEET #3 OF 5)

NOTES:

- SEE SHEET 1 OF 5 FOR NOTES, LEGEND, REFERENCES, LIST OF ENCROACHMENTS, DATUM TABLE AND CERTIFICATIONS.
- SEE SHEET 3 OF 5 FOR SCHEDULE B - SECTION 2 EXCEPTIONS FROM COVERAGE.

PIER #5 & MARINA LEGAL DESCRIPTION:

BEGINNING AT A POINT LOCATED AT THE SOUTHERLY LINE OF MARGINAL STREET AT THE END OF THE PUBLIC WAY, FURTHER DEFINED BY THE VALUES N2958122.68, E782169.95 IN THE MASSACHUSETTS COORDINATE SYSTEM MAINLAND ZONE, NORTH AMERICAN DATUM OF 1983 (NAD'83),

N59°43'01"W A DISTANCE OF 391.39 FEET BY MARGINAL STREET, THENCE TURNING AND RUNNING:

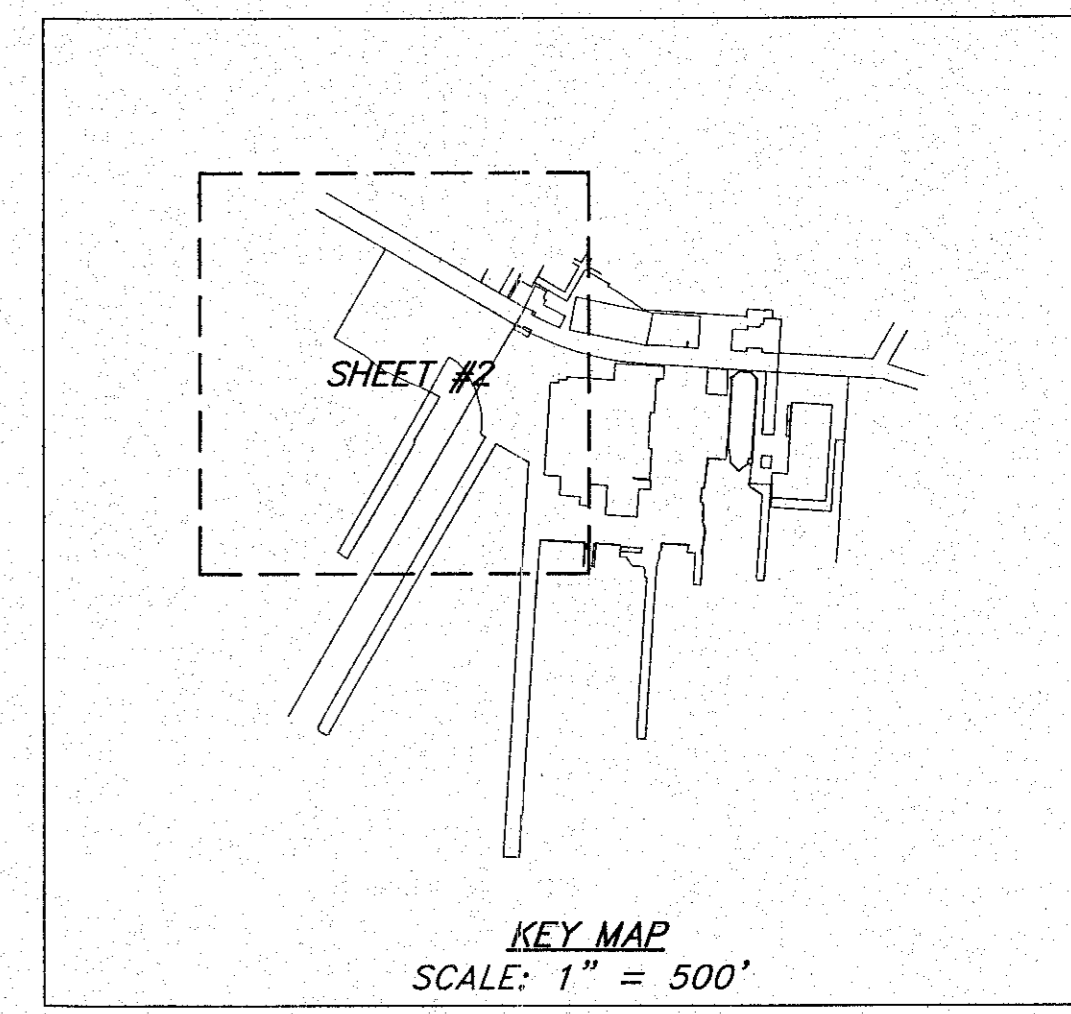
S30°11'58"W A DISTANCE OF 1158.11 FEET BY EAST BOSTON PIERS PARK, OTHER LAND OF MASSPORT, THENCE TURNING AND RUNNING:

S57°02'21"E A DISTANCE OF 1052.08 FEET BY THE MASSACHUSETTS HARBOR LINE OF 1966, THENCE TURNING AND RUNNING:

S03°49'44"W A DISTANCE OF 1351.09 FEET BY THE WESTERLY FACE OF PIER NO. 2, THE SHIPYARD PARCEL, THENCE TURNING AND RUNNING:

NORTHWESTERLY ALONG A TANGENT CURVE TO THE RIGHT OF RADIUS 750.00 FEET, A DISTANCE OF 59.40 FEET TO THE POINT OF THE BEGINNING,

CONTAINING APPROXIMATELY 881,335 SQUARE FEET, OR 20.23 ACRES MORE OR LESS.



Janella
1/3/18

ALTA / NSPS
LAND TITLE SURVEY
IN
BOSTON (EAST BOSTON), MA
PREPARED FOR

PRIORITY ACQUISITIONS, LLC
SITE: THE SHIPYARD AND MARINA, MARGINAL STREET
SCALE: 1" = 40' JANUARY 2, 2018

HANCOCK SURVEY ASSOCIATES, INC.
185 CENTRE STREET, DANVERS, MASSACHUSETTS 01923
VOICE 978-777-3050 FAX 978-774-7816
WWW.HANCOCKASSOCIATES.COM

CALC. BY:	CHECKED
PLP	JAE

NOTES:

1) SEE SHEET 1 OF 5 FOR NOTES, LEGEND, REFERENCES, LIST OF ENCROACHMENTS, DATUM TABLE, AND CERTIFICATIONS.

