Charles River Vegetation Management Plan

Notice of Intent Submittal

Newton, Massachusetts

JULY 2022

PREPARED ON BEHALF OF

Massachusetts Department of Conservation and Recreation

PREPARED BY

SWCA Environmental Consultants

SWCA
ENVIRONMENTAL CONSULTANTS
Sound Science. Creative Solutions.®

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Amherst, Massachusetts 01002
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July 5, 2022

Newton Conservation Commission
1000 Commonwealth Avenue
Newton, MA 02459

Re: Charles River Vegetation Management Plan Notice of Intent

Dear Conservation Commission Members:

SWCA Environmental Consultants (SWCA) is submitting the enclosed Notice of Intent (NOI) on behalf of the Massachusetts Department of Conservation and Recreation (DCR) for continued general maintenance within the Charles River Reservation as well as specific focus areas for invasive plant management within the project work area. DCR is also updating the Charles River Vegetation Management Plan (CRVMP) throughout the Reservation and filing NOIs with the Cities of Watertown, Cambridge, and Boston.

All vegetation management activities will be carried out in a manner that has no potential for damage to the environment and all efforts will be made to avoid and minimize any potential impacts to the maximum extent practicable. These activities are limited to mowing, cutting, and pruning of vegetation as well as the removal of invasive vegetation. Any alteration associated with the proposed work includes the augmentation and sometimes destruction of vegetation (e.g., in the case of invasive plant removal). The following vegetation management activities are proposed in this NOI.

- Continued general maintenance: routine vegetation maintenance within lawn, woodland, and circulation areas to be performed on a periodic basis (as has been performed in the past) to maintain valuable habitat, provide continued safe access to the public, and maintain recreational resources within the Charles River Reservation.
- Invasive plant management: DCR has identified a total of two focus areas for invasive plant management, that align with their broader goals for the CRVMP, to restore the natural capacity of the existing wetland resource areas to sustain the interests of the Wetlands Protection Act through the restoration of native vegetation and ecological integrity of the Charles River Reservation.

This filing includes a check for the municipal portion of the filing fee ($262.50) and all required filing documents. Please reach out with any questions.

Sincerely,

Naomi Valentine

Naomi Valentine
Ecological Restoration Team Lead

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 3 - Notice of Intent
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File #:
eDEP Transaction #:1383454
City/Town:BOSTON

A.General Information

1. Project Location:

a. Street Address	1 NONANTUM ROAD		
b. City/Town	BOSTON	c. Zip Code	02458
d. Latitude	42.35853N	e. Longitude	71.17165W
f. Map/Plat #	022SW	g.Parcel/Lot #	71-013-0001

2. Applicant:

☐ Individual ☑ Organization

a. First Name	DANIELLE	b.Last Name	MELLETT		
c. Organization	DEPARTMENT OF CONSERVATION AND RECREATION				
d. Mailing Address	251 CAUSEWAY STREET, SUITE 900				
e. City/Town	BOSTON	f. State	MA	g. Zip Code	02114
h. Phone Number		i. Fax		j. Email	danielle.mellett@state.ma.us

3.Property Owner:

☐ more than one owner

a. First Name	PRISCILLA	b. Last Name	GEIGIS		
c. Organization	DEPARTMENT OF CONSERVATION AND RECREATION				
d. Mailing Address	251 CAUSEWAY STREET, SUITE 900				
e. City/Town	BOSTON	f.State	MA	g. Zip Code	02114
h. Phone Number	617-626-1250	i. Fax		j.Email	priscilla.geigis@mass.gov

4.Representative:

a. First Name	NAOMI	b. Last Name	VALENTINE		
c. Organization	SWCA ENVIRONMENTAL CONSULTANTS				
d. Mailing Address	15 RESEARCH DRIVE				
e. City/Town	AMHERST	f. State	MA	g. Zip Code	01002
h.Phone Number	413-658-2012	i.Fax		j.Email	nvalentine@swca.com

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

a.Total Fee Paid	750.00	b.State Fee Paid	362.50	c.City/Town Fee Paid	387.50

6.General Project Description:

7a.Project Type:

