

TOWN OF FRANKLIN, MASSACHUSETTS

NOTICE OF INTENT

FOR

BEAVER POND HYDRO-RAKING

February 2024



TOWN OF FRANKLIN, MA
DEPARTMENT OF PUBLIC WORKS

Jamie Hellen, Town Administrator
Robert A. Cantoreggi, Director of Public Works
Michael Maglio, PE, Town Engineer



TOWN OF FRANKLIN

DEPARTMENT OF PUBLIC WORKS

Franklin Municipal Building
257 Fisher Street
Franklin, MA 02038-3026

February 21, 2024

Ms. Breeka Li Goodlander, Conservation Agent
Members of the Franklin Conservation Commission
355 East Central Street
Franklin, MA 02038

Re: Beaver Pond Hydro-Raking

Dear Conservation Commission Members:

On behalf of the Recreation Department, the Department of Public Works (DPW) is filing this Notice of Intent with the Conservation Commission for the hydro-raking of Beaver Pond at Chilson Park on Beaver Street in Franklin.

The work described in this Notice includes the hydro-raking of a portion of Beaver Pond. This is an Ecological Restoration Limited Project under 310 CMR 10.53 (4), removal of aquatic nuisance vegetation to impede eutrophication.

According to the MassGIS Website, there are no known registered or potential vernal pools located within or adjacent to the area of proposed work.

It was confirmed with the MassWildlife's Natural Heritage & Endangered Species Program that there are no Priority Habitats of Rare Wildlife on the site.

The DPW is the proponent of this project and is requesting that the filing fees be waived for this project.

If you require additional information, please contact this office at 508-553-5500.

Sincerely,

Brooke Morganelli, P.E.
Assistant Town Engineer

Attachments: Notice of Intent
CC: MassDEP, Central Regional Office

Section B – Notice of Intent

- WPA Form 3
- MA DEP Transmittal Form
- Resource Area Impact Summary Form
- WPA Form 3 – Appendix A: Ecological Restoration Limited Project Checklists
- Proof of Notice Published to Environmental Monitor
- EPA Waterbody Report



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

Franklin
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>Beaver Pond/Beach - 380 Beaver Street</u>	<u>Franklin</u>	<u>02038</u>
a. Street Address	b. City/Town	c. Zip Code
<u>Latitude and Longitude:</u>	<u>42.081</u>	<u>-71.418</u>
	d. Latitude	e. Longitude
<u>288</u>	<u>002</u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>Department of Public Works</u>		
a. First Name	b. Last Name	
<u>Town of Franklin</u>		
c. Organization		
<u>257 Fisher Street</u>		
d. Street Address		
<u>Franklin</u>	<u>MA</u>	<u>02038</u>
e. City/Town	f. State	g. Zip Code
<u>508-553-5500</u>		<u>bmorganelli@franklinma.gov</u>
h. Phone Number	i. Fax Number	j. Email Address

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

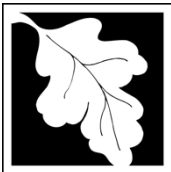
<u>Town of Franklin</u>		
a. First Name	b. Last Name	
c. Organization		
<u>355 East Central Street</u>		
d. Street Address		
<u>Franklin</u>	<u>MA</u>	<u>02038</u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

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

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

<u>Fee Waived</u>	<u>Fee Waived</u>	<u>Fee Waived</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

Hydro-raking of a portion of Beaver Pond. This project will result in removal of aquatic nuisance and invasive species of vegetation to impede eutrophication. Temporarily disturbing land under water body.

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)

Removal of aquatic nuisance vegetation to impede pond eutrophication.

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:

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

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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 checked="" type="checkbox"/> Land Under Waterbodies and Waterways	26,722 1. square feet _____ 3. cubic yards dredged _____	2. square feet _____

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet _____ 3. cubic feet of flood storage lost _____	2. square feet _____ 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. 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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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 type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. square feet 2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	1. square feet	2. cubic yards dune nourishment

Resource Area	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

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**

- 12/14/2023
b. Date of map

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

- c. Submit Supplemental Information for Endangered Species Review*

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

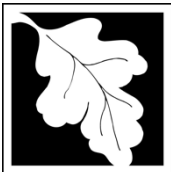
2. Assessor's Map or right-of-way plan of site

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

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

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

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



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

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

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

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

(d) Vegetation cover type map of site

(e) Project plans showing Priority & Estimated Habitat boundaries

(f) OR Check One of the Following

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

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

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

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

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

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

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

North Shore - Hull to New Hampshire border:

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

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

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

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

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



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Online Users:
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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.



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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.

Beaver Pond Hydro-Raking

a. Plan Title

Brooke Morganelli

b. Prepared By

6/27/23

d. Final Revision Date

n/a

c. Signed and Stamped by

1" = 20'

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:

2. Municipal Check Number

3. Check date

4. State Check Number

5. Check date

6. Payor name on check: First Name

7. Payor name on check: Last Name



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Bureau of Resource Protection - Wetlands

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F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

Brooke Morganelli

1. Signature of Applicant

2/21/24

2. Date

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

6. Date

For Conservation Commission:

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

For MassDEP:

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

Other:

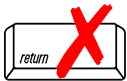
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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



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:

a. Street Address _____ b. City/Town _____
 c. Check number _____ d. Fee amount _____

2. Applicant Mailing Address:

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 _____

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).



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B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee: _____
 a. Total Fee from Step 5

State share of filing Fee: _____
 b. 1/2 Total Fee **less** \$12.50

City/Town share of filing Fee: _____
 c. 1/2 Total Fee **plus** \$12.50

C. Submittal Requirements

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

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

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

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

RESOURCE AREA IMPACT SUMMARY

The Franklin Wetlands Protection By-Law
Franklin Town Code Section 181

Resource Area	Alteration Proposed	Mitigation Proposed
Bordering Vegetated Wetland (SF)	0	-
Bank (LF)	0	-
Land Under Water Bodies (SF)	26,722	-
Isolated Wetland (SF)	0	-
Vernal Pool (SF)	0	-
Buffer Zone (SF)	0	-
Riverfront (SF)	0	-
100 Year Floodplain (CF)	0	-
(SF) = Square Feet (LF) = Linear Feet (CF) = Cubic Feet Flood Storage		



WPA Form 3 – Notice of Intent

Appendix A: Ecological Restoration Limited Project Checklists

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

Eligibility Checklist

This Ecological Restoration Limited Project Eligibility Checklist guides the applicant in determining if their project is eligible to file as an Inland or Coastal Ecological Restoration Limited Project (310 CMR 10.53(4) or 310 CMR 10.24(8) respectively). These criteria must be met when submitting the Ecological Restoration Limited Project Notice of Intent to ensure that the restoration and improvement of the natural capacity of a Resource Area(s) to protect and sustain the interests identified in the WPA is **necessary** to achieve the project's ecological restoration goals.

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.

Regulatory Features of All Coastal and Inland Ecological Restoration Limited Projects

- (a) May result in the temporary or permanent loss of or conversion of Resource Area: An Ecological Restoration Limited Project that meets the requirements of 310 CMR 10.24(8) may result in the temporary or permanent loss of Resource Areas and/or the conversion of one Resource Area to another when such loss is necessary to the achievement of the project's ecological restoration goals.
- (b) Exemption from wildlife habitat evaluation: A NOI for an Ecological Restoration Limited Project that meets the minimum requirements for Ecological Restoration Projects and for a MassDEP Combined Application outlined in 310 CMR 10.12(1) and (2) is exempt from providing a wildlife habitat evaluation (310 CMR 10.60).
- (c) The following are considerations for applicants filing an Ecological Restoration Limited Project NOI and for the issuing authority approving a project as an Ecological Restoration Limited Project:
 - The condition of existing and historic Resource Areas proposed for restoration.
 - Evidence of the extent and severity of the impairment(s) that reduce the capacity of the Resource Areas to protect and sustain the interests identified in M.G.L. c. 131, § 40.
 - The magnitude and significance of the benefits of the Ecological Restoration Project in improving the capacity of the affected Resource Areas to protect and sustain the other interests identified in M.G.L. c. 131, § 40.
 - The magnitude and significance of the impacts of the Ecological Restoration Project on existing Resource Areas that may be modified, converted and/or lost and the interests for which said Resource Areas are presumed significant in 310 CMR 10.00, and the extent to which the project will:
 - a. avoid adverse impacts to Resource Areas and the interests identified in M.G.L. c. 131, § 40, that can be avoided without impeding the achievement of the project's ecological restoration goals.
 - b. minimize adverse impacts to Resource Areas and the interests identified in M.G.L. c. 131, § 40, that are necessary to the achievement of the project's ecological restoration goals.
 - c. utilize best management practices such as erosion and siltation controls and proper construction sequencing to avoid and minimize adverse construction impacts to resource areas and the interests identified in M.G.L. c. 131, § 40.



WPA Form 3 – Notice of Intent

Appendix A: Ecological Restoration Limited Project Checklists

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

Eligibility Criteria - Coastal Ecological Restoration Limited Projects (310 CMR 10.24(8))

Provided by MassDEP:
MassDEP File Number
Document Transaction Number
Franklin
City/Town

Complete this Eligibility Criteria Checklist **before** filling out a Notice of Intent Application to determine if your project qualifies as a Coastal Ecological Restoration Limited Project. (310 CMR 10.24(8)) Sign the Eligibility Certification at the end of Appendix A, and attach the checklist with supporting documentation and the Eligibility Certification to your Notice of Intent Application.

General Eligibility Criteria for All Coastal Ecological Restoration Limited Projects

Notwithstanding the requirements of 310 CMR 10.25 through 10.35, 310 CMR 10.54 through 10.58, and the Wildlife Habitat evaluations in 310 CMR 10.60, the Issuing Authority may issue an Order of Conditions permitting an Ecological Restoration Project listed in 310 CMR 10.24(8)(e) as an Ecological Restoration Limited Project and impose such conditions as will contribute to the interests identified in the WPA M.G.L. provided that the project meets all the requirements in 310 CMR 10.24(8).

- The project is an Ecological Restoration Project as defined in 310 CMR 10.04 and is a project type listed below [310 CMR 10.24(8)(e)].
- Tidal Restoration.
- Shellfish Habitat Restoration.
- Other Ecological Restoration Limited Project Type.
- The project will further at least one of the WPA (M.G.L. c. 131, § 40) interests identified below.
 - Protection of public or private water supply.
 - Protection of ground water supply.
 - Flood control.
 - Storm damage prevention.
 - Prevention of pollution.
 - Protection of land containing shellfish.
 - Protection of fisheries.
 - Protection of wildlife habitat.
- If the project will impact an area located within estimated habitat which is indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetlands, a NHESP preliminary written determination is attached to the NOI submittal that the project will not have any adverse long-term and short-term effects on specified habitat sites of Rare Species or the project will be carried out in accordance with an approved NHESP habitat management plan.



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Appendix A: Ecological Restoration Limited Project Checklists

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

Eligibility Criteria - Coastal Ecological Restoration Limited Projects (310 CMR 10.24(8)) (Cont.)

Provided by MassDEP:

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General Eligibility Criteria for All Coastal Ecological Restoration Limited Projects (cont.)

- If the project is located in a Coastal Dune or Barrier Beach, the project avoids and minimizes armoring of the Coastal Dune or Barrier Beach to the maximum extent practicable.
- The project complies with all applicable provisions of 310 CMR 10.24(1) through (6) and 310 CMR 10.24(9) and (10).