2) SEE SHEET 2 OF 5 FOR THE MARINA LEGAL DESCRIPTION.

SCHEDULE B-SECTION 2
EXCEPTIONS FROM COVERAGE

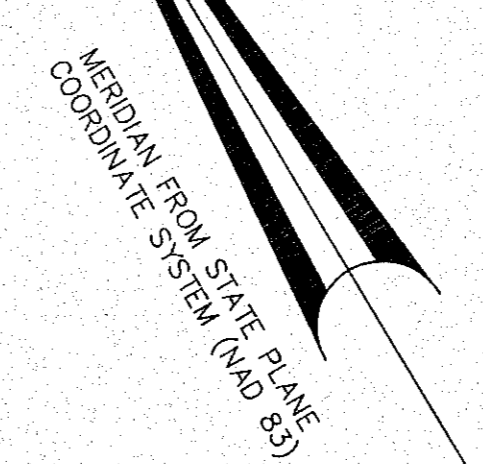
COMMONWEALTH LAND TITLE INSURANCE COMPANY
CASE NUMBER: C24426, EFFECTIVE DATE SEPTEMBER 29, 2017

ITEM#	REFERENCE	DESCRIPTION	DISPOSITION
11	DEED BOOK 8001, PAGE 675	LICENSE No. 4999	SHOWN ON SURVEY
12	DEED BOOK 9804, PAGE 588	ORDER OF CONDITIONS DEP FILE # 6-179	NOT SURVEY RELATED
13	DEED BOOK 10415, PAGE 238	UNRECORDED AGREEMENT BETWEEN BETHLEHEM STEEL COMPANY AND NY CENTRAL RAILROAD CO.	NOT SHOWN ON SURVEY
14	DEED BOOK 10415, PAGE 238	UNRECORDED AGREEMENT BETWEEN BETHLEHEM STEEL COMPANY AND NY CENTRAL RAILROAD CO.	NOT SHOWN ON SURVEY
15	DEED BOOK 15485, PAGE 218	ORDER OF CONDITIONS DEP FILE # 6-371	NOT SURVEY RELATED
16	L.C.DOC# 448159	ORDER OF CONDITIONS DEP FILE # 6-357	NOT SURVEY RELATED
17	L.C.DOC# 512997	ORDER OF CONDITIONS DEP FILE # 6-359	NOT SURVEY RELATED
18	DEED BOOK 15969, PAGE 98	ORDER OF CONDITIONS DEP FILE # 6-404	NOT SURVEY RELATED
19	DEED BOOK 16549, PAGE 132	ORDER OF CONDITIONS DEP FILE # 6-435	NOT SURVEY RELATED
20	DEED BOOK 17326, PAGE 177	DETERMINATION OF APPLICABILITY BOSTON CON. COMM.	NOT SURVEY RELATED
21	DEED BOOK 17484, PAGE 173	ORDER OF CONDITIONS DEP FILE # 6-512	NOT SURVEY RELATED
22	DEED BOOK 18142, PAGE 1	ORDER OF CONDITIONS DEP FILE # 6-527	NOT SURVEY RELATED
23	DEED BOOK 21796, PAGE 211	ACTIVITY & USE LIMITATION	NOT ON PREMISES
24	DEED BOOK 26847, PAGE 82	ORDER OF CONDITIONS DEP FILE # 6-839	NOT SURVEY RELATED
25	DEED BOOK 29011, PAGE 88	ORDER OF CONDITIONS DEP FILE # 6-934	NOT SURVEY RELATED
26	DEED BOOK 30460, PAGE 47	ORDER OF CONDITIONS DEP FILE # 6-960	NOT SURVEY RELATED
27	DEED BOOK 40360, PAGE 284	DEP FILE # 6-980, EXTENSION	NOT SURVEY RELATED
28	DEED BOOK 43406, PAGE 293	DEP FILE # 6-980, ONGOING CONDITIONS	NOT SURVEY RELATED
29	DEED BOOK 40061, PAGE 70	RECIPROCAL EASEMENT AGREEMENT	SHOWN ON SURVEY
30	DEED BOOK 42443, PAGE 109	ORDER OF CONDITIONS DEP FILE # 6-1126	NOT SURVEY RELATED
31	DEED BOOK 42968, PAGE 157	TAX TAKING	NOT SURVEY RELATED
32	DEED BOOK 45334, PAGE 147	GRANT OF EASEMENT BETWEEN MASSACHUSETTS PORT AUTHORITY, PORTSIDE LR CONDOMINIUMS, LLC, PORTSIDE MARINA DEVELOPERS, LLC & BWSC	SHOWN ON SURVEY
33	DEED BOOK 46684, PAGE 9	ACTIVITY & USE LIMITATION	SHOWN ON SURVEY
34	DEED BOOK 47088, PAGE 285	ORDER OF CONDITIONS BOSTON CON. COMM.	NOT SURVEY RELATED
35	DEED BOOK 58333, PAGE 73	BOSTON CON. COMM., ONGOING CONDITIONS	NOT SURVEY RELATED
36	DEED BOOK 48986, PAGE 203	NOTICE OF LEASE	NOT SURVEY RELATED
37	DEED BOOK 51953, PAGE 90	NOTICE OF SUB-LEASE	NOT SURVEY RELATED
38	DEED BOOK 57488, PAGE 95	TAX TAKING	NOT SURVEY RELATED
39	L.C.DOC# 810052	ORDER OF CONDITIONS DEP FILE # 6-1314	NOT SURVEY RELATED
40	L.C.DOC# 813260	ORDER OF CONDITIONS DEP FILE # 6-1324	NOT SURVEY RELATED
41	L.C.DOC# 823312	ORDER OF CONDITIONS DEP FILE # 6-1355	NOT SURVEY RELATED
42	L.C.DOC# 853036	ORDER OF CONDITIONS DEP FILE # 6-1450	NOT SURVEY RELATED
43	L.C.DOC# 872150	ORDER OF CONDITIONS DEP FILE # 6-1521	NOT SURVEY RELATED