1. ☐ Single Family Home	2. ☐ Residential Subdivision
3. ☐ Limited Project Driveway Crossing	4. ☐ Commercial/Industrial
5. ☐ Dock/Pier	6. ☐ Utilities
7. ☐ Coastal Engineering Structure	8. ☐ Agriculture (eg., cranberries, forestry)
9. ☐ Transportation	10. ☑ Other

7b.Is any portion of the proposed activity eligible to be treated as a limited project subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

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1.	☑ Yes ☐ No	If yes, describe which limited project applies to this project:
2. Limited Project		INVASIVE PLANT MANAGEMENT

8.Property recorded at the Registry of Deeds for:

a.County:	b.Certificate:	c.Book:	d.Page:

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

1.Buffer Zone & Resource Area Impacts (temporary & permanent):

☐ This is a Buffer Zone only project - 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)

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a.☐ Bank	1. linear feet	2. linear feet
b.☐ Bordering Vegetated Wetland	1. square feet	2. square feet
c.☐ Land under Waterbodies and Waterways	1. Square feet	2. square feet
	3. cubic yards dredged	
d.☑ Bordering Land Subject to Flooding	7007 1. square feet	2. square feet
	3. cubic feet of flood storage lost	4. cubic feet replaced
e.☐ Isolated Land Subject to Flooding	1. square feet	
	2. cubic feet of flood storage lost	3. cubic feet replaced
f.☑ Riverfront Area	10947 1. Name of Waterway (if any)	
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		15000 square feet

4. Proposed Alteration of the Riverfront Area:

10947 a. total square feet	7904 b. square feet within 100 ft.	3043 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)

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. ☐ Designated Port Areas	Indicate size under	Land under the ocean below,
b. ☐ Land Under the Ocean	1. square feet 2. cubic yards dredged	
c. ☐ Barrier Beaches	Indicate size under Coastal Beaches and/or Coatstal Dunes, below	
d. ☐ Coastal Beaches	1. square feet	2. cubic yards beach nourishment
e. ☐ Coastal Dunes	1. square feet	2. cubic yards dune nourishment
f. ☐ Coastal Banks	1. linear feet	
g. ☐ Rocky Intertidal Shores	1. square feet	
h. ☐ Salt Marshes	1. square feet	2. sq ft restoration, rehab, crea.
i. ☐ Land Under Salt Ponds	1. square feet	
	2. cubic yards dredged	
j. ☐ Land Containing Shellfish	1. square feet	
k. ☐ Fish Runs	Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged	
l. ☐ Land Subject to Coastal Storm Flowage	1. square feet	

4.Restoration/Enhancement

☐ Restoration/Replacement

If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please entered the additional amount here.

a. square feet of BVW b. square feet of Salt Marsh

5.Projects Involves Stream Crossings

☐ Project Involves Streams Crossings

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

a. number of new stream crossings b. number of replacement stream crossings

C. Other Applicable Standards and Requirements

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

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

a. ☐ Yes ☑ No

If yes, include proof of mailing or hand delivery of NOI to:
Natural Heritage and Endangered Species
Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

b. Date of map:FROM MAP VIEWER

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

c. Submit Supplemental Information for Endangered Species Review * (Check boxes as they apply)

1.☐ Percentage/acreage of property to be altered:

(a) within Wetland Resource Area percentage/acreage

(b) outside Resource Area percentage/acreage

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

3.☐ Project plans for entire project site, including wetland resource areas and areas outside of wetland jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

a.☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

b.☐ Photographs representative of the site

c.☐ MESA filing fee (fee information available at: http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/mass-endangered-species-act-mesa/mesa-fee-schedule.html)
Make check payable to "Natural Heritage & Endangered Species Fund" and **mail to NHESP** at above address

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

d.☐ Vegetation cover type map of site

e.☐ Project plans showing Priority & Estimated Habitat boundaries

d. OR Check One of the following

1.☐ Project is exempt from MESA review. Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/eea/agencies/dfg/dfw/laws-regulations/cmr/321-cmr-1000-massachusetts-endangered-species-act.html#10.14; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2.☐ Separate MESA review ongoing.

a. NHESP Tracking Number

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.

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review...