Additional Eligibility Criteria for Specific Coastal Ecological Restoration Limited Project Types

These additional criteria must be met to qualify as an Ecological Restoration Limited Project to ensure that the restoration and improvement of the natural capacity of a Resource Area to protect and sustain the interests identified in the WPA is **necessary** to achieve the project's ecological restoration goals.

- This Ecological Restoration Limited Project application meets the eligibility criteria for Ecological Restoration Limited Project [310 CMR 10.24(8)(a) through (d) and as proposed, furthers at least one of the WPA interests is for the project type identified below.

Tidal Restoration Projects

- A project to restore tidal flow that will not significantly increase flooding or storm damage impacts to the built environment, including without limitation, buildings, wells, septic systems, roads or other man-made structures or infrastructure.

Shellfish Habitat Restoration Projects

- The project has received a Special Projects Permit from the Division of Marine Fisheries or, if a municipality, has received a shellfish propagation permit.
- The project is made of cultch (e.g., shellfish shells from oyster, surf or ocean clam) or is a structure manufactured specifically for shellfish enhancement (e.g., reef blocks, reef balls, racks, floats, rafts, suspended gear).

Other Ecological Restoration Projects that meet the criteria set forth in 310 CMR 10.24(8)(a) through (d).

- Restoration, enhancement, or management of Rare Species habitat.
- Restoration of hydrologic and habitat connectivity.
- Removal of aquatic nuisance vegetation to impede eutrophication.
- Thinning or planting of vegetation to improve habitat value.
- Fill removal and re-grading.
- Riparian corridor re-naturalization.
- River floodplain re-connection.



WPA Form 3 – Notice of Intent

Appendix A: Ecological Restoration Limited Project Checklists

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

Eligibility Criteria - Coastal Ecological Restoration Limited Projects (310 CMR 10.24(8)) (Cont.)

Additional Eligibility Criteria for Specific Coastal Ecological Restoration Limited Project Types

- In-stream habitat enhancement.
- Remediation of historic tidal wetland ditching.
- Eelgrass restoration.
- Invasive species management.
- Installation of fish passage structures.
- Other. Describe: _____
- This project involves the construction, repair, replacement or expansion of public or private infrastructure (310 CMR 10.24(9)).
 - The NOI attachment labeled _____ is an operation and maintenance plan to ensure that the infrastructure will continue to function as designed.
 - The operation and maintenance plan will be implemented as a continuing condition in the Order of Conditions and the Certificate of Compliance.
 - This project proposes to replace an existing stream crossing (310 CMR 10.24(10)). The crossing complies with the Massachusetts Stream Crossing Standards to the maximum extent practicable with details provided in the NOI. The crossing type:
 - Replaces an existing non-tidal crossing that is part of an Anadromous/Catadromous Fish Run (310 CMR 10.35)
 - Replaces an existing tidal crossing that restricts tidal flow. The tidal restriction will be eliminated to the maximum extent practicable.
 - At a minimum, in evaluating the potential to comply with the standards to the maximum extent practicable the following criteria have been consider site constraints in meeting the standard, undesirable effects or risk in meeting the standard, and the environmental benefit of meeting the standard compared to the cost, by evaluating the following:
 - The potential for downstream flooding;
 - Upstream and downstream habitat (in-stream habitat, wetlands);
 - Potential for erosion and head-cutting;
 - Stream stability;
 - Habitat fragmentation caused by the crossing;
 - The amount of stream mileage made accessible by the improvements;
 - Storm flow conveyance;



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Appendix A: Ecological Restoration Limited Project Checklists

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

Eligibility Criteria - Coastal Ecological Restoration Limited Projects (310 CMR 10.24(8)) (Cont.)

Additional Eligibility Criteria for Specific Coastal Ecological Restoration Limited Project Types

- Engineering design constraints specific to the crossing;
- Hydrologic constraints specific to the crossing;
- Impacts to wetlands that would occur by improving the crossing;
- Potential to affect property and infrastructure; and
- Cost of replacement.

Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4))

Complete this Eligibility Criteria Checklist **before** filling out a Notice of Intent Application to determine if your project qualifies as an Inland Ecological Restoration Limited Project. (310 CMR 10.53(4)) Sign the Eligibility Certification at the end of Appendix A, and attach the checklist with supporting documentation and the Eligibility Certification to your Notice of Intent Application.

General Eligibility Criteria for All Inland Ecological Restoration Limited Projects

Notwithstanding the requirements of any other provision of 310 CMR 10.25 through 10.35, 310 CMR 10.54 through 10.58, and 310 CMR 10.60, the Issuing Authority may issue an Order of Conditions permitting an Ecological Restoration Project listed in 310 CMR 10.53(4)(e) as an Ecological Restoration Limited Project and impose such conditions as will contribute to the interests identified in M.G.L. c. 131, § 40, provided that:

- The project is an Ecological Restoration Project as defined in 310 CMR 10.04 and is a project type listed below [310 CMR 10.53(4)(e)].
 - Dam Removal
 - Freshwater Stream Crossing Repair and Replacement
 - Stream Daylighting
 - Tidal Restoration
 - Rare Species Habitat Restoration
 - Restoring Fish Passageways
 - Other (describe project type): Removal of aquatic nuisance vegetation to impede pond eutrophication.



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Appendix A: Ecological Restoration Limited Project Checklists

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

Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4)) (cont.)

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General Eligibility Criteria for All Inland Ecological Restoration Limited Projects

- The project will further at least one of the WPA (M.G.L. c. 131, § 40) interests identified below.
 - Protection of public or private water supply
 - Protection of ground water supply
 - Flood control
 - Storm damage prevention
 - Prevention of pollution
 - Protection of land containing shellfish
 - Protection of fisheries
 - Protection of wildlife habitat
- If the project will impact an area located within estimated habitat which is indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetlands, a NHESP preliminary written determination is attached to the NOI submittal that the project will have no adverse long-term and short-term effects on specified habitat sites of Rare Species or the project will be carried out in accordance with an approved NHESP habitat management plan.
- The project will be carried out in accordance with any time of year restrictions or other conditions recommended by the Division of Marine Fisheries for coastal waters and the Division of Fisheries and Wildlife in accordance with 310 CMR 10.11(3).
- If the project involves the dredging of 100 cubic yards of sediment or more or dredging of any amount in an Outstanding Resource Water, a Water Quality Certification has been applied for or obtained.
- The project complies with all applicable provisions of 310 CMR 10.53(1), (2), (7), and (8).



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Appendix A: Ecological Restoration Limited Project Checklists

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

Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4)) (cont.)

Provided by MassDEP:

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Additional Eligibility Criteria for Specific Inland Ecological Restoration Limited Project Types

These additional criteria must be met to qualify as an Ecological Restoration Limited Project to ensure that the restoration and improvement of the natural capacity of a Resource Area to protect and sustain the interests identified in the WPA is **necessary** to achieve the project's ecological restoration goals.

- This project application meets the eligibility criteria for Ecological Restoration Limited Project in accordance with [310 CMR 10.53(4)(a) through (d) and as proposed, furthers at least one of the WPA interests is for the project type identified below:
- Dam Removal**
 - Project is consistent with MassDEP's 2007 Dam Removal Guidance.
 - Freshwater Stream Crossing Repair and Replacement.** The project as proposed and the NOI describes how:
 - Meeting the eligibility criteria set forth in 310 CMR 10.13 would result in significant stream instability or flooding hazard that cannot otherwise be mitigated, and site constraints make it impossible to meet said criteria.
 - The project design ensures that the stability of the bank is NOT impaired.
 - To the maximum extent practicable, the project provides for the restoration of the stream upstream and downstream of the structure as needed to restore stream continuity and eliminate barriers to aquatic organism movement.
 - The project complies with the requirements of 310 CMR 10.53(7) and (8).
 - Stream Daylighting Projects**
 - The project meets the eligibility criteria for Ecological Restoration Limited Project [310 CMR 10.53(4)(a) through (d)] and as proposed the NOI describes how the proposed project meets to the maximum extent practicable, consistent with the project's ecological restoration goals, all the performance standards for Bank and Land Under Water Bodies and Waterways.
 - The project meets the requirements of 310 CMR 10.12(1) and (2) and a wildlife habitat evaluation is not included in the NOI.
 - Tidal Restoration Project**
 - Restores tidal flow.
 - the project, including any proposed flood mitigation measures, will not significantly increase flooding or storm damage to the built environment, including without limitation, buildings, wells, septic systems, roads or other man-made structures or infrastructure.



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Appendix A: Ecological Restoration Limited Project Checklists

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

Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4)) (cont.)

- Other Ecological Restoration Projects** that meet the criteria set forth in 310 CMR 10.53 (4) (a) through (d).
 - Restoration, enhancement, or management of Rare Species habitat.
 - Restoration of hydrologic and habitat connectivity.
 - Removal of aquatic nuisance vegetation to impede eutrophication.
 - Thinning or planting of vegetation to improve habitat value.
 - Riparian corridor re-naturalization.
 - River floodplain re-connection.
 - In-stream habitat enhancement.
 - Fill removal and re-grading.
 - Flow restoration.
 - Installation of fish passage structures.
 - Invasive species management.
 - Other. Describe: _____
- This project involves the construction, repair, replacement or expansion of public or private infrastructure. (310 CMR 10.53(7))
 - The NOI attachment labeled _____ is an operation and maintenance plan to ensure that the infrastructure will continue to function as designed.
 - The operation and maintenance plan will be implemented as a continuing condition in the Order of Conditions and the Certificate of Compliance.
- This project replaces an existing stream crossing (310 CMR 10.53(8)). The crossing type:
 - Replaces an existing non-tidal crossing designed to comply with the Massachusetts Stream Crossing Standards to the maximum extent practicable with details provided in the NOI.
 - Replaces an existing tidal crossing that restricts tidal flow. The tidal restriction will be eliminated to the maximum extent practicable.



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Appendix A: Ecological Restoration Limited
Project Checklists

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

Eligibility Criteria - Inland Ecological Restoration Limited Project (310
CMR 10.53(4)) (cont.)

Provided by MassDEP:

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- At a minimum, in evaluating the potential to comply with the standards to the maximum extent practicable the following criteria have been consider site constraints in meeting the standard, undesirable effects or risk in meeting the standard, and the environmental benefit of meeting the standard compared to the cost, by evaluating the following:
 - The potential for downstream flooding;
 - Upstream and downstream habitat (in-stream habitat, wetlands);
 - Potential for erosion and head-cutting;
 - Stream stability;
 - Habitat fragmentation caused by the crossing;
 - The amount of stream mileage made accessible by the improvements;
 - Storm flow conveyance;
 - Engineering design constraints specific to the crossing;
 - Hydrologic constraints specific to the crossing;
 - Impacts to wetlands that would occur by improving the crossing;
 - Potential to affect property and infrastructure; and
 - Cost of replacement.



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Appendix A: Ecological Restoration Limited Project Checklists

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

Required Actions (310 CMR 10.11)

Complete the Required Actions before submitting a Notice of Intent Application for an Ecological Restoration Project and submit a completed copy of this Checklist with the Notice of Intent.

- Massachusetts Environmental Policy Act (MEPA) / Environmental Monitor**
<https://www.mass.gov/service-details/the-environmental-monitor>

For Ecological Restoration Limited Projects, there are no changes to MEPA requirements.