PIER #5
455,845± S.F.
10.4648± Ac.
(TO HARBOR LINE)

TOTAL AREA
(PIER #5 & MARINA)
881,335± S.F.
20.23± Ac.
(TO HARBOR LINE)
130,700± S.F.
3.00± Ac.
(TO MEAN HIGH WATER)

MARINA
425,490± S.F.
9.7679± Ac.
(TO HARBOR LINE)
35,800± S.F.
0.82± Ac.
(TO MEAN HIGH WATER)



(SHEET #5 OF 5)

BOSTON INNER HARBOR

ALTA / NSPS
LAND TITLE SURVEY
IN
BOSTON (EAST BOSTON), MA
PREPARED FOR

PRIORITY ACQUISITIONS, LLC
SITE: THE SHIPYARD AND MARINA, MARGINAL STREET
SCALE: 1" = 40' JANUARY 2, 2018

HANCOCK SURVEY ASSOCIATES, INC.

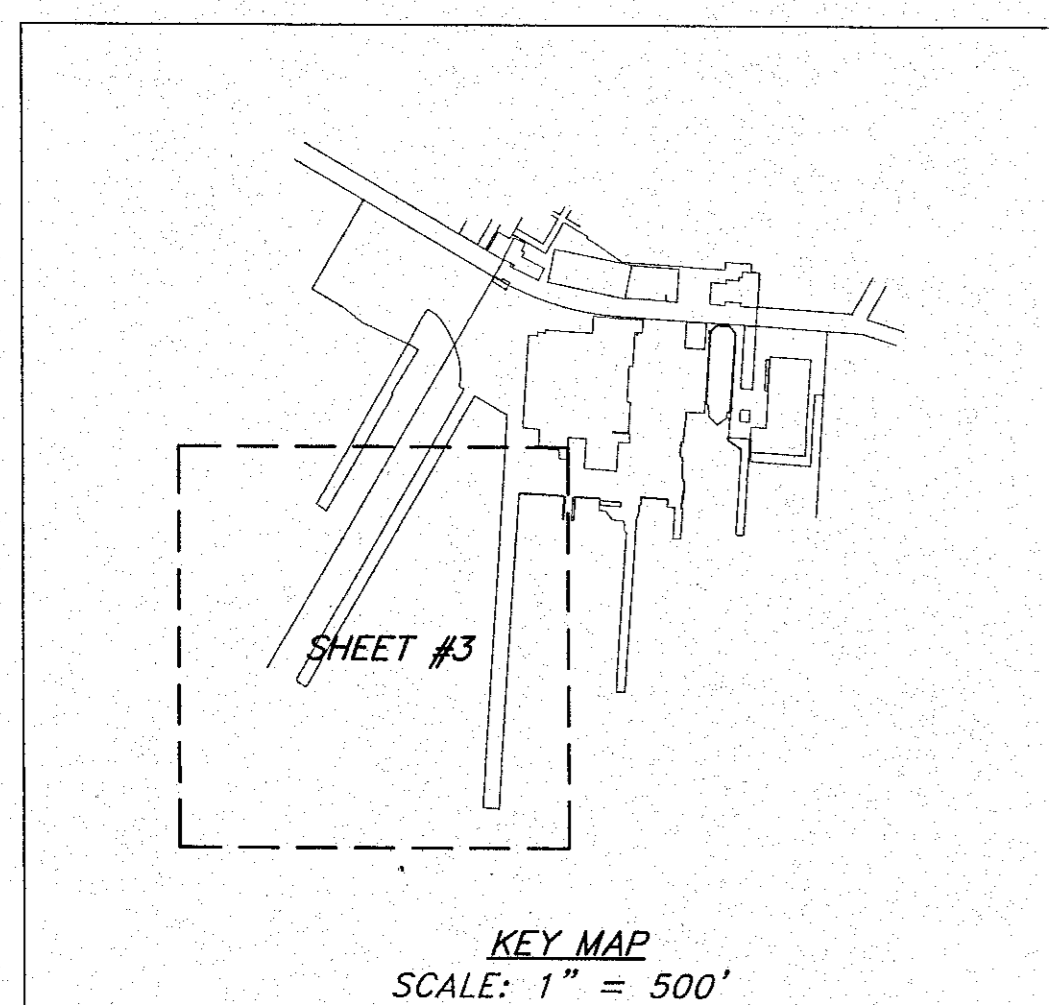
185 CENTRE STREET, DANVERS, MASSACHUSETTS 01923
VOICE 978-777-3050 FAX 978-774-7816
WWW.HANCOCKASSOCIATES.COM

CALC. BY:	CHECKED:
PLP	JAE

SHEET 3 OF 5

20895

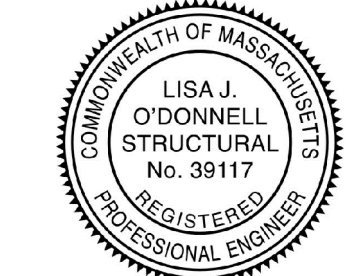
Handwritten signature and date: 1/5/18



KEY MAP
SCALE: 1" = 500'

Attachment C

NOI PLANS



Lisa O'Donnell

LJO ENGINEERING, LLC
PO BOX 888, ESSEX, MA 01929
LisatheEngineer@comcast.net
PH: 978-890-7100