2. For coastal projects only, is any portion of the proposed project located below the mean high waterline or in a fish run?
   a. ☑ Not applicable - project is in inland resource area only
   b. ☐ Yes ☐ No

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

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

   Division of Marine Fisheries -
   Southeast Marine Fisheries Station
   Attn: Environmental Reviewer
   836 S. Rodney French Blvd
   New Bedford, MA 02744

   North Shore - Hull to New Hampshire:

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

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

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

   a. ☐ Yes ☑ No

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

   b. ACEC Name

4. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
   a. ☐ Yes ☑ No

5. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L.c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L.c. 130, § 105)?
   a. ☐ Yes ☑ No

6. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
   a. ☐ Yes, Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
      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, Explain why the project is exempt:
      1. ☐ Single Family Home
      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

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

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

1. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the
☐ Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland
☐ [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.
3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s).
☐ Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.
4. List the titles and dates for all plans and other materials submitted with this NOI.
☐

a. Plan Title:	b. Plan Prepared By:	c. Plan Signed/Stamped By:	c. Revised Final Date:	e. Scale:
PROJECT FIGURES				

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:

20266	6/28/2022
2. Municipal Check Number	3. Check date
e-filed	7/5/2022
4. State Check Number	5. Check date
SWCA, Incorporated	
6. Payer name on check: First Name	7. Payer name on check: Last Name

F. Signatures and Submittal Requirements

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

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

1. Signature of Applicant	6/24/22 2. Date
3. Signature of Property Owner(if different)	6-28-22 4. Date
Naomi Valentine Digitally signed by Naomi Valentine Date: 2022.06.24 15:38:35 -04'00' 5. Signature of Representative (if any)	6/24/22 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 Section C, Items 1-3, above, refer to that section and the Instructions for additional submittal requirements.

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

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 3 - Notice of Wetland FeeTransmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File #:
eDEP Transaction #:1383454
City/Town:BOSTON

A. Applicant Information

1. Applicant:

a. First Name	DANIELLE	b.Last Name	MELLETT		
c. Organization	DEPARTMENT OF CONSERVATION AND RECREATION				
d. Mailing Address	251 CAUSEWAY STREET, SUITE 900				
e. City/Town	BOSTON	f. State	MA	g. Zip Code	02114
h. Phone Number		i. Fax		j. Email	danielle.mellett@state.ma.us

2.Property Owner:(if different)

a. First Name	PRISCILLA	b. Last Name	GEIGIS		
c. Organization	DEPARTMENT OF CONSERVATION AND RECREATION				
d. Mailing Address	251 CAUSEWAY STREET, SUITE 900				
e. City/Town	BOSTON	f.State	MA	g. Zip Code	02114
h. Phone Number	6176261250	i. Fax		j.Email	priscilla.geigis@mass.gov

3. Project Location:

a. Street Address	1 NONANTUM ROAD	b. City/Town	BOSTON

Are you exempted from Fee? ☐

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

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

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

B. Fees

Activity Type	Activity Number	Activity Fee	RF Multiplier	Sub Total
H.) CONTROL VEGETATION IN DEVELOPMENT;	1	500.00	RFA MULTIPLIER 1.5	750.00

City/Town share of filling fee	State share of filing fee	Total Project Fee
$387.50	$362.50	$750.00

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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

Provided by MassDEP:

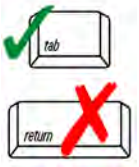
MassDEP File Number

Document Transaction Number

Newton
City/Town

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.



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).

Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

(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.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent
Appendix A: Ecological Restoration Limited Project Checklists

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Newton
City/Town

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

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.

WPA Form 3 – Notice of Intent
Appendix A: Ecological Restoration Limited Project Checklists

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Newton
City/Town

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

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.

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;

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): Invasive Vegetation Management

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

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).

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

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.

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.

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

☐ 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.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent
Appendix A: Ecological Restoration Limited Project Checklists

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

Provided by MassDEP:

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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)

Required Actions (310 CMR 10.11) (cont.)

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: _____

Required Actions (310 CMR 10.11) (cont.)

☐ 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

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Required Actions (310 CMR 10.11) (cont.)

Send the request for a written or electronic determination to:

South Shore – Cohasset 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 – Hull 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.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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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. Figures 1 through 5
a. Plan Title

SWCA Environmental Consultants
b. Prepared by

c. Signed and Stamped by

6/27/22
d. Final Revision Date

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

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Minimum Required Documents (310 CMR 10.12)

- ☐ 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 the whether the project has the potential to impact private water supply wells including agricultural or aquacultural wells or surface water withdrawal points.