- Submit written notification at least 14 days prior to the filing of a Notice of Intent (NOI) to the Environmental Monitor for publication. A copy of the written notification is attached and provides at minimum:

- A brief description of the proposed project.
- The anticipated NOI submission date to the conservation commission.
- The name and address of the conservation commission that will review the NOI.
- Specific details as to where copies of the NOI may be examined or acquired and where to obtain the date, time, and location of the public hearing.

- Massachusetts Endangered Species Act (MESA) /Wetlands Protection Act Review**

- Preliminary Massachusetts Endangered Species Act Review from the Natural Heritage and Endangered Species Program (NHESP) has been met and the written determination is attached.

- Supplemental Information for Endangered Species Review has been submitted.

1. Percentage/acreage of property to be altered:
 - a. Within Wetland Resource Area _____
Percentage/acreage
 - b. Outside Wetland Resource Area _____
Percentage/acreage
2. Assessor's Map or right-of-way plan of site
3. Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work.
4. Project description (including description of impacts outside of wetland resource area & buffer zone)
5. Photographs representative of the site
6. MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>)



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Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Required Actions (310 CMR 10.11) (cont.)

Provided by MassDEP:	
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Make check payable to “Commonwealth of Massachusetts - NHESP” and mail to NHESP:

Natural Heritage & Endangered Species Program

MA Division of Fisheries & Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

- 7. Projects altering 10 or more acres of land, also submit:
 - a. Vegetation cover type map of site
 - b. Project plans showing Priority & Estimated Habitat boundaries

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/ma-endangered-species-act-mesa-overview>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59 – see C4 below)

- 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.

Estimated Habitat Map of State-Listed Rare Wetlands Wildlife

If a portion of the proposed project is 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), complete the portion below. To view habitat maps, see the **Massachusetts Natural Heritage Atlas** or view the maps electronically at: <https://www.mass.gov/guides/masswildlife-publications#-massachusetts-natural-heritage-atlas->

- A preliminary written determination from Natural Heritage and Endangered Species Program (NHESP) must be obtained indicating that:

Project will NOT have long- or short-term adverse effect on the actual Resource Area located within estimated habitat indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetlands Wildlife published by NHESP.

Project will have long- or short-term adverse effect on the actual Resource Area located within estimated habitat indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetlands Wildlife published by NHESP. A copy of NHESP’s written preliminary determination in accordance with 310 CMR 10.11(2) is attached. This specifies:

Date of the map: _____



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Appendix A: Ecological Restoration Limited Project Checklists

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

Required Actions (310 CMR 10.11) (cont.)

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- If the Rare Species identified is/are likely to continue to be located on or near the project, and if so, whether the Resource Area to be altered is in fact part of the habitat of the Rare Species.
- That if the project alters Resource Area(s) within the habitat of a Rare Species:
- The Rare Species is identified;
- NHESP's recommended changes or conditions necessary to ensure that the project will have no short or long term adverse effect on the habitat of the local population of the Rare Species is provided; or
- An approved NHESP habitat management plan is attached with this Notice of Intent.

Send the request for a preliminary determination to:
Natural Heritage & Endangered Species Program
MA Division of Fisheries & Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

Division of Marine Fisheries

- If the project will occur within a coastal waterbody with a restricted Time of Year, [see Appendix B of the Division of Marine Fisheries (DMF) Technical Report TR 47 "Marine Fisheries Time of Year Restrictions (TOYs) for Coastal Alteration Projects" dated April 2011 <https://www.nae.usace.army.mil/Portals/74/docs/regulatory/StateGeneralPermits/MA/TR-47.pdf>].
- Obtain a DMF written determination stating:
 - The proposed work does NOT require a TOY restriction.
 - The proposed work requires a TOY restriction. Specific recommended TOY restriction and recommended conditions on the proposed work is attached.
- If the project may affect a diadromous fish run [re: Division of Marine Fisheries (DMF) Technical Reports TR 15 through 18, dated 2004: <https://www.mass.gov/service-details/marine-fisheries-technical-reports>]
- Obtain a DMF written determination stating:
 - The design specifications and operational plan for the project are compatible with the passage requirements of the fish run.
 - The design specifications and operational plan for the project are not compatible with the passage requirements of the fish run.



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Appendix A: Ecological Restoration Limited Project Checklists

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

Required Actions (310 CMR 10.11) (cont.)

Provided by MassDEP:
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Send the request for a written or electronic determination to:

South Shore – Bourne to Rhode Island border,
and the Cape & Islands:
Division of Marine Fisheries –
South Coast Field Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: DMF.EnvReview-South@state.ma.us

North Shore – Plymouth to New Hampshire
border:
Division of Marine Fisheries –
North Shore Field Station
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: DMF.EnvReview-North@state.ma.us

- Division of Fisheries and Wildlife** – <https://www.mass.gov/orgs/division-of-fisheries-and-wildlife>
 - Projects that involve silt-generating, in-water work that will impact a non-tidal perennial river or stream and the in-water work will not occur between May 1 and August 30.
 - Obtain a written determination from the Division of Fisheries and Wildlife (DFW) as to whether the proposed work requires a TOY restriction.
 - The proposed work does NOT require a TOY restriction.
 - The proposed work requires a TOY restriction. The DFW determination with TOY restriction and other conditions is attached.
- MassDEP Water Quality Certification**
 - Project involves dredging of 100 cubic yards or more in a Resource Area or dredging of any amount in an Outstanding Resource Water (ORW). A copy and proof of the MassDEP Water Quality Certification pursuant to 314 CMR 9.00 is attached to the NOI.
 - This project is a Combined Permit Application for 401 Dredging and Restoration (BRP WW 26).
- MassDEP Wetlands Restriction Order**

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)?

Yes No
- Department of Conservation and Recreation**

Office of Dam Safety

 - For Dam Removal Projects, obtain a written determination from the Department of Conservation and Recreation Office of Dam Safety that the dam is not subject to the jurisdiction of the Office under 302 CMR 10.00, a written determination that the dam removal does not require a permit under 302 CMR 10.00 or a permit authorizing the dam removal in accordance with 302 CMR 10.00 has been issued.



WPA Form 3 – Notice of Intent

Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40 Required Actions (310 CMR 10.11) (cont.)

Areas of Critical Environmental Concern (ACECs)

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

Yes No

If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations).

Name of ACEC

Minimum Required Documents (310 CMR 10.12)

Complete the Required Documents Checklist below and provide supporting materials before submitting a Notice of Intent Application for an Ecological Restoration Project.

This Notice of Intent meets all applicable requirements outlined in for Ecological Restoration Projects in 310 CMR 10.12. Use the checklist below to ensure that all documentation is included with the NOI.

At a minimum, a Notice of Intent for an Ecological Restoration Project shall include the following:

- Description of the project’s ecological restoration goals;
- The location of the Ecological Restoration Project;
- Description of the construction sequence for completing the project;
- A map of the Areas Subject to Protection Under M.G.L. c. 131, § 40, that will be temporarily or permanently altered by the project or include habitat for Rare Species, Habitat of Potential Regional and Statewide Importance, eel grass beds, or Shellfish Suitability Areas.
- 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.) is attached with documentation methodology.
- List the titles and dates for all plans and other materials submitted with this NOI.

Beaver Pond Hydro-Raking

a. Plan Title

BLM

b. Prepared by

2/6/24

d. Final Revision Date

c. Signed and Stamped by

1"=20'

e. Scale

f. Additional Plan or Document Title

g. Date

- If there is more than one property owner, attach a list of these property owners not listed on this form.
- Attach NOI Wetland Fee Transmittal Form.



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Appendix A: Ecological Restoration Limited Project Checklists

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

Minimum Required Documents (310 CMR 10.12)

Provided by MassDEP:

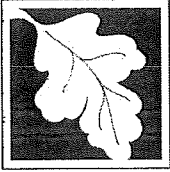
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- An evaluation of any flood impacts that may affect the built environment, including without limitation, buildings, wells, septic systems, roads or other man-made structures or infrastructure as well as any proposed flood impact mitigation measures;
- A plan for invasive species prevention and control;
- The Natural Heritage and Endangered Species Program written determination in accordance with 310 CMR 10.11(2), if needed;
- Any Time of Year restrictions and/or other conditions recommended by the Division of Marine Fisheries or the Division of Fisheries and Wildlife in accordance with 310 CMR 10.11(3), (4), (5), if needed;
- Proof that notice was published in the Environmental Monitor as required by 310 CMR 10.11(1);
- A certification by the applicant under the penalties of perjury that the project meets the eligibility criteria set forth in 310 CMR 10.13;
- If the Ecological Restoration Project involves the construction, repair, replacement or expansion of infrastructure, an operation and maintenance plan to ensure that the infrastructure will continue to function as designed;
- If the project involves dredging of 100 cubic yards or more or dredging of any amount in an Outstanding Resource Water, a Water Quality Certification issued by the Department pursuant to 314 CMR 9.00;
- If the Ecological Restoration Project involves work on a stream crossing, information sufficient to make the showing required by 310 CMR 10.24(10) for work in a coastal resource area and 310 CMR 10.53(8) for work in an inland resource area; and
- If the Ecological Restoration Project involves work on a stream crossing, baseline photo-points that capture longitudinal views of the crossing inlet, the crossing outlet and the upstream and downstream channel beds during low flow conditions. The latitude and longitude coordinates of the photo-points shall be included in the baseline data.
- This project is subject to provisions of the MassDEP Stormwater Management Standards. A copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) is attached.
- Provide information as to whether the project has the potential to impact private water supply wells including agricultural or aquacultural wells or surface water withdrawal points.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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Appendix A: Ecological Restoration Limited
Project Checklists

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

Certification that the Ecological Restoration Project Meets the
Eligibility Criteria

I hereby certify under penalties of perjury that the Ecological Restoration Project Notice of Intent application does not meet the Eligibility criteria for an Ecological Restoration Order of Conditions set forth in 310 CMR 10.13, but does meet the Eligibility Criteria for a Ecological Restoration Limited Project set forth in 10.24(8) or 10.53(4) whichever is applicable. I certify that I am familiar with the information contained in the application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities.

Brooke Morganelli

Signature of Applicant or Authorized Agent

Brooke Morganelli

Printed Name of Applicant or Authorized Agent

2/21/24

Date

The certification must be signed by the applicant; however, it may be signed by a duly authorized agent (named in Item 2) if this form is accompanied by a statement by the applicant designating the agent and agreeing to furnish upon request, supplemental information in support of the application.



Brooke Morganelli <bmorganelli@franklinma.gov>

Public Notice for Environmental Monitor - Beaver Pond Hydro-Raking, Franklin

1 message

Brooke Morganelli <bmorganelli@franklinma.gov>
To: MEPA@mass.gov
Cc: Michael Maglio <mmaglio@franklinma.gov>

Wed, Feb 7, 2024 at 1:57 PM


Good afternoon,

Attached is our written notice for publication in the Environmental Monitor for the Beaver Pond Hydro-Raking Project in Franklin. The Town of Franklin DPW will be filing a Notice of Intent for an Ecological Restoration Limited Project for Hydro-Raking at Beaver Pond in Franklin.

Please let me know if you require any additional information.

Thank you,
Brooke

Brooke Morganelli, PE
Assistant Engineer
Town of Franklin, DPW
257 Fisher Street
Franklin, MA 02038
508-553-5500

 **PDF Environmental Monitor Letter - Beaver Pond Hydro Raking.pdf**

96K



TOWN OF FRANKLIN

DEPARTMENT OF PUBLIC WORKS

Franklin Municipal Building
257 Fisher Street
Franklin, MA 02038-3026

Environmental Monitor Public Notice

Re: Notification of filing an Ecological Restoration Limited Project in accordance with Appendix A to WPA Form 3 - Notice of Intent for the Hydro Raking of Beaver Pond in Franklin, MA

The Department of Public Works (DPW) is filing a Notice of Intent, for an Ecological Restoration Limited Project for review by the Franklin Conservation Commission for the Hydro Raking of Beaver Pond, in Franklin. The goal of this work is to remove aquatic nuisance vegetation to impede pond eutrophication.