JOB NO.
1457

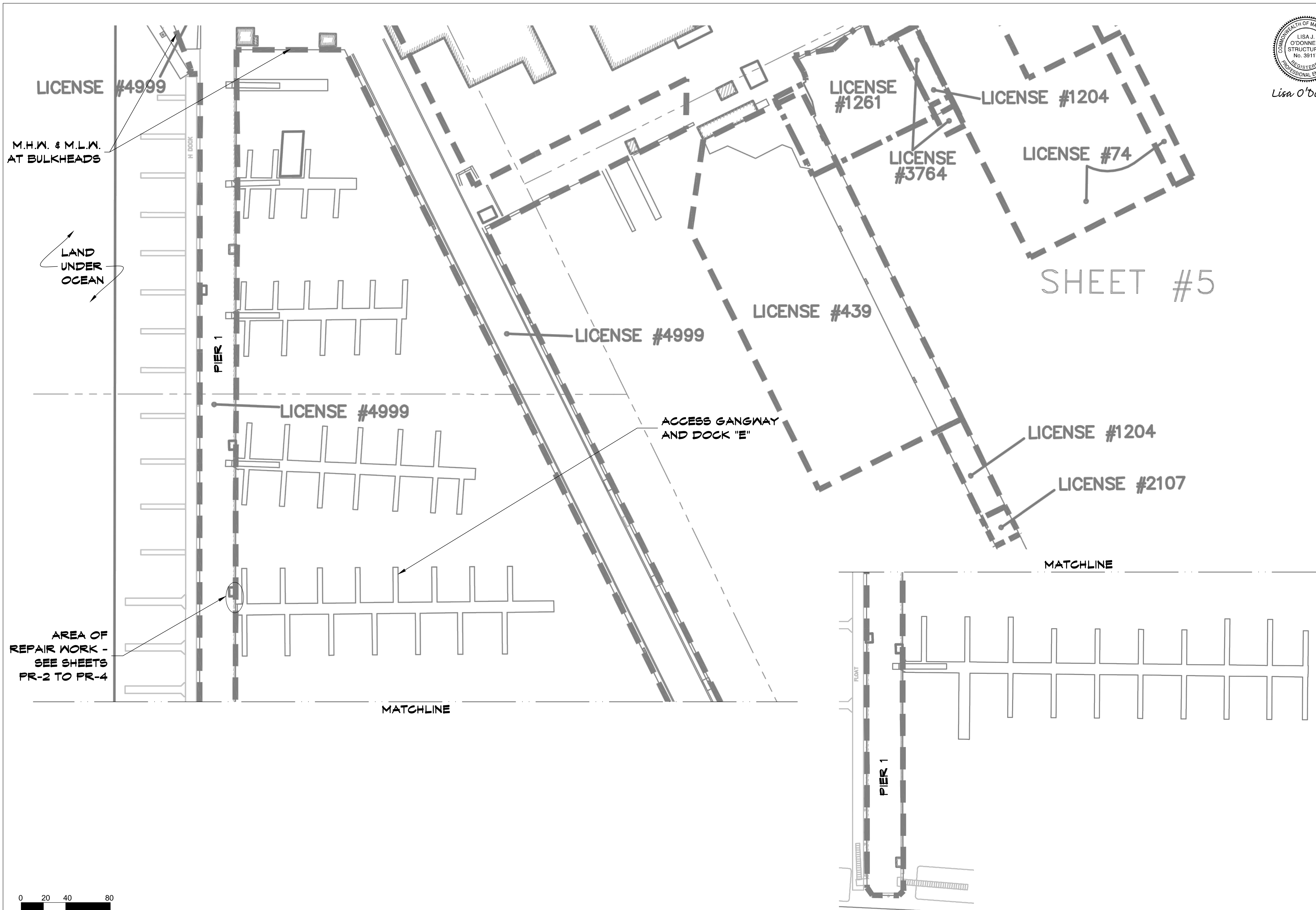
BY
LJO

DATE
06-14-21

PAGE
PR - 1

PROJECT
BOSTON HARBOR SHIPYARD & MARINA
256 MARGINAL STREET, EAST BOSTON, MA

SUBJECT
LIMITS OF EMERGENCY REPAIR WORK @ PIER 1
GENERAL PLAN AND REPAIR WORK LOCATION



LICENSE #4999

M.H.W. & M.L.W.
AT BULKHEADS

LAND
UNDER
OCEAN

PIER 1

LICENSE #1261

LICENSE #1204

LICENSE #74

LICENSE #3764

SHEET #5

LICENSE #439

LICENSE #4999

LICENSE #4999

ACCESS GANGWAY
AND DOCK "E"