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Appendix A: Ecological Restoration Limited Project Checklists

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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.

6/24/22

Signature of Applicant or Authorized Agent

Danielle Mellett — 6/24/22

Printed Name of Applicant or Authorized Agent — 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.

CHARLES RIVER VEGETATION MANAGEMENT PLAN
NOTICE OF INTENT SUBMITTAL

Prepared on Behalf of

Danielle Mellett
Massachusetts Department of Conservation and Recreation
251 Causeway Street
Boston, Massachusetts 02114

Prepared by

SWCA Environmental Consultants
15 Research Drive
Amherst, Massachusetts 01002
(413) 256-0202
www.swca.com

SWCA Project No. 70690-000-AMH

July 2022

CONTENTS

Appendices

Tables

1 INTRODUCTION

SWCA Environmental Consultants (SWCA) has prepared this Notice of Intent (NOI) on behalf of the Massachusetts Department of Conservation and Recreation (DCR) to implement the Charles River Vegetation Management Plan (CRVMP) along the riparian zone of the Charles River in Newton, Massachusetts (the project). Specifically, the project area is located between the Watertown Dam and Daly Fields. This is part of a greater CRVMP project, which spans various sections of riparian zone and adjacent DCR properties within Boston, Cambridge, Watertown, and Newton. DCR has established the following goals for the CRVMP:

1. Ensure all routine maintenance is carried out in a manner that has no potential for damage to the environment and all vegetation management activities will be performed to avoid and minimize any potential impacts to the maximum extent practicable.
2. Restore the natural capacity of the *existing* Wetland Resource Areas to protect and sustain the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40) (WPA) and provide for stable and sustainable shorelines; historic vistas; climate resiliency; and a safe, stable tree canopy.
3. Develop strategies that protect the properties' ecological, recreational and cultural integrity and consistently implement such strategies across all public/private uses of the property (leases, [Memorandums of Agreement [MOAs], special use permits, easements, etc.).
4. Provide public access to outstanding opportunities for passive and active recreation along and adjacent to the riverbank.
5. Steward parklands that reflect the cultural value and 100-year history of the Charles River Reservation.
6. Engage a cooperative network of parkland stakeholders who both enjoy the many recreational opportunities and provide volunteer assistance in managing the CRVMP area.
7. Provide a framework to guide future capital restoration projects.

This NOI has been developed in accordance with the WPA and its implementing regulations (310 Code of Massachusetts Regulations [CMR] 10.00 et seq.). The proposed project is filed as an Ecological Restoration Limited Project under 310 CMR 10.53(4). The Ecological Restoration Limited Project Checklist (WPA Form 3 Appendix A) is included at the beginning of this filing. As the project area has been degraded by anthropogenic influences. The Charles River Reservation was created within filled tidelands and has since been altered with ornamental plantings (many of which are now considered invasive), lawn and meadow areas, and infrastructure that require maintenance for safe and accessible recreational use. However, the goals of this project are to improve all resources to the extent practicable and restore a more resilient native vegetative community over time.

The proposed project seeks to manage vegetation within the following resource areas jurisdictional under the WPA: Bordering Land Subject to Flooding (BLSF); 200-foot Riverfront Area (RFA); and the 100-foot buffer zone to Bank. The two types of vegetation management proposed within these resource areas include: 1) routine maintenance and 2) invasive plant management (see Section 5.3). All wetland resource areas within the project area are designated as inland resources, as this section of the Charles River is not tidally influenced. All impacts are temporary in nature and no adverse impact will occur to any of the resource areas within or near the project work area (see Section 3).

Two hard copies and a digital copy of this NOI and associated documents have been submitted to the Newton Conservation Commission. The NOI application and documents have also been filed with the

Massachusetts Department of Environmental Protection (DEP) using the eDEP online filing site. A hard copy has also been mailed to DEP Northeast Region.

This project is being filed under Category 2h, which includes a fee of $500. Since the work will take place within RFA, this fee is multiplied by 1.5 for a total state fee of $750. The State portion of this fee is $362.50, and the Municipal portion is $387.50.