We anticipate that this Notice of Intent will be submitted by February 22, 2024. Copies may be examined by contacting the Town of Franklin Department of Public Works located at 257 Fisher Street, Franklin, MA (508) 553-5500 or by contacting the Franklin Conservation Department located at 355 East Central Street, Franklin, MA, (508) 520-4929.

The public hearing will be held on Thursday, March 7, 2024, at 7pm, in person and via Zoom, and can be accessed through the Conservation Commission agenda for that night, which will be posted on the Town's website 48 hours prior to the meeting. Please call the Conservation Department at (508) 520-4929 if you have any questions.

How's My Waterway?

Explore, Discover and Learn about your water.

Waterbody Report

Beaver Pond
Assessment Unit ID: MA72006

Waterbody Condition: ■ Impaired (Issues Identified)

Existing Plans for Restoration: No

303(d) Listed: No

Year Reported: 2022

Organization Name (ID): Massachusetts (MA_DEP)

What type of water is this?

Lake, Freshwater (32 Acres)

Where is this water located?

Franklin.

Esri Community Maps Contributors, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Powered by [Esri](#)

Assessment Information from 2022

State or Tribal Nation specific designated uses:

Information on Water Quality Standards		Expand All <input checked="" type="checkbox"/>
Aesthetic	Not Assessed	➤
Fish Consumption	Not Assessed	➤
Fish, Other Aquatic Life and Wildlife	Impaired	▼

Identified Issues for Use

Impaired Parameters

Plan in Place

Fanwort

No

Non-Native Aquatic Plants

No

Other Water Quality Parameters Evaluated

No other parameters evaluated for this use.

Primary Contact Recreation

Not Assessed >

Secondary Contact Recreation

Not Assessed >

Probable sources contributing to impairment from 2022:

Click a column heading to sort...

Clear Filters

Source	Parameter	Confirmed
Filter...	Filter...	Filter...
Introduction of Non-Native Organisms (Accidental or Intentional)	Fanwort	Yes
Introduction of Non-Native Organisms (Accidental or Intentional)	Non-Native Aquatic Plants	Yes

Click a column heading to sort...

Clear Filters

Assessment Documents

No documents are available

Plans to Restore Water Quality

What plans are in place to protect or restore water quality?

No plans specified for this waterbody.

Section C – Project Narrative

The Recreation Department is seeking to perform hydro-raking in a portion of Beaver Pond located at Chilson Park off of Beaver Street. The proposed project area is from the point just southwest of the floating dock extending northeast ending at the shoreline. Beginning in the 1980's, the Town has acquired a contractor to hydro-rake Beaver Pond every few years. The most recent Notice of Intent Extension has expired.

According to the Water Body Report from the EPA, Beaver Pond contains Fanwort and Non-Native Aquatic Plants which are currently impairing fish, other aquatic life, and wildlife. Beaver Pond is also currently used for recreational purposes by Franklin Residents. In the summer, the pond is used as a local swimming location with a beach. The removal of this aquatic nuisance vegetation would impede eutrophication and also make the swimming area safer and more attractive to users.

Hydro-raking is a mechanical method used to remove nuisance vegetation and bottom debris from water at depths ranging from 18 inches to 10 feet. In essence, the hydro-rake is a floating barge with two hydraulic paddle wheels and a hydraulic arm that can scoop material. This device is especially useful for delicate shorelines.

Hydro-raking can disturb bottom sediments causing increased turbidity levels, however, the impacts are typically limited to around the work area and the suspended sediments will typically settle. Impacts will be especially minimal due to the project only taking place in a small portion of Beaver Pond (less than 2% of the pond).

The barge will be launched from the existing Boat Launch Area at Chilson Park to mitigate on-shore disturbances. Temporary storage of the removed materials will take place on-site. The Town of Franklin Highway Department will dispose of any removed materials off-site within 24 hours of completion of work.

The proposed project involves approximately 26,722ft² of total alteration in land under water bodies. Removed materials will be temporarily stored on-site

Section D – Functions and Characteristics Statement:

The proposed project will not result in any significant individual or cumulative adverse affect to the following functions and characteristics of the resource areas:

1. **Public Water Supplies** – The watershed for this site is located within a Zone II wellhead protection area, however, there is no impervious surface being added to the site and no increase to the stormwater pollutant load.
2. **Private Water Supplies** – The surrounding area is serviced by public water facilities.
3. **Groundwater** – No operations will affect groundwater for this proposed project.

4. **Flood Control** – There will be no change in flood control.
5. **Erosion and Sedimentation** – Compost filter sock will be installed around the perimeters of the temporary storage piles of the removed material when stockpiled for greater than the duration of the workday. Site conditions will not change following work.
6. **Storm Damage Prevention** – There will be no change.
7. **Water Quality** – The water quality on-site will improve following the removal of the aquatic nuisance vegetation.
8. **Water Pollution Control** – No additional pollutant loading is being added to the site.
9. **Fisheries** – Not applicable.
10. **Shellfish** – Not applicable.
11. **Wildlife Habitat** – No clearing is to occur on-site.
12. **Rare Species Habitat** – The site is not located within a natural heritage program estimated or priority habitat area.
13. **Agriculture** – There are no farms and farming activities in the immediate area.
14. **Aquaculture** – Not applicable.
15. **Recreation** – This project will increase the recreation quality at this recreation facility.

Section E – Vernal Pool Statement

According to the MassGIS website, there are no registered or potential vernal pools within or adjacent to the limits of work.

Section F – Abutter Notification

- Notification to Abutters (Form 4)
- Affidavit of Service (Form 5)
- Certified Abutters List from Assessor's

Town of Franklin Conservation Commission

NOTIFICATION TO ABUTTERS

Under the Massachusetts Wetlands Protection Act And The Franklin Wetlands Protection Bylaw

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, you are hereby notified of the following proposed project:

The Town of Franklin, Department of Public Works has filed a Notice of Intent with the Franklin Conservation Commission for the Hydro-Raking of Beaver Pond located at 380 Beaver Street, under the Wetlands Protection Act (M.G.L c.131 §40).

Copies of the Notice of Intent may be examined by contacting the Town of Franklin Department of Public Works located at 257 Fisher Street, Franklin, MA (508) 553-5500 or by contacting the Franklin Conservation Department located at 355 East Central Street, Franklin, MA, (508) 520-4929.

Notice of the public hearing including the date, time, and place will be published at least five (5) days in advance in the Milford Daily News.

Notice of the public hearing including the date, time, and place will be posted in the Franklin Town Hall at least forty eight (48) hours in advance of the public hearing.

The public hearing will be held on Thursday, March 7, 2024, at 7pm, in person and via Zoom, and can be accessed through the Conservation Commission agenda for that night, which will be posted on the Town's website 48 hours prior to the meeting. Please call the Conservation Department at (508) 520-4929 if you have any questions.

You may also contact the Massachusetts Department of Environmental Protection, Central Regional Office, Worcester, MA at (508) 792-7650.

Town of Franklin – Board of Assessors
355 East Central St
Franklin, MA 02038
Tel # 508-520-4920
Fax # 508-520-4923

Abutters List Request Form

Please Note: A \$25.00 fee per list is required to process your request. Payment is due at the time of submission of this form. Please allow 10 days from the date of both payment and submission of the form for the Assessors office to complete processing your request. (Revised 1-1-17)

Date of Request 6 / 6 / 2023

Assessors Parcel ID # (12 digits) 288 - 002 - 000 - 000

Property Street Address 380 Beaver Street

Distance Required From Parcel # listed above (Circle One) 500 **300** 100
(Note: if a distance is not circled, we cannot process your request)

Property Owner Town of Franklin

Property Owner's Mailing Address 355 East Central Street

Town/City Franklin State MA Zip Code 02038

Property Owner's Telephone # 508 - 553 - 5500

Requestor's Name (if different from Owner) Brooke Morganelli, Franklin DPW

Requestor's Address DPW 257 Fisher Street

Requestor's Telephone # 508 - 553 - 5536

Office Use Only: Date Fee Paid / / Paid in Cash \$.

Paid by Check \$ Check # Town Receipt #

CONSERVATION



380 BEAVER ST - 300' ABUTTERS

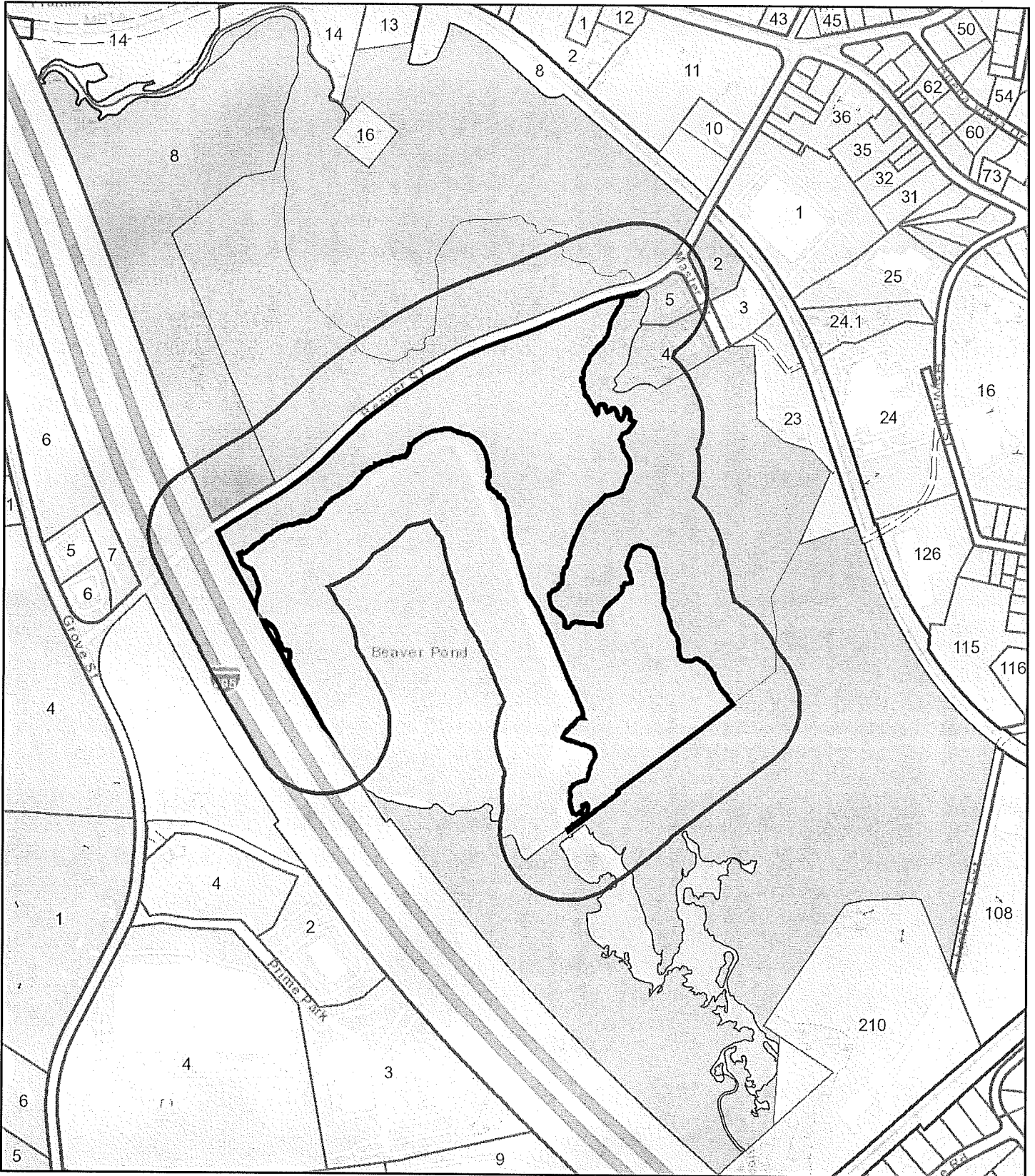
Franklin, MA



June 11, 2023

1 inch = 600 Feet

www.cai-tech.com



This information is believed to be correct but is subject to change and is not warranted.