LICENSE #1204

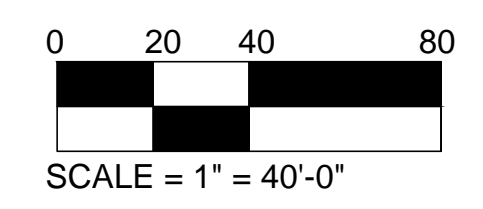
LICENSE #2107

AREA OF
REPAIR WORK -
SEE SHEETS
PR-2 TO PR-4

MATCHLINE

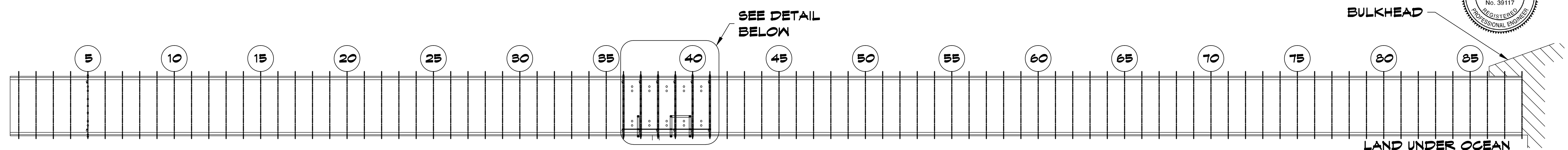
MATCHLINE

PIER 1

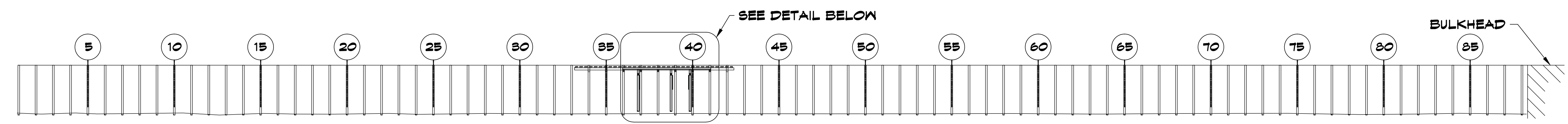


PLAN OF EXISTING CONDITIONS SHOWING AREA OF REPAIR WORK

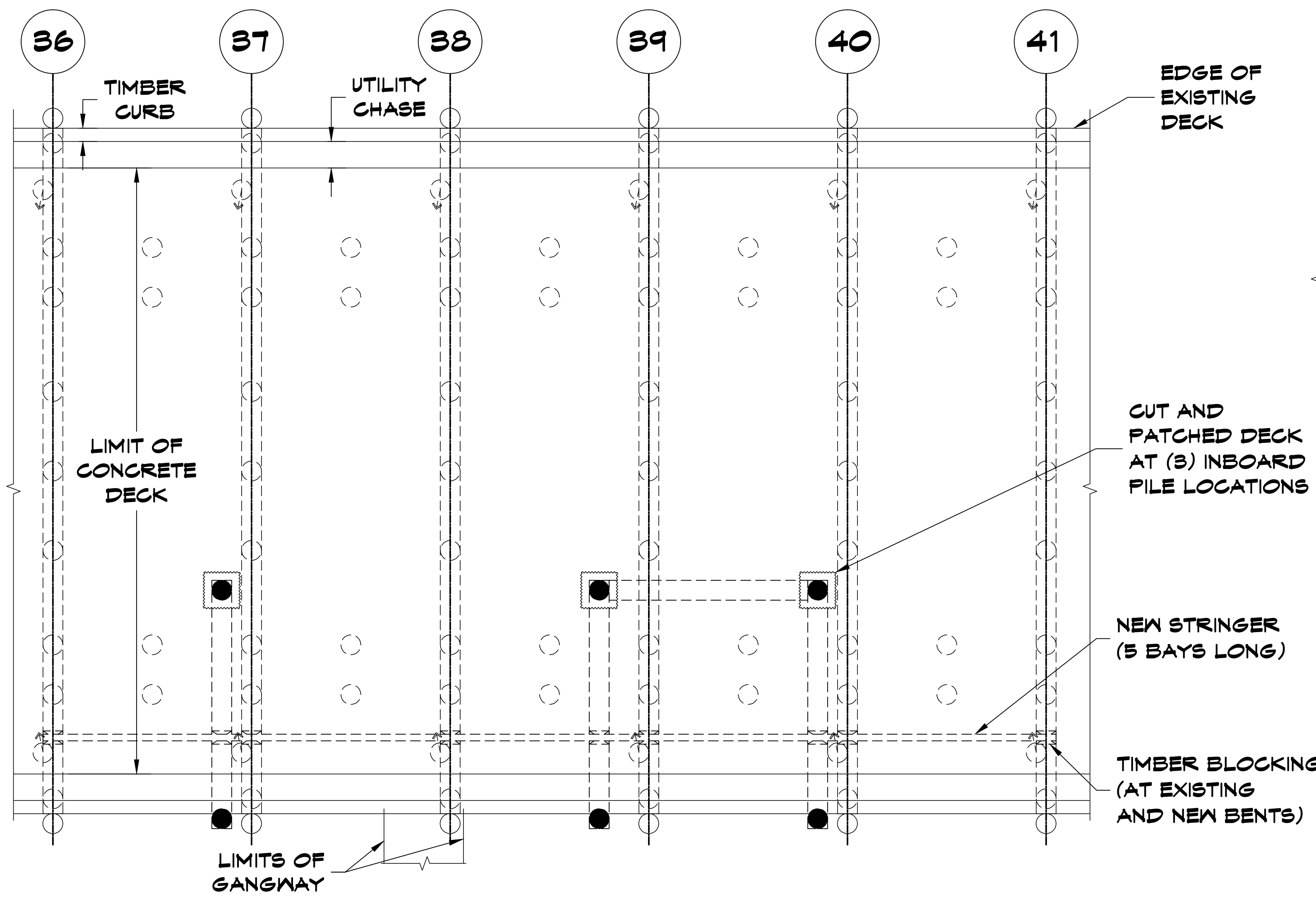
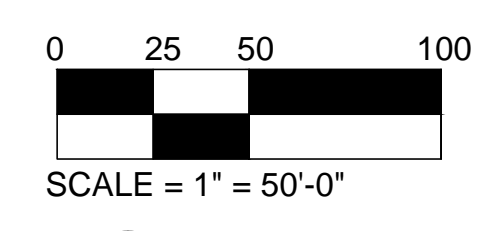
Lisa O'Donnell
 COMMONWEALTH OF MASSACHUSETTS
 LISA J. O'DONNELL
 STRUCTURAL
 No. 39117
 REGISTERED
 PROFESSIONAL ENGINEER