SWCA has notified abutters within 100 feet of the project area parcel, including those in neighboring municipalities and across waterbodies. Appendix B includes a list of certified abutters and a copy of the notification letter.

2 SITE DESCRIPTION

The CRVMP project area in Newton extends from the Watertown Dam to Daly Fields (Figure C1). Project activities will be completed within the Charles River Reservation, specifically in the riparian area where the terrestrial portions of the parkland meet the Charles River, and immediately adjacent parklands. Figures of the project area are included in Appendix C. Site photographs are included in Appendix D.

The Charles River Reservation provides a vibrant mixture of recreational resources serving adjacent urban neighborhoods and institutions as well as visitors from the metropolitan area and beyond. The banks of the river support a wide range of activities from lawn sports, picnicking, sunbathing, scenic walks, and dog walking to playgrounds, wading pools, tennis courts, and athletic fields. The 18-mile Dr. Paul Dudley White Bicycle Path is used for distance biking, commuting, inline skating, running and walking, as well as road races and walkathons. The river itself supports sailing, rowing, yachting, canoeing, kayaking, boat tours, and fishing.

A vegetative riparian buffer separates the Charles River from the passive recreation areas that include recreational and public use lawns, bikeways, natural surface trails, buildings, parking lots, and other park infrastructure. The vegetative buffer is mainly comprised of scattered pockets of dense vegetation including trees, shrubs, grasses, wildflowers, and vines. Soils are compacted and the vegetation is frequently disturbed by anthropogenic changes in water level, extreme weather events, and recreational activities on the land and water. As a result, the predominant vegetative layer is populated by non-native nuisance species such as false indigo (*Amorpha fructicosa*) and mugwort (*Artemesia vulgaris*), and non-native invasive plant species such as tree of heaven (*Alianthus altissima*), common reed (*Phragmites australis*), shrub honeysuckle (*Lonicera* spp.), yellow flag iris (*Iris pseudacorus*), and Japanese knotweed (*Reynoutria japonica*). However, native species with high pollinator and wildlife values such as goldenrods (*Solidago* spp.), poison ivy (*Toxicodendron radicans*), jewelweed (*Impatiens capensis*), stinging nettle (*Urstica dioica*), American pokeberry (*Phytollacca americana*), sedges (*Carex* spp.), sensitive fern (*Onoclea sensibilis*), button bush (*Cephalanthus occidentalis*), speckled alder (*Alnus incana*), common yarrow (*Achillea millefolium*), and staghorn sumac (*Rhus typhina*) have persisted through the disturbances.

Other than athletic fields, playgrounds, trails, and parking areas, the project area between the vegetated riparian buffer and the closest DCR Parkway mainly consists of open lawn, lawn with tree canopy, and pockets of woodlands with mature trees. A strip of trees and shrubs is present between the Parkway and the park land. Vegetation along this strip is considered part of the Parkway's historic character and maintain in accordance with DCR's Parkway Master Plan (Toole Design, 2021).

2.1 Routine Vegetation Management Landscape Types

DCR maintains hundreds of thousands of acres of recreational space across the Commonwealth of Massachusetts. It is necessary to maintain these recreational spaces to ensure safe and enjoyable access to these valuable public spaces. The DCR property around the Charles River is no exception.

As part of their park lands, DCR conducts various types of regular maintenance along the Charles River Reservation. Vegetation maintenance is conducted to maintain recreational use, accessibility of pathways and public space, health of specific ecosystems, scenic vistas, landscaping, etc. Routine maintenance within the project area is classified into eight Landscape Types (Table 1; Figure C4). Each Landscape Type falls under one of two Landscape Designations: Naturalized Area (NA) or Reservation Facility (RF).

Table 1. Routine Maintenance Landscape Types within the Project Area

Landscape Type	Key	Area Description	Designation	Size and Location within the Project Area
Lawn	L	Mown turf, natural surface athletic fields, day-use areas	RF	0.53 ac
Woodland	T	Mature canopy trees, woodland ground plane with possible shrub understory	NA	2.15 ac
Circulation	C	Pathways, roads, bridges	RF	1,998 lf

Note: NA = Naturalized Area; RF = Reservation Facility; ac = acre; ft = linear feet.