300 foot Abutters List Report

Franklin, MA
June 11, 2023

Subject Property:

Parcel Number: 288-002-000
CAMA Number: 288-002-000-000
Property Address: 380 BEAVER ST

Mailing Address: FRANKLIN TOWN OF
355 EAST CENTRAL STREET
FRANKLIN, MA 02038

Abutters:

Parcel Number: 277-002-000
CAMA Number: 277-002-000-000
Property Address: 300 BEAVER ST

Mailing Address: ELLIN STEVEN M
8 GREAT POND RD
FRANKLIN, MA 02038

Parcel Number: 277-004-000
CAMA Number: 277-004-000-000
Property Address: 4 MASTER DR

Mailing Address: DEDOMINICK LINDA L TR C/O TRAFFIC
MARKINGS INC
4 MASTER DR
FRANKLIN, MA 02038

Parcel Number: 277-005-000
CAMA Number: 277-005-000-000
Property Address: 2 MASTER DR

Mailing Address: MASTER DRIVE LLC
2 MASTER DR, SUITE 2
FRANKLIN, MA 02038

Parcel Number: 277-006-000
CAMA Number: 277-006-000-000
Property Address: 455 BEAVER ST

Mailing Address: FRANKLIN TOWN OF FRANKLIN
RECYCLING CENTER
355 EAST CENTRAL STREET
FRANKLIN, MA 02038

Parcel Number: 277-007-000
CAMA Number: 277-007-000-000
Property Address: BEAVER ST

Mailing Address: FRANKLIN TOWN OF
355 EAST CENTRAL STREET
FRANKLIN, MA 02038

Parcel Number: 287-109-000
CAMA Number: 287-109-000-000
Property Address: 257 FISHER ST

Mailing Address: FRANKLIN TOWN OF
355 EAST CENTRAL STREET
FRANKLIN, MA 02038

Parcel Number: 287-114-000
CAMA Number: 287-114-000-000
Property Address: HAYWARD ST

Mailing Address: FRANKLIN TOWN OF
355 EAST CENTRAL STREET
FRANKLIN, MA 02038

Parcel Number: 288-001-000
CAMA Number: 288-001-000-000
Property Address: 100 PUBLIC WORKS WAY

Mailing Address: FRANKLIN TOWN OF
355 EAST CENTRAL STREET
FRANKLIN, MA 02038

Parcel Number: 288-002-000
CAMA Number: 288-002-000-000
Property Address: 380 BEAVER ST

Mailing Address: FRANKLIN TOWN OF
355 EAST CENTRAL STREET
FRANKLIN, MA 02038

Parcel Number: 288-008-000
CAMA Number: 288-008-000-000
Property Address: BEAVER ST

Mailing Address: COMMONWEALTH OF
MASSACHUSETTS DIVISION OF STATE
PARKS AND RE
251 CAUSEWAY STREET - SUITE 600
BOSTON, MA 02114-2104



www.cai-tech.com

Kevin W. Doyle, 6-11-23

This information is believed to be correct but is subject to change and is not warranted.

COMMONWEALTH OF
MASSACHUS
DIVISION OF STATE PARKS A
251 CAUSEWAY STREET - SUITE
600
BOSTON, MA 02114-2104

DEDOMINICK LINDA L TR
C/O TRAFFIC MARKINGS INC
4 MASTER DR
FRANKLIN, MA 02038

ELLIN STEVEN M
8 GREAT POND RD
FRANKLIN, MA 02038

FRANKLIN TOWN OF
355 EAST CENTRAL STREET
FRANKLIN, MA 02038

FRANKLIN TOWN OF
FRANKLIN RECYCLING CENTER
355 EAST CENTRAL STREET
FRANKLIN, MA 02038

MASTER DRIVE LLC
2 MASTER DR, SUITE 2
FRANKLIN, MA 02038

Section G – Maps:

- USGS Topographic Map
- Natural Heritage Priority Habitat and Estimated Habitat Maps
- FEMA Flood Plain Map

NHESP Map



NHESP Priority Habitats of Rare Species



NHESP Estimated Habitats of Rare Wildlife



Property Tax Parcels

National Flood Hazard Layer FIRMMette



71°25'20"W 42°5'9"N



Legend

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

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D

OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall

OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
OTHER FEATURES		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature

MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped

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

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

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 2/6/2024 at 9:22 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

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



Basemap Imagery Source: USGS National Map 2023

71°24'43"W 42°4'43"N

Section H – MassDEP Data Forms

Wetland resource area boundaries for this project were determined in February 2017 by CDM Smith of Boston, MA. The points are based on the ordinary high water levels.



75 State Street, Suite 701
Boston, MA 02109
Tel: 617-452-6000
Fax: 617-345-3901

Transmittal

To: Franklin Conservation Commission
Organization/ Address: Municipal Building
355 East Central Street
Franklin, MA 02038
From: Magdalena Lofstedt
Date: February 28, 2017

Re: Notice of Intent: Beaver Pond Recreation Area Field Renovation

Job #: 115570.DN.PERMIT

Via: *Mail:* *Overnight:* XX *Courier:*

Enclosed please find:

For your information	
For your review	
For your signature	

Approved	
Approved as noted	
Returned to you for correction	

Message:

Attached please find nine (9) copies of the Notice of Intent for the above referenced project. Please don't hesitate to contact me if you need additional information or have any questions.

Thank you,
Conor Veeneman

Signed

REQUEST FOR
DETERMINATION
OF APPLICABILITY

**Beaver Pond Recreation
Area Field Renovation
Project**

Town of Franklin

March 2017







75 State Street, Suite 701
Boston, Massachusetts 02109
tel: 617 452-6000

March 4, 2017

Franklin Conservation Commission
Municipal Building
355 East Central Street
Franklin, MA 02038

Subject: Request for Determination of Applicability (RDA)
Beaver Pond Recreation Area Field Renovation Project
Applicant: Franklin Department of Public Works

Dear Chairman:

On behalf of the Franklin Department of Public Works (the Town), CDM Smith Inc. (CDM Smith) is pleased to submit this Notice of Intent (NOI) for the proposed Beaver Pond Recreation Area Field Renovation Project. The proposed project consists of removing and replacing the existing surface artificial turf at the Beaver Pond Recreation Area Field located at 380 Beaver Street (see Figure 1: Project Location Map).

The proposed project is subject to review by the Conservation Commission per the Town of Franklin's Wetlands By-Law, Chapter 181 (Town By-Law) and Town of Franklin Conservation Commission Regulations since the 200-foot Riverfront Area and the 100-foot Buffer Zone extend into the existing artificial turf field.

Please refer to Attachment A of the RDA for a description of the proposed project, existing on-site wetland conditions, mitigation measures, and compliance with performance standards for work in Riverfront Area.

The applicant is requesting a variance from the Town By-Law and Regulations, Section 5, to remove and replace the existing artificial turf mat within Riverfront Area. Alterations to Riverfront Area are temporary only and will be returned to preconstruction conditions (i.e. artificial turf). No work is proposed within the 25-foot No Disturb Zone.





Franklin Conservation Commission

March 4, 2017

Page 2

We look forward to discussing the project at your next meeting scheduled for March 23, 2017. Feel free to call me or Kimberly Drake, Project Manager, at (617) 452-6625 with any questions. We look forward to working with you on this important project.

Sincerely,

Conor Veeneman, WPIT
Environmental Scientist
CDM Smith Inc.

cc: Robert Cantoreggi, Town of Franklin DPW
K. Drake, CDM Smith



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WPA Form 1 – Request for Determination of Applicability

Figures

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- Figure 2 – Estimated Habitats Map
- Figure 3 – FEMA Flood Insurance Rate Map
- Figure 4 – Aerial Map

Attachment A – Project Narrative

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2.0 – Jurisdictional Determination	A1
3.0 – Work Proposed Within the Riverfront Area and 100-foot Buffer Zone	A3
4.0 – Mitigation Measures	A5
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6.0 – Variance Request	A7
7.0 – Summary	A7

Attachment B – Photographs

Attachment C – Project Plans (bound separately)



WPA Form 1- Request for Determination of Applicability

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

A. General Information

Important:

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



1. Applicant:

Town of Franklin, Attn. Robert Cantoreggi, Director of Public Works
 DPW Admin Building, 257 Fisher St.
 Mailing Address
 Franklin
 City/Town
 508-520-4910
 Phone Number

rcantoreggi@franklin.ma.us
 E-Mail Address

MA
 State
 02038
 Zip Code

Fax Number (if applicable)

2. Representative (if any):

CDM Smith Inc.
 Firm
 Magdalena Lofstedt
 Contact Name
 75 State Street, Suite 701
 Mailing Address
 Boston
 City/Town
 617-452-6597
 Phone Number

lofstedtmh@cdmsmith.com
 E-Mail Address

MA
 State
 02109
 Zip Code

617-345-3901
 Fax Number (if applicable)

B. Determinations

1. I request the Franklin Conservation Commission make the following determination(s). Check any that apply:

- a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance** or **bylaw** of:

Franklin
Name of Municipality

- e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).
 Artificial turf replacement in-kind with no expansion.