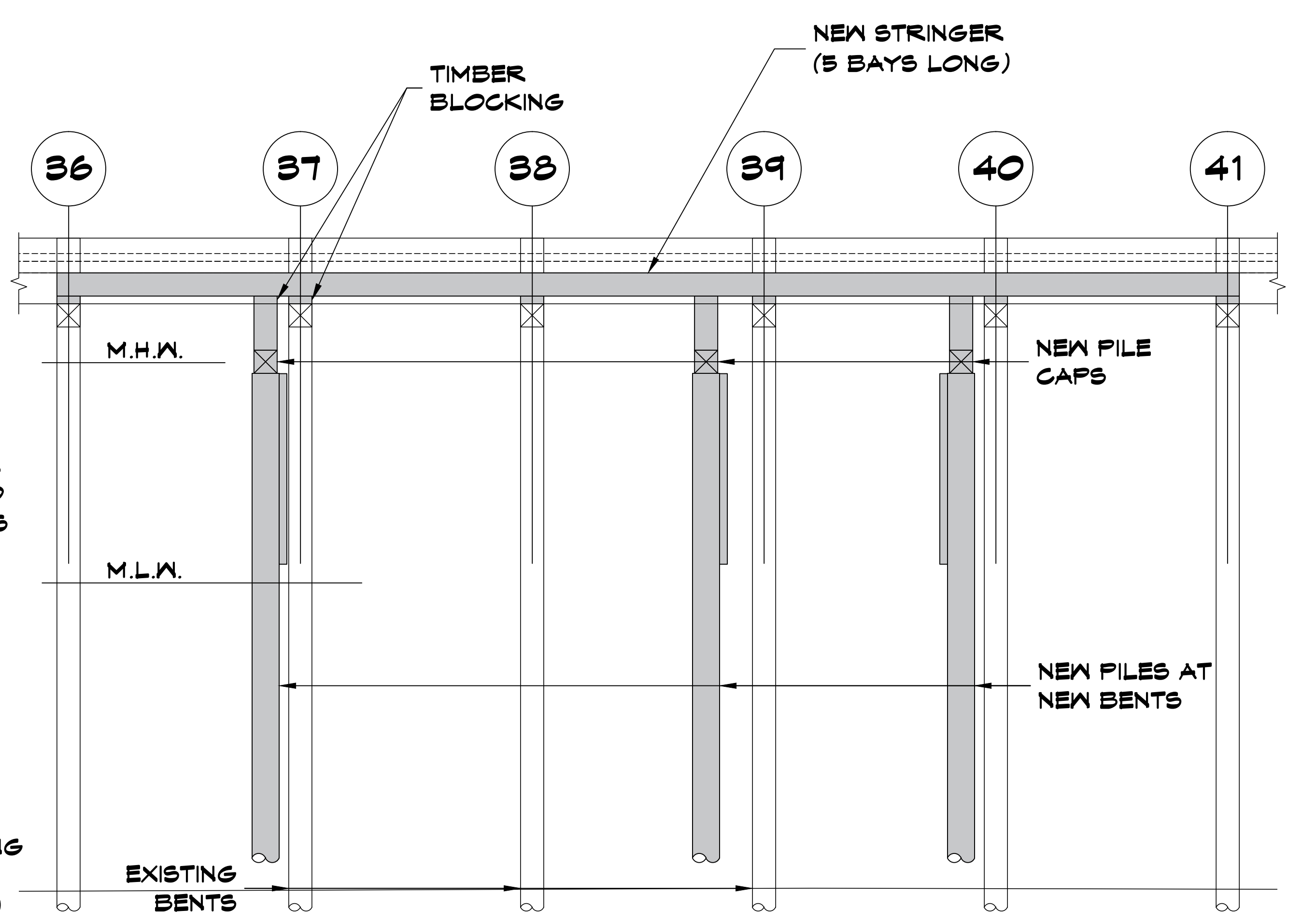
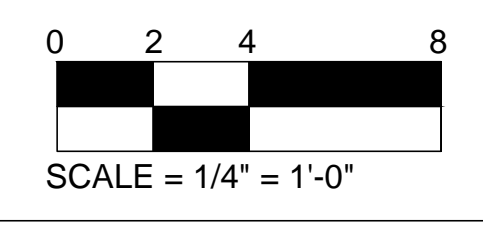
PLAN OF EXISTING CONDITIONS SHOWING AREA OF REPAIR WORK



ELEVATION OF EXISTING CONDITIONS SHOWING AREA OF REPAIR WORK



PARTIAL PLAN OF EXISTING DECK SHOWING AREA OF REPAIR WORK



PARTIAL ELEVATION OF EXISTING CONDITIONS SHOWING AREA OF REPAIR WORK

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 PO BOX 888, ESSEX, MA 01929
 LisatheEngineer@comcast.net
 PH: 978-840-7100

JOB NO.
1457

PAGE
PR - 2

BY
LJO

DATE
06-14-21

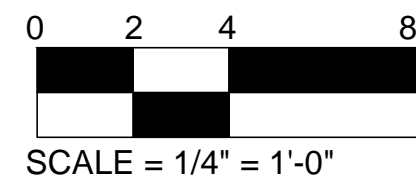
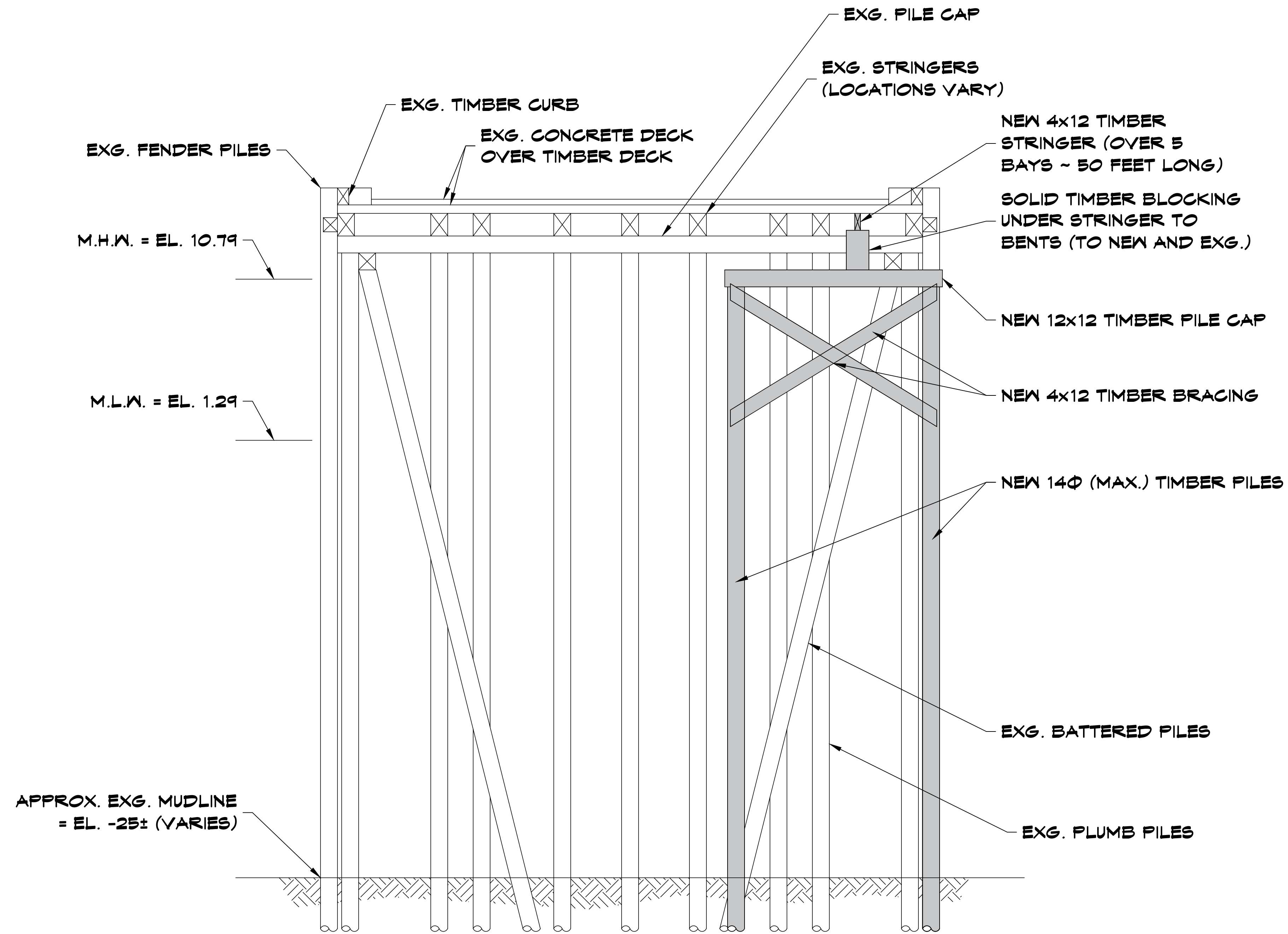
PROJECT
BOSTON HARBOR SHIPYARD & MARINA
256 MARGINAL STREET, EAST BOSTON, MA