2.2 Invasive Plant Focus Areas

Although there are many invasive plants present within the full project area, DCR has identified two specific focus areas for invasive plant management. These have been prioritized based on their proximity to high-traffic areas, feasibility of management within the next three to five years, and presence of high-concern plant species. These two focus areas are described in Table 2. These areas extend throughout BLSF, RFA, and the 100-foot buffer to Bank.

Table 2. Invasive Plant Focus Areas

Focus Area Location	Area Description	Invasive and Nuisance Plant Species (sf)
Newton Focus Area 1	Located directly west of the Daly Field Ice Rink building, extending from the river's edge to the bike path.	Asiatic Bittersweet (136) Glossy Buckthorn (31,570) Japanese Knotweed (9) Norway Maple (trace) Purple Loosestrife (10) Shrub Honeysuckle (trace) Swallowwort (400) Tree of Heaven (1,002)

Focus Area Location	Area Description	Invasive and Nuisance Plant Species (sf)
Newton Focus Area 2	This focus area extends approximately 200 feet from the entrance to the bike path to the Newton/Boston City line and covers the area between the top of bank to the bike path	Asiatic Bittersweet (8) Glossy Buckthorn (95) Japanese Knotweed (381) Norway Maple (4) Shrub Honeysuckle (105) Swallowwort (trace)

Note: Square footage of invasive plants is determined by absolute percent cover within species-specific field delineated polygons. Invasive plant coverage is overlapping and do not represent cumulative impacts to resource areas. See Table 3 for the total impact to resource areas. "Trace" indicates that there is less than 1 square foot of total coverage of the invasive plant described.

3 REGULATED WETLAND RESOURCE AREAS

A desktop analysis of environmental constraints was performed using Massachusetts Geographic Information System (MassGIS) data layers, U.S. Geological Survey (USGS) StreamStats, and other publicly available data. In addition, SWCA conducted a site delineation on January 12 to confirm the presence of previously delineated resource areas throughout the project area.

The proposed CRVMP project area will occur within RFA, BLSF, and the 100-foot buffer zone to Bank, as these resource areas are defined by 310 CMR 10.00. Representative photographs of the project area depicting existing conditions are included in Appendix D.

The following sections define the on-site regulated resource areas. Table 3 includes a breakdown of which resource areas would be impacted by each type of proposed vegetation management.

Table 3. Types of Vegetation Management within Jurisdictional Resource Areas

Resource Area	Routine Maintenance			Invasive Plant focus Areas	
	L	T	C	1	2
Bank	X*	X*	X*	X*	X*
RFA	X	X	X	X	X
BLSF	X	X	X	X	X

Note: IS = Invasive Plant Species; X = impact present within resource area; X* = impact present within buffer zone only; XX = impact within resource area and buffer zone. Impact is overlapping in some resource areas and these values are not cumulative.

3.1 Inland Bank (310 CMR 10.54)

As defined in 310 CMR 10.54 (2)(a and c), a Bank is "the portion of the land surface which normally abuts and confines a water body. It occurs between a water body and a vegetated bordering wetland and adjacent flood plain, or, in the absence of these, it occurs between a water body and an upland. A Bank may be partially or totally vegetated, or it may be comprised of exposed soil, gravel or stone…. The upper boundary of a Bank is the first observable break in the slope or the mean annual flood level, whichever is lower. The lower boundary of a Bank is the mean annual low flow level."

There will be no impact to Bank through the proposed project, but there is proposed impact within the 100-foot buffer zone to Bank. As defined in 310 CMR, Bank is afforded a 100-foot buffer zone. The 100-foot buffer zone to the bank consists of a broad-leaf deciduous forest separating the wetland from the existing bike path, that is actively used by people throughout the day and in all seasons. Trees in this area do not appear to be recently managed.

The majority of the project area extends along the buffer zone to Bank. The Charles River and its riparian zone has been actively managed since the 1700s and water levels have been under anthropogenic control since 1910. Along the project area, the Bank consists of a combination of natural (soil) and engineered (stone armored) embankment that is partially vegetated with native, nonnative, and invasive species. The majority of the Bank in the project area is steep (>15% slope) and provides an abrupt change from river to upland area. The Bank generally contains a wooded/high shrub riparian edge and abrupt transition from water's edge to a relatively flat, gently sloping upland area. Some of the shorelines with low herbaceous/passive recreation areas have gradual (<5%) slopes (Weston and Sampson 2019). The project area is bound by a paved bike path on all portions of the site.