WPA Form 1- Request for Determination of Applicability

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

C. Project Description (cont.)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

N/A

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



WPA Form 1- Request for Determination of Applicability

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

D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

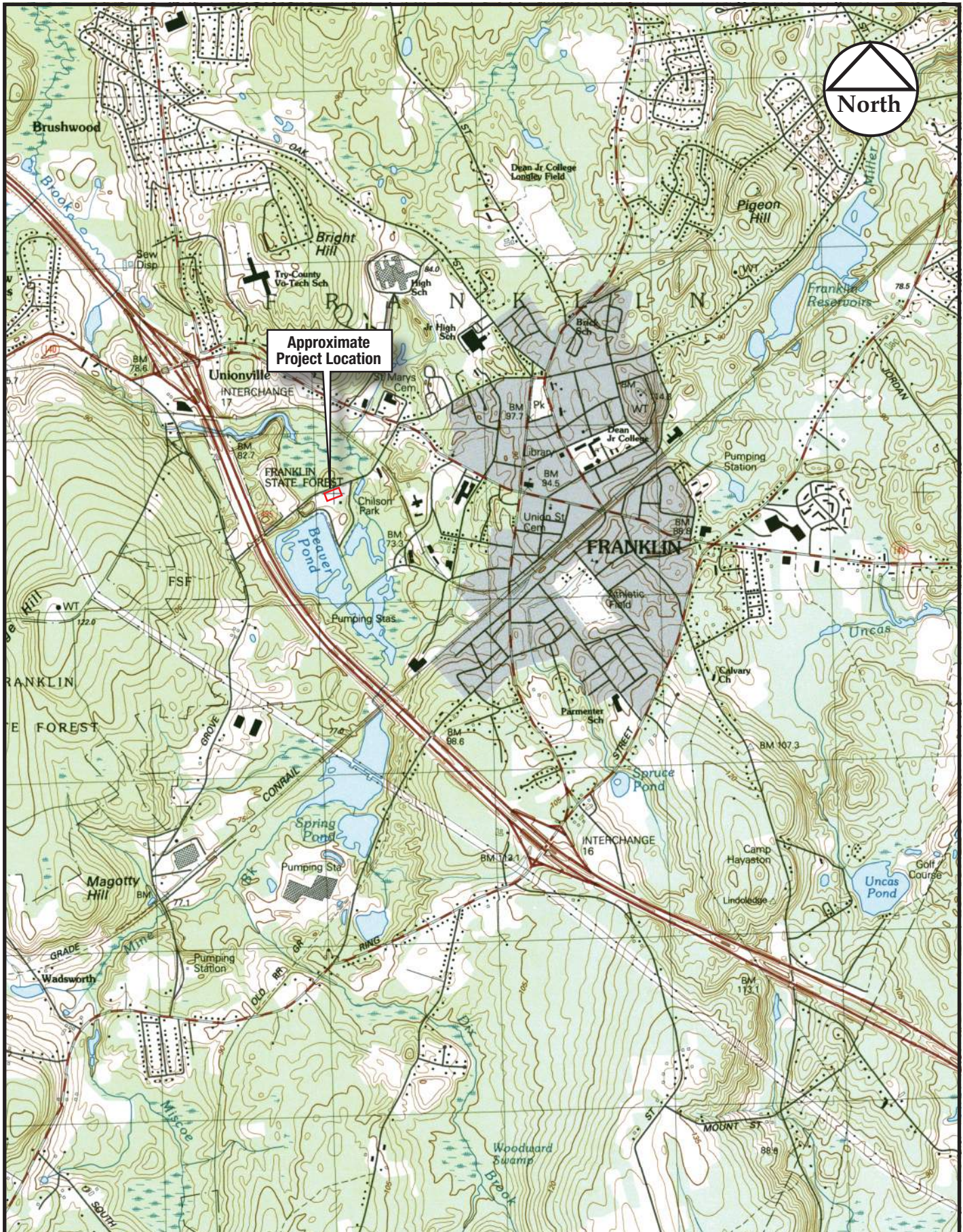
Town of Franklin	_____
Name	_____
DPW Admin Building, 257 Fisher St.	_____
Mailing Address	_____
Franklin	_____
City/Town	_____
MA	_____
State	_____
	02038
	Zip Code

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Signature of Applicant _____ Date _____

Signature of Representative (if any) _____ Date _____



Approximate Project Location



Franklin, Massachusetts
Beaver Pond Field Renovation

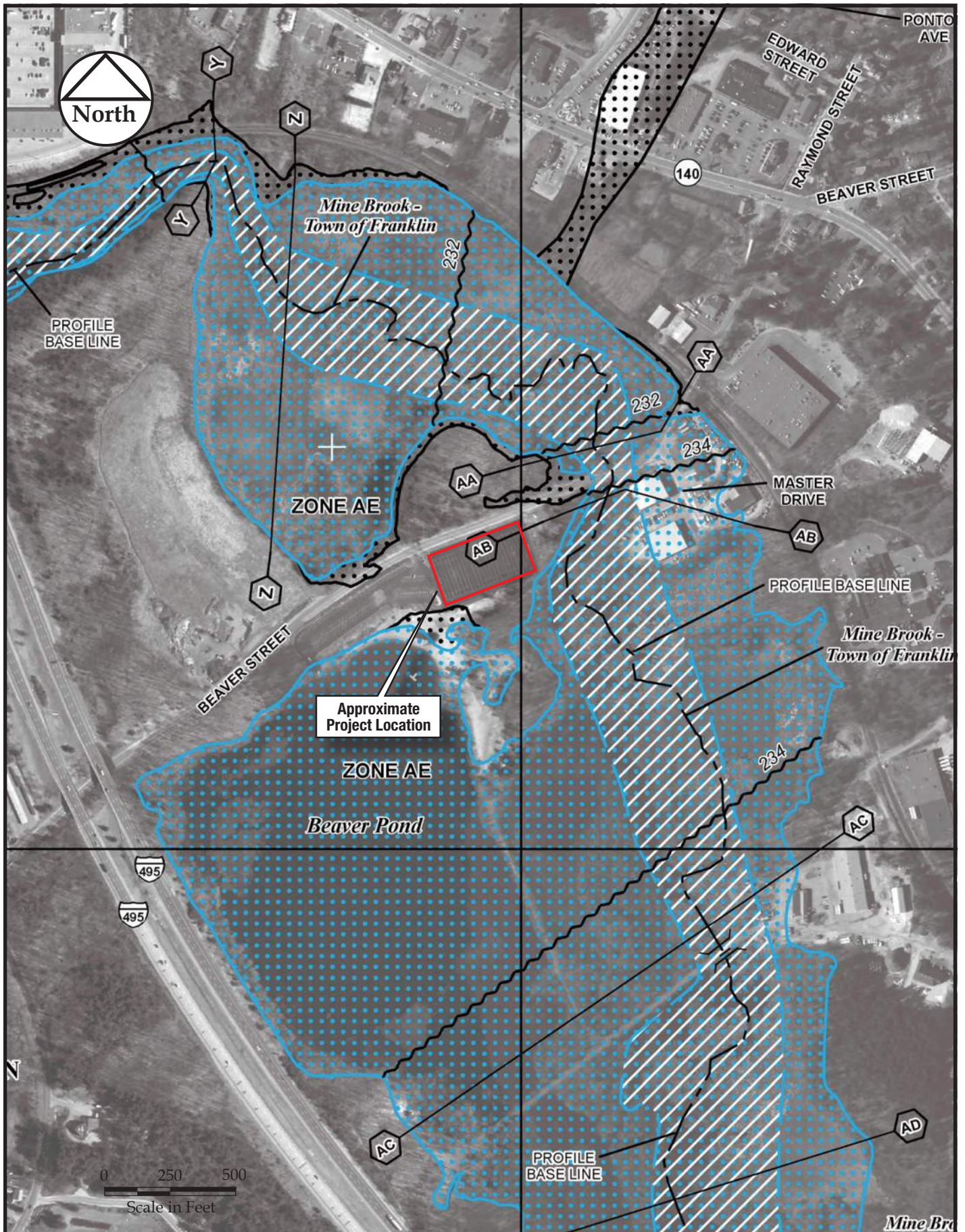
Figure 1
Project Location Map





Franklin, Massachusetts
Beaver Pond Field Renovation

Figure 2
Estimated Habitats Map



Source: FEMA Flood Insurance Rate Map
Community Panel 25021C0308E

Franklin, Massachusetts
Beaver Pond Field Renovation

Figure 3
Flood Insurance Rate Map



Source: Google Earth Pro

Franklin, Massachusetts
Beaver Pond Field Renovation

Attachment A
Project Narrative

Attachment A

Project Narrative

1.0 Introduction

This Request for Determination of Applicability (RDA) is submitted to the Franklin Conservation Commission on behalf of the Town of Franklin (the Applicant) for the improvements to the Beaver Pond Recreation Area Synthetic Turf Field located at 380 Beaver Street (ID: 2977107891) (see Figure 1 - Project Location Map and Figure 4 - Aerial Photograph). The artificial turf field was constructed in XX. The Applicant is proposing to perform maintenance on the existing artificial turf field to replace the existing artificial turf, as described herein. The purpose of this project is to provide improved playing facilities at the Beaver Pond Recreation Area.

The existing field is partially located within the 100-foot Buffer Zone of Inland Bank and Bordering Vegetated Wetlands (BVW), and 200-foot Riverfront Area, and therefore the work is subject to review by the Franklin Conservation Commission.

The following sections address the existing on-site wetland conditions, work proposed adjacent to wetland resource areas, construction period mitigation measures, and a waiver request for work within the 100-ft Buffer Zone and Riverfront Area.

2.0 Jurisdictional Determination

On February 20, 2017, CDM Smith Inc. (CDM Smith) Wetland Scientists inspected and delineated wetland areas within and adjacent to the proposed field maintenance project. Existing field delineated wetland resource boundaries were evaluated for conformance with the Massachusetts Wetlands Protection Act (MGL c. 131, §40)(MWPA) and Regulations (310 CMR 10.00), the U.S. Army Corps of Engineers 1987 Wetlands Delineation Manual (Environmental Laboratory, 1987) and the U.S. Army Corps of Engineers. 2011. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Version 2.0)*. The wetland boundary was determined by the limit of wetland vegetation (limit of plant community dominated, more than 50%, by species adapted to living in wetland conditions) by visual inspection, as well as indicators of hydric soils and wetland hydrology.

Field work was conducted by Magdalena H. Lofstedt, PWS and Conor H. Veeneman, WPIT. The limit of wetlands were demarcated in the field with blue survey tape; flags were located using a Trimble Geo XH GPS unit with 50 cm accuracy. The project area is depicted on the attached Project Plans in Attachment C. The purpose of this field visit was to demarcate the limit of wetland resource areas within the vicinity of the Project to identify locations where erosion and sedimentation controls will be placed prior to construction activities.

2.1 Inland Bank

Inland Bank is defined as:

“the first observable break in the slope or the mean annual flood level, whichever is lower.”
[310 CMR 10.54(2) (c)]

Flag Line A (A-1 through A-44)

The mean annual flood level along Mine Brook east of the Beaver Pond Recreation Area was flagged as flag line A. Flags OHW A-1 through OHW A-44 demarcate the limit of the mean annual flood level along the west bank of Mine Brook adjacent to the existing artificial turf field as shown on Project Plans. The mean annual flood level coincides with the Ordinary High Water (OHW) mark and was based in field indicators.

2.2 Bordering Vegetated Wetlands

Bordering Vegetated Wetland (BVW) is defined as:

“freshwater wetlands which border on creeks, rivers, streams, ponds, and lakes. The types of freshwater wetlands are wet meadows, marshes, swamps, and bogs. Bordering Vegetated Wetlands are areas where the soils are saturated and/or inundated such that they support a predominance of wetland indicator plants...”[310 CMR 10.55 (2)]

Wetland B (B-1 through B-3)

Wetland B is a very small BVW characteristic of a palustrine forested (PFO1) wetland along the west bank of Mine Brook. Flag B-1 connects to OHW flag A-24 and flag B-3 connects to OHW flag A-27. The BVW supports red maple (*Acer rubrum*), northern red oak (*Quercus rubra*), highbush blueberry (*Vaccinium corymbosum*), sweet pepperbush (*Clethra alnifolia*), round leaf greenbrier (*Smilax rotundifolia*), and swamp doghobble (*Eubotrys racemosus*). The adjacent upland supports eastern white pine (*Pinus strobus*), red oak, and sweet pepperbush. Indicators of wetland hydrology include saturated soils. Soils adjacent to the upland/wetland boundary in the wetland most frequently met the hydric soil indicator A11: Depleted Below Dark Surface. Photos 5 and 6 in Attachment B depict this wetland.