SUBJECT
LIMITS OF EMERGENCY REPAIR WORK @ PIER 1
PIER 1 PLAN AND ELEVATION W/ WORK AREA



Lisa O'Donnell

LJO ENGINEERING, LLC
PO BOX 888, ESSEX, MA 01929
Lisa@theEngineer.comcast.net
PH: 978-890-7100



JOB NO.

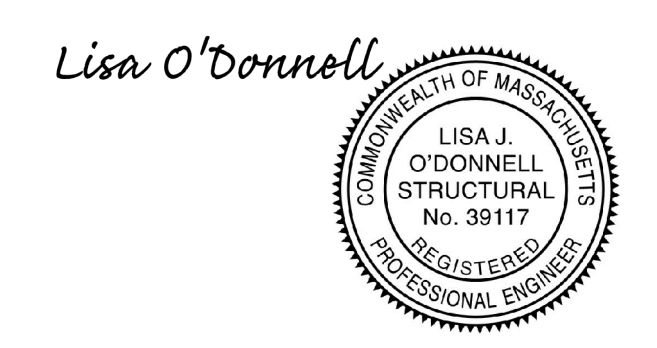
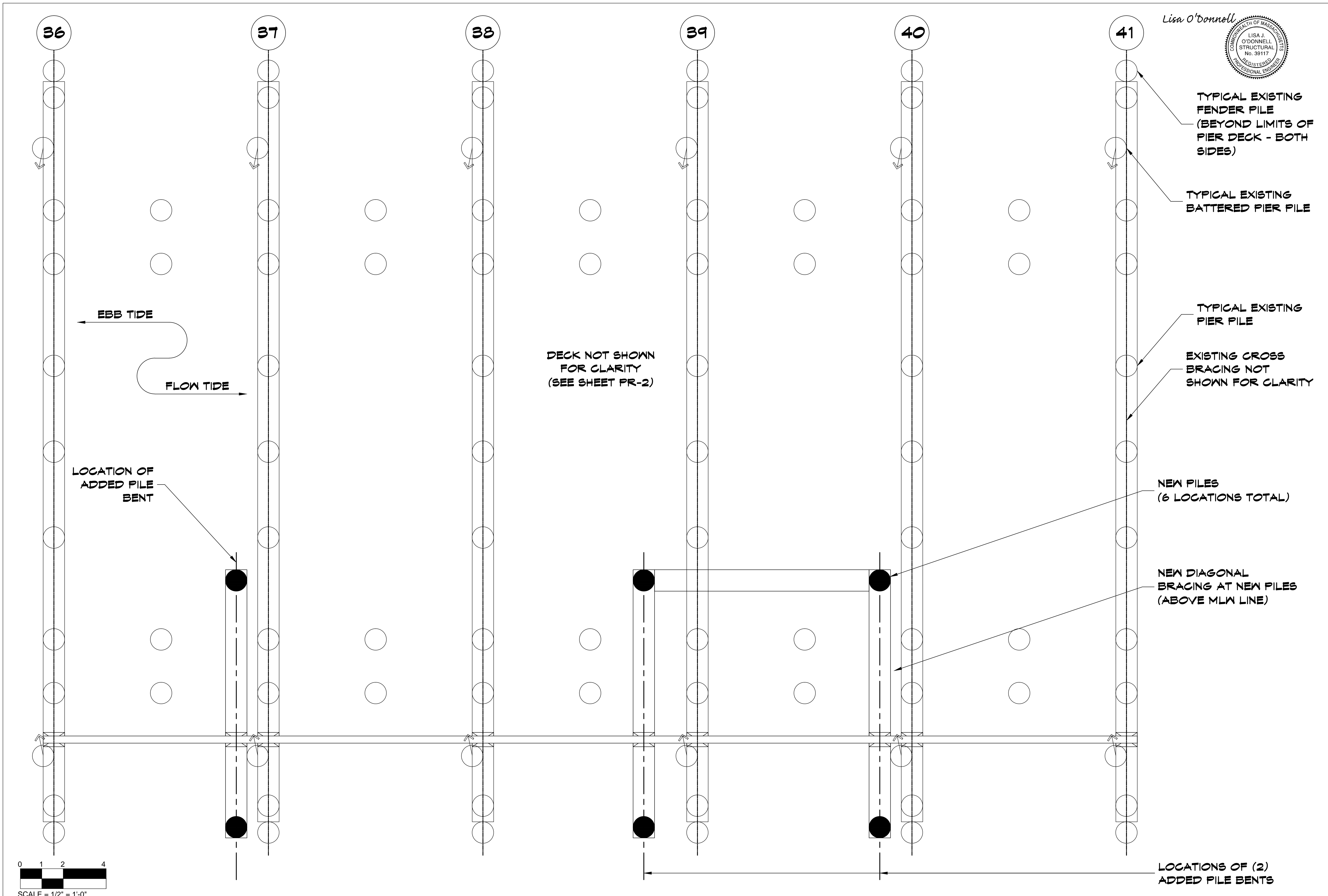
BY LJO