Natural Banks throughout the project area predominantly contain shrubs and herbaceous plants with some sections of intermittent to dense tree canopy. The predominant tree community in these areas of Bank include red maple (*Acer rubrum*), oaks (*Quercus* spp.), beech (*Fagus* spp.), ash (*Fraxinus* spp.), and white pine (*Pinus strobus*) as well as invasive trees such as tree of heaven and Norway maple (*Acer platanoides*). The understory in these areas commonly include poison ivy and various invasive plant species (buckthorn, barberry, multiflora rose, Asiatic bittersweet, etc.).

The vegetation present along and outside the Bank also provides forage for insects, birds, fish, other aquatic animals and small mammals as well as nesting sites for birds, rabbits and other small mammals. Bank vegetation helps provide shade, cooling the river's shoreline, and helps to prevent Bank erosion and improve stormwater water permeability.

3.2 Bordering Land Subject to Flooding (310 CMR 10.57)

As defined in 310 CMR 10.57(2)(a), BLSF is "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…The boundary of Bordering Land Subject to Flooding is the estimated maximum lateral extent of flood water which will theoretically result from the statistical 100-year frequency storm. Said boundary shall be that determined by reference to the most recently available flood profile data prepared for the community within which the work is proposed under the National Flood Insurance Program (NFIP, currently administered by the Federal Emergency Management Agency, successor to the U.S. Department of Housing and Urban Development). Said boundary, so determined, shall be presumed accurate."

BLSF within the project area are located throughout the majority of the linear extent of the Bank and extend across the majority of the invasive plant focus areas. The work to be performed within this area includes invasive plant management within the focus areas, and as needed management of the Woodland Landscape Area. Although these areas are identified as 100-year floodplain, it is unlikely that the area will flood at the projected 100-year frequency due to the active management of the dam.

3.3 Riverfront Area (310 CMR 10.58)

As defined in 310 CMR 10.58 (2)(a), a RFA is "the area of land between a river's mean annual high water line (MAHWL) and a parallel line measured horizontally. The [RFA] may include or overlap other resource areas or their buffer zones." MAHWL is defined under 10.58 (2)(a)(2) as the line apparent "from visible markings or changes in the character of soils or vegetation due to the prolonged presence of water… Field indicators include changes in slope, changes in vegetation…", etc. SWCA identified the MAWHL as concurrent with the first break in slope as the delineation of Bank, which was used to measure the extent of RFA within the project bounds. 10.58 (2)(a)3.a. indicates that the horizontal setback for RFA in Newton is 200 feet from the MAHWL (or Bank, as defined above).

The RFA along the project area consists mostly of a naturally vegetated 3- to 5-foot strip adjacent to the mean low water line that transitions into an actively used park area with grass, trails, typical park infrastructure, and scattered trees. In addition, the Charles River Reservation (including the project area) was developed in 1910. As such, for purposes of the WPA and the River's Protection Act, all of the RFA is considered altered and disturbed.

4 OTHER ENVIRONMENTAL CONSTRAINTS

SWCA reviewed MassGIS to determine if this site was within or near other sensitive environmental areas that protect rare species, important watersheds, or other special environmental characteristics. The proposed project is not withing Natural Heritage & Endangered Species Program (NHESP) Priority and Estimated Habitat, Certified Vernal Pools, Areas of Critical Environmental Concern, nor Outstanding Resource Waters were identified within the project area (MassGIS 2021a, 2021b, 2021c, 2013, 2009, and 2010). There are also no AUL sites nor DEP Tier Classified 21E Sites (21E sites) located within the proposed work area (MassGIS 2021d and 2021e).

5 PROPOSED WORK

The proposed scope of work associated with this NOI submission includes all planned vegetation management under the updated CRVMP within the City of Newton. That management is divided into two categories: 1) routine maintenance and 2) invasive species management. Both vegetation management categories have specific associated areas of focus, timing, and scope. The proposed work has been designed to minimize impact as much as practicable and does not include any soil disturbance, fill, or other alteration other than management of vegetation. Invasive plant species management will target specific plant species and be completed in the most sensitive manner possible.