2.3 Riverfront Area

Riverfront Area (RFA) is defined as:

“the area of land between a river's mean annual high water line and a parallel line measured horizontally ... outward from the river and a parallel line located 200 feet away ... In tidal rivers, the mean annual high-water line is coincident with the mean high water line determined under 310 CMR 10.23.” [310 CMR 10.58 (2)]

Riverfront Area is presumed significant to all eight interests of the Act. A 200-foot Riverfront Area is associated with Mine Brook since it is shown as perennial on the USGS quadrangle map of the area.

2.4 Bordering Land Subject to Flooding

Bordering Land Subject to Flooding (BLSF)

Bordering Land Subject to Flooding (BLSF) is defined as:

“an area with low, flat topography adjacent to and inundated by flood waters rising from creeks, rivers, streams, ponds or lakes. It extends from the banks of these waterways and water bodies; where a bordering vegetated wetland occurs, it extends from said wetland.” [310 CMR 10.57 (2)]

The FEMA Flood Insurance Rate Map (FIRM) identifies the 100-year floodplain in the project area. According to community panels No. 25021C0308E, the 100-year flood elevation (Zone AE) 234 feet NAVD 88 in the project area.

2.5 Wildlife and MESA Compliance

Review of the Massachusetts Natural Heritage Atlas (see Figure 2) shows that a portion of the existing field is located within mapped Estimated Habitat for state wetland and wildlife or Priority Habitat for protected species. The proposed maintenance project is exempt from review under the Massachusetts Endangered Species Act per 321.10.14 (13) *“the maintenance or replacement but not the expansion of existing lawns and landscaped areas”*. However, the Massachusetts Natural Heritage & Endangered Species Program (NHESP) still requires that a copy of the Notice of Intent be submitted to their office for review.

3.0 Work Proposed in Riverfront Area and the 100-foot Buffer Zone

A portion, approximately 5,683 square feet, of the southeastern corner of the artificial turf athletic field is located within the 100-ft Buffer Zone to Inland Bank. Approximately 22,764 square feet is located within the 200-foot Riverfront Area. The maintenance of the Beaver Pond Recreation Area synthetic turf field includes the following improvements:

- The existing in-filled artificial turf field will be replaced with a new in-filled artificial turf field within the footprint(s) of the existing field. Subbase material and turf curb will not be removed;
- Add 2 inch top stone as necessary below turf;
- Treat area between existing turf curb and existing segmental retaining wall with herbicide (i.e. Rodeo or equivalent); and
- Remove and replace existing 8-ft chain link fence.

The proposed maintenance will include placing 2 inches of crushed stone as necessary below turf and place infill artificial turf field mat above the crushed stone layer and across the entire field. No grade changes are proposed as part of this project. After replacement of the artificial turf field, the field surface will have the same elevation to existing conditions. Please see Sheets XX for further details of the proposed activities and work areas. Because the project lies within the footprint of the existing field facility, work will occur within the 100-foot buffer zone and Riverfront Area.

The artificial turf field was designed to prevent field damage and migration of infill material during flood events. The artificial turf infill will contain 50% sand and 50% rubber. This type of turf is very pervious; it is capable of infiltrating up to 15 inches of water per hour. The underlying layer of stone has the capacity to temporarily store runoff, allowing the infiltration of runoff into underlying soils

over time. Only when precipitation exceeds the underlying soil infiltration rate is water collected in the underdrain system and conveyed away to prevent flooding of the field.

Drainage from the athletic fields will continue to be collected and treated the same as under existing conditions. Drainage from the field is collected and treated at **XX**. There is no work associated with the field drainage system.

Per the Franklin Wetlands Protection By-Law, a Resource Area Impact Summary is included below.

RESOURCE AREA IMPACT SUMMARY

The Franklin Wetlands Protection By-Law

Franklin Town Code Section 181

Resource Area	Alteration Proposed	Mitigation Proposed
Bordering Vegetated Wetland (SF)	0	0
Bank (LF)	0	0
Land Under Water Bodies (SF)	0	0
Isolated Wetland (SF)	0	0
Vernal Pool (SF)	0	0
Buffer Zone (SF)	5,683 (temporary)	5,683 (restored in-kind)
Riverfront (SF)	22,764 (temporary)	22,764 (restored in-kind)
100 YR Floodplain (CF)	0	0
(SF) = Square Feet (LF) = Linear Feet (CF) = Cubic Feet Flood Storage		

3.1 Continued Long-Term Artificial Infill Field Maintenance

Improvements to the Beaver Pond Recreation Area synthetic turf field will occur within the footprint of the existing field facility. The Town Parks Department maintains this facility and the improved field will continue to receive regular grooming per manufacturers standard practices.

4.0 Mitigation Measures

Construction at the site will result in the short-term alteration to the 100-foot Buffer Zone to Inland Bank/BVW and Riverfront Area. No adverse impacts to wetland resource areas are anticipated to occur as a result of this project. The following sections outline the measures to mitigate construction period and long-term impacts. The construction period measures will be incorporated into construction specifications to prevent impacts to resource areas.

4.1 Construction Period

Sedimentation / Erosion Control

Controlling erosion and transport of sediment to downgradient wetland resources requires development of site specific uses of best management practices (BMPs), both structural controls as well as proper management of construction activities.

- Sedimentation barriers (e.g. compost logs installed per industry standards) will be installed at the downgradient limits of work prior to the commencement of work to prevent the transport of sediment to the downgradient wetland resources during playing field construction. These barriers will be inspected weekly and after all storm events ½-inch or greater, and repaired as needed. These barriers will remain in place until all disturbed soils are stabilized.
- A stabilized construction site entrance/exit will be installed to limit tracking of sediment onto Beaver Street and adjacent paved streets from construction vehicles exiting the site. The stabilized construction entrance will consist of a minimum of 6 inches of crushed stone placed on a geotextile fabric.
- Additional BMPs that will be utilized to control the transport of sediment from the work site include: street sweeping of paved areas and roadways, and deployment of sediment control barriers around soil stockpiles.
- Work adjacent to wetland resource areas will proceed as rapidly as possible.
- Periodic inspections will be made by the applicant to ensure compliance with the permit conditions.
- The sedimentation and erosion control barrier will not be removed until the site areas are vegetated, or otherwise permanently stabilized to prevent erosion of exposed soils. Work will proceed as rapidly as possible, limiting the exposure time of disturbed soils to wind and precipitation.

Spill Control Measures

- Equipment storage and refueling will be outside of the 100-foot Buffer Zone to Inland Bank/BVW.

- Spill containment equipment (e.g. oil absorbent pads, oil absorbent materials, containment booms, shovels, etc.) will be stored in the equipment storage and refueling area in an easily accessible manner for use in the clean-up of accidental releases of fuel or other hazardous materials. Should there be an accidental release the proper authorities will be notified in accordance with all applicable federal, state, and local laws.
- To minimize the possibility of leakage of hydraulic fluid, all hydraulic lines on all construction equipment and vehicles will be inspected at the end of each workday. If any excessive wear or leakage is observed, the line will be repaired prior to further use. In addition, a supply of oil absorbent materials (i.e. pads, "speedy dry," and/or booms) will be maintained with the equipment at the work area for immediate deployment in the event of an accidental release of fuel, hydraulic fluid, oil, etc.
- Any oil, hydraulic fluid, or other hazardous materials will be stored in original containers; fuels will be stored in tightly sealed containers which are clearly marked; and all such materials will be stored under a roof or in a covered enclosure.

5.0 Compliance with Performance Standards

The following discussion documents how the proposed project complies with the performance standards for Riverfront Area. The MWPA has no performance standards for work within the 100-foot Buffer Zone.

Riverfront Area 310 CMR 10.58

Since the Project qualifies as a redevelopment project, the provisions of 310 CMR 10.58 (5) applies and work to redevelop previously developed riverfront areas conforms to the following criteria:

- a) *At a minimum, proposed work shall result in an improvement over existing conditions of the capacity of the riverfront area to protect the interests identified in M.G.L. c. 131 par. 40. When a lot is previously developed but no portion of the riverfront area is degraded, the requirements of 310 CMR 10.58(4) shall be met.*

The Project consists of removal and replacement of existing surface materials. Proposed alteration to Riverfront (RFA) is temporary and altered areas will be restored to preconstruction conditions.

- b) *Stormwater management is provided according to standards established by the Department.*

The proposed project is a field renovation project with removal and replacement of the surface artificial turf. There will be no changes to the existing stormwater management system.

- b) *Within 200 feet of riverfront areas, proposed work shall not be located closer to the river than existing conditions or 100 feet, whichever is less, or not closer than existing conditions within 25 foot riverfront area, except in accordance with 310 CMR 10.58(5)(f) or (g).*

All work is within the existing artificial turf field; proposed work will not be located closer to the river than under existing conditions.

- c) *Proposed work, including the expansion of existing structures, shall be located outside the riverfront area or toward the riverfront area boundary and way from the river, except in accordance with 310 CMR 10.58(5)(f) or (g).*

The proposed project is a field renovation project with removal and replacement of the surface artificial turf. No expansion of the existing field is proposed.

- d) *The area of proposed work shall not exceed the amount of degraded area, provided that the proposed work may alter up to 10% if the degraded area is less than 10% of the riverfront area, except in accordance with 310 CMR 10.58(5)(f) or (g).*

The proposed field renovation project will not result in permanent alteration to the RFA. All impacts to RFA are temporary and will be restored to preconstruction conditions (i.e. artificial turf field) upon completion of the work.

- e) *When an applicant proposes restoration on-site of degraded riverfront area, alteration may be allowed notwithstanding the criteria of 310 CMR 10.58(5)(c), (d), and (e) at a ratio in square feet of at least 1:1 of restored area to area of alteration not conforming to the criteria.*

Alterations to RFA is temporary and will be restored to preconstruction conditions (i.e. artificial turf field) upon completion of the work.

- f) *When the applicant proposes mitigation on-site or in the riverfront area within the same general area of the river basin, alteration may be allowed notwithstanding the criteria of 310 CMR 10.58(5) (c), (d), or (e) at a ratio in square feet of at least 2:1 of mitigation area to area of alteration not conforming to the criteria or an equivalent level of environmental protection where square footage is not a relevant measure.*

No mitigation is proposed since there will be no expansion of the existing artificial turf field further into the RFA.

6.0 Variance Request

In accordance with the Town By-Law and Regulations, Section 5, the applicant is requesting a variance of strict compliance with the Regulations for the replacement of the existing artificial turf field with a new in-filled artificial turf field. The applicant is requesting a variance to perform the work within the Riverfront Area.

The variance is being requested on the basis that existing Beaver Pond Recreation Area artificial turf field serves a substantial public interest and that there are no practicable alternatives with less environmental damaging impacts to the alternative selected of replacing the existing artificial turf field. There is no way of avoiding temporarily altering approximately 22,764 square feet of Riverfront Area since a portion of the existing field is located within RFA.

7.0 Summary

The proposed work complies with the performance standards for work within the Riverfront Area. There are no performance standards for working in Buffer Zone; however, the guiding principle is to

prevent adverse impacts to the downgradient resource areas. As designed, work in the 100-foot Buffer Zone will not adversely affect the downgradient resource areas. Construction phase erosion and sedimentation control measures will protect these areas from erosion or deposition of sediment.

Attachment B
Photographs

Beaver Pond Recreation Area, Franklin, MA
Wetland Delineation 2/20/2017



Photo 1: Western edge of Mine Brook facing north. View from flag OHW A-4 facing OHW A-3.