PROJECT **BOSTON HARBOR SHIPYARD & MARINA**
256 MARGINAL STREET, EAST BOSTON, MA

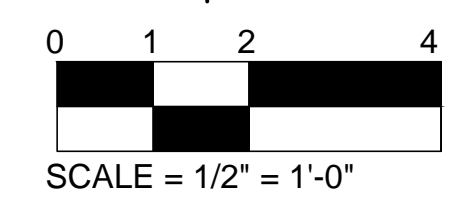
SUBJECT **LIMITS OF EMERGENCY REPAIR WORK @ PIER 1**
TYPICAL BENT ELEVATION WITH REPAIR BENT

DATE 06-14-21

PAGE PR - 3



Lisa O'Donnell



PROJECT BOSTON HARBOR SHIPYARD & MARINA 256 MARGINAL STREET, EAST BOSTON, MA SUBJECT LIMITS OF EMERGENCY REPAIR WORK @ PIER 1 DETAIL PLAN OF REPAIR WORK LOCATION	BY LJO	JOB NO.
	DATE 06-14-21	PAGE PR - 4

LJO ENGINEERING, LLC
 PO BOX 888, ESSEX, MA 01929
 LisatheEngineer@comcast.net
 PH: 978-890-7100

Attachment D

NOTIFICATION INFORMATION

ATTACHMENT D: NOTIFICATION INFORMATION

The following table outlines abutters of the Project within 100 feet of the property line as gathered from the City of Boston Assessing Department.

Property	Owner Name	Owner Address	Parcel ID
218-260 Marginal Street	Boston Marine Works	256 Marginal Street East Boston, MA 02128	104443010
233 Marginal Street	Boston Marine Works Inc.	256 Marginal Street East Boston, MA 02128	104445000
Marginal Street	Massachusetts Port Authority	One Harborside Drive, Suite 200S East Boston, MA 02128	104445010
214 Marginal Street	214 Marginal Street LLC	560 Harrison Ave #403 Boston, MA 02118	104619020
264-280 Marginal Street	Boston Marine Works	256 Marginal Street East Boston, MA 02128	104678010
216 R Marginal Street	Two-16 R Marginal St Condo	PO Box 1185 Saugus, MA 01906	104682000
216 R Marginal Street #1	Ori Yankelev	216R Marginal Street #1 East Boston, MA 02128	104682002
216 R Marginal Street #2	Anne Parr	216R Marginal Street #2 East Boston, MA 02128	104682004
210 Marginal Street	Lynde Damore	210 Marginal Street East Boston, MA 02128	104684000



**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.

Name

Date



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 فوائدها. 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.





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 abutterm to a project filed with the Boston Conservation Commission.

- A. **Boston Harbor Shipyard & Marina** 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 **233 Marginal Street, East Boston, MA 02128**.
- C. The project involved **emergency repair work on a section of Pier #1 at the Boston Harbor Shipyard & Marina in February 2021**.
- 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 **Lily Sylvester at Fort Point Associates by calling 617-357-7044 x200 or emailing lsylvester@fpa-inc.com between the hours of 9 AM and 5 PM, Monday through 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.

CERTIFICATE OF GOOD FAITH ACCURACY OF TRANSLATION

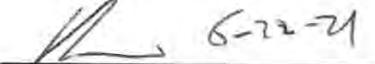
I, Río Hernández, do hereby state:

That a translator officially affiliated with the Translation Center at the University of Massachusetts Amherst and competent in both **English** and **Spanish** has made a good faith translation of the attached documents,

Notification to Abutters – Boston Conservation Commission (one page), issued by the City of Boston ;

From English to Spanish
(source language) (target language)

I hereby certify that the same is a true and complete translation to the best of my knowledge, ability and belief.


Río Hernández, Project Manager
Translation Center
University of Massachusetts Amherst



**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. **Boston Harbor Shipyard & Marina** 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 **233 Marginal Street, East Boston, MA 02128**.

C. El proyecto consiste en **labores de reparación de emergencia en una sección del Muelle #1 en Boston Harbor Shipyard & Marina en febrero de 2021**.

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 de **Lily Sylvester en Fort Point Associates llamando al 617-357-7044 ext. 200 o por correo electrónico a lsylvester@fpa-inc.com entre las 9 AM y las 5 PM, 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.



City of Boston
Environment



City of Boston
Mayor Martin J. Walsh

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.



Fort Point Associates, Inc.

31 State Street, 3rd Floor
Boston MA, 02109
(617) 357-7044

Letter of Transmittal

22-June-2021

**Attn: Division of Marine Fisheries –
North Shore Office
Attn: Environmental Reviewer**

30 Emerson Avenue

Gloucester, MA 01930

**RE: Notice of Intent – Pier #1
Emergency Repair Work,
Boston Harbor Shipyard &
Marina**

Copies	Date	Description
1	06/22/21	Notice of Intent – Pier #1 Emergency Repair Work, Boston Harbor Shipyard & Marina

THESE ARE TRANSMITTED AS CHECKED BELOW:

- | | |
|--|---|
| <input type="checkbox"/> As requested | <input type="checkbox"/> Copies for approval |
| <input type="checkbox"/> Resubmit | <input checked="" type="checkbox"/> 1 Copies for distribution |
| <input checked="" type="checkbox"/> Submit | <input type="checkbox"/> Corrected prints |
| <input type="checkbox"/> Return | |

REMARKS:

Please find enclosed a copy of the NOI that is being submitted to the Boston Conservation Commission for emergency repair work completed on a failing section of Pier #1 in February 2021 at the Boston Harbor Shipyard & Marina, 233 Marginal Street, East Boston, MA.

SIGNED:

Jamie Fay