Photo 2: Western edge of Mine Brook facing south. View from flag OHW A-4 facing OHW A-5.



Photo 3: Western edge of Mine Brook facing north. View from flag OHW A-11 facing OHW A-10.



Photo 4: Western edge of Mine Brook facing south. View from flag OHW A-11 facing OHW A-12.



Photo 5: Wetland B along western edge of Mine Brook facing north. View from flag B-2 facing OHW B-1.



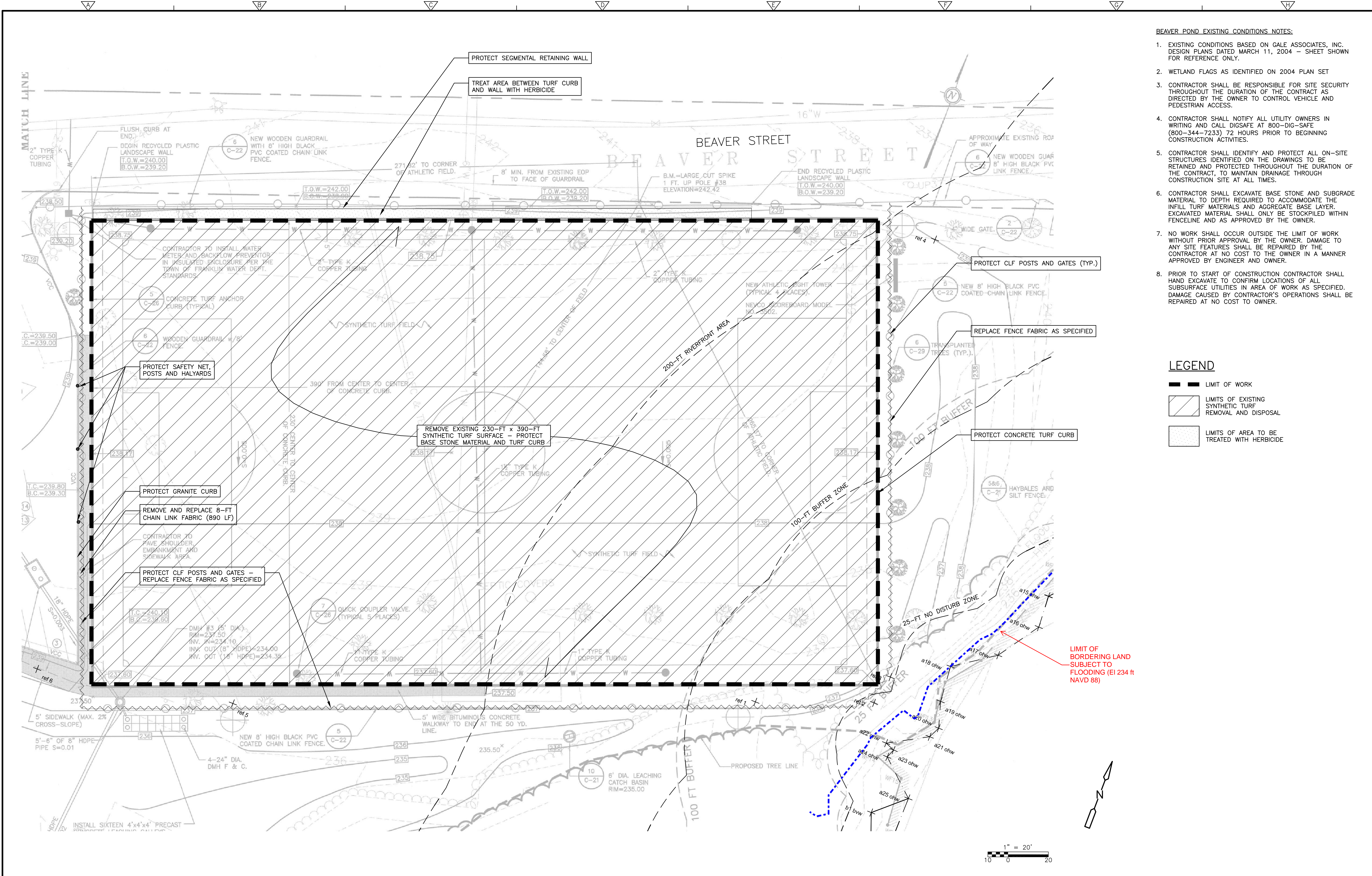
Photo 6: Wetland B along western edge of Mine Brook facing south. View from flag B-2 facing OHW B-3.



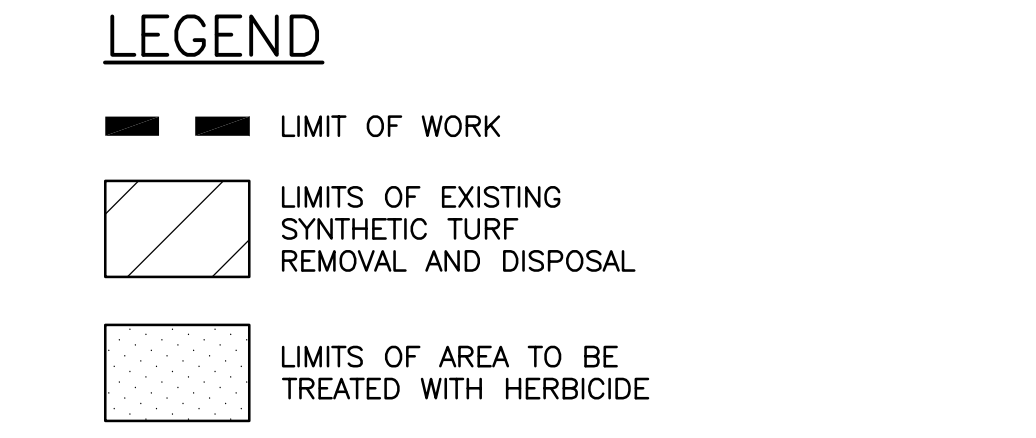
Photo 7: View of Mine Brook (background, flowing from left to right) from near eastern corner of existing athletic field fence.

Attachment C
Project Plans

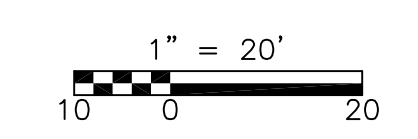
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- BEAVER POND EXISTING CONDITIONS NOTES:**
- EXISTING CONDITIONS BASED ON GALE ASSOCIATES, INC. DESIGN PLANS DATED MARCH 11, 2004 - SHEET SHOWN FOR REFERENCE ONLY.
 - WETLAND FLAGS AS IDENTIFIED ON 2004 PLAN SET
 - CONTRACTOR SHALL BE RESPONSIBLE FOR SITE SECURITY THROUGHOUT THE DURATION OF THE CONTRACT AS DIRECTED BY THE OWNER TO CONTROL VEHICLE AND PEDESTRIAN ACCESS.
 - CONTRACTOR SHALL NOTIFY ALL UTILITY OWNERS IN WRITING AND CALL DIGSAFE AT 800-DIG-SAFE (800-344-7233) 72 HOURS PRIOR TO BEGINNING CONSTRUCTION ACTIVITIES.
 - CONTRACTOR SHALL IDENTIFY AND PROTECT ALL ON-SITE STRUCTURES IDENTIFIED ON THE DRAWINGS TO BE RETAINED AND PROTECTED THROUGHOUT THE DURATION OF THE CONTRACT, TO MAINTAIN DRAINAGE THROUGH CONSTRUCTION SITE AT ALL TIMES.
 - CONTRACTOR SHALL EXCAVATE BASE STONE AND SUBGRADE MATERIAL TO DEPTH REQUIRED TO ACCOMMODATE THE INFILL TURF MATERIALS AND AGGREGATE BASE LAYER. EXCAVATED MATERIAL SHALL ONLY BE STOCKPILED WITHIN FENCELINE AND AS APPROVED BY THE OWNER.
 - NO WORK SHALL OCCUR OUTSIDE THE LIMIT OF WORK WITHOUT PRIOR APPROVAL BY THE OWNER. DAMAGE TO ANY SITE FEATURES SHALL BE REPAIRED BY THE CONTRACTOR AT NO COST TO THE OWNER IN A MANNER APPROVED BY ENGINEER AND OWNER.
 - PRIOR TO START OF CONSTRUCTION CONTRACTOR SHALL HAND EXCAVATE TO CONFIRM LOCATIONS OF ALL SUBSURFACE UTILITIES IN AREA OF WORK AS SPECIFIED. DAMAGE CAUSED BY CONTRACTOR'S OPERATIONS SHALL BE REPAIRED AT NO COST TO OWNER.



LIMIT OF BORDERING LAND SUBJECT TO FLOODING (EI 234 FT NAVD 88)



REV. NO.	DATE	DRWN	CHKD	REMARKS

DESIGNED BY: K. DRAKE
 DRAWN BY: J. HEIL
 SHEET CHK'D BY: _____
 CROSS CHK'D BY: _____
 APPROVED BY: _____
 DATE: JANUARY 2017

CDM Smith
 75 State Street, Suite 701
 Boston, MA 02109
 Tel: (617) 452-6000

TOWN OF FRANKLIN, MASSACHUSETTS
 BEAVER POND RECREATION AREA AND
 FRANKLIN HIGH SCHOOL FIELD REPLACEMENT PROJECT

EXISTING CONDITIONS AND REMOVALS PLAN

PROJECT NO. 0235-113811
 FILE NAME: BP01RMP.LDWG
 SHEET NO.
BP-1

Section I – Erosion & Sedimentation Control Plan:

All materials removed from Beaver Pond will be stockpiled on-site in two piles located on shore. Piles will be disposed of off-site within 24 hours. Piles remaining for longer than the workday shall be surrounded by compost filter sock along their perimeter.

Section J – Alternatives Analysis:

No Build – The pond’s nature, recreational and aesthetic value would also be significantly degraded. This alternative does not meet the project goals of reducing non-native aquatic plants which are impairing fish, other aquatic life, and wildlife or improving the recreation space and opportunities for residents at Chilson Park.

Dredging – Dredging is sometimes used to control growth by removing large amounts of organic matter from the bottom of a pond. It is typically invasive, messy, and costly. Dredging could also have severe impacts to any aquatic creatures. This option is not recommended.

Aquatic Herbicides – Chemical use for removal is a potential option. An herbicide could be safe for people and aquatic creatures if applied correctly. However, it could cause too many plants to die and decompose at the same time which would utilize a large portion of the available oxygen in the water. This option is not recommended.

Section K – Mitigation Plan:

The project does not propose to alter or fill any wetlands.

Section L – Replication Plan & Protocol:

The project does not propose to permanently alter or fill any previously undisturbed wetlands.

Section M – Construction Sequence and Schedule:

Completion of the Beaver Pond Hydro-raking will generally conform to the following sequence:

1. Notify Conservation Commission prior to start of work.
2. Hydro-rake boat placed into water via the boat launch.
3. Hydro-raking activities commence in Beaver Pond.
4. Material is deposited on-shore and then removed by Franklin Highway Department for off-site disposal, within 24 hours of completion.
5. Perform site restoration/stabilization.
6. Notify Conservation Commission of completion of work.

Section N – Drainage Calculations:

N/A

Section O – Plans:

- Site Plan
- Site Photos

Proposed Beaver Pond Hydro-Raking NOI
Site Photos



Photo 1 – Beaver Pond, View of Dock from Shore



Photo 2 – View of Shore at Beaver Pond



Photo 3 – Chilson Park Boat Launch/Site of Proposed Equipment Launch