5.1 Routine Maintenance

Table 4 includes a list of each Landscape Type as described in Section 2.3 and a description of the prescribed management activities for that Landscape Type. Table 5 includes the total impact of each Landscape Type by resource area and buffer.

Table 4. Summary of Prescribed Management Activities by Routine Maintenance Landscape Type

Landscape Type	Key	Area Description	Management Description
Lawn	L	Mown turf, natural surface athletic fields, day-use areas (Total of 0.5 acres in Newton)	Active Management: Bimonthly mowing to 4 inches during growing season. Restored as needed with compost/clean soil and seeding* Avoidance/Minimization: only mown when ground is firm and dry; avoided near trees, shrubs, and plantings Purpose: provide safe recreational resources to the public
Woodland	T	Mature canopy trees, woodland ground plane with possible shrub understory? (Total of 2.15 acres in Newton)	Periodic maintenance: tree pruning* and removal are performed following arborist review of trees*. Other vegetation management is conducted with mowers, weedwhackers, and chainsaws. Purpose: ensure safe access to all portions of the project area and enhance aesthetics and health of vegetation in question

Landscape Type	Key	Area Description	Management Description
Circulation	C	Pathways, roads, bridges, (Total of 1,998 feet in Newton)	Active management: bimonthly during growing season to maintain a +/- 5-foot lawn buffer on each side of circulation areas. A +/- 10-foot buffer is managed adjacent to bridges and ramps for woody vegetation. Includes trimming vegetation that encroach on public parkways, sidewalks, paths, bridges, and trails. Purpose: provide safe access and promote favorable conditions for public use.

Notes: * DCR has developed approved seed and planting lists as well as tree assessment and management details (Appendix E).

Table 5. Total Resource Area Impacts within Vegetation Management Types

Resource Area	Routine Maintenance		
	L*	T**	C
Bank (LF)			
100-ft Buffer (sf)		*6,846*	*1,058*
RFA (sf)		9,379	1,567
BLSF (sf)		6,119	888

Note: * Lawn mowing is exempt under the WPA; **A maximum of 10% of woodland areas may be maintained throughout the project – this is the only impact included in this table.

5.2 Invasive Plant Management

In addition to general operations and maintenance, DCR plans to conduct invasive plant management within the two identified Focus Areas. DCR strives to manage non-native invasive plant species throughout their properties. However, invasive plants are widespread and can be difficult to manage without a specific plan of action. DCR has identified two focus areas within Newton in which invasive plant management will be prioritized over the next 3 to 5 years. These focus areas were surveyed by SWCA between January 12 and January 26, 2022. The full extent of invasive plants and each plant's total footprint within each focus area can be seen in Figure C5. Table 6 includes the details of all specific vegetation management associated with this proposed project.

Table 6. Specific Vegetation Management Details*

Focus Area	Location	Vegetation	Management Description
Focus Area 1	Located directly west of the Daly Field Ice Rink building, extending from the river's edge to the bike path.	Asiatic Bittersweet Glossy Buckthorn Japanese Knotweed Norway Maple Purple Loosestrife Shrub Honeysuckle Swallowwort Tree of Heaven	The predominant vegetation in this area is woody vines and shrubs. These invasive plants will be hand-removed where possible and where not possible, they will be managed through cut-stem herbicide application and other methods detailed in Appendix E. Japanese knotweed will be managed through selective foliar herbicide application. Tree of heaven will be girdled or treated via cut-stem herbicide application.

Focus Area	Location	Vegetation	Management Description
Focus Area 2	This focus area extends approximately 200 feet from the entrance to the bike path to the Newton/Boston City line and covers the area between the top of bank to the bike path	Asiatic Bittersweet Glossy Buckthorn Japanese Knotweed Norway Maple Shrub Honeysuckle Swallowwort	The priority species for management in this area is Japanese knotweed. Japanese knotweed will be managed through selective foliar herbicide application. All woody invasive plants will be hand-pulled where small enough (outside bank) and treated via cut-stem herbicide application where not. Swallowwort will be treated using a foliar application of the herbicide triclopyr.

Management Notes: * See Appendix E for more details on invasive plant management strategies. This table is intended as a brief overview of likely management methods. Foliar herbicide application should be conducted with a systemic herbicide (e.g., glyphosate, triclopyr), which should be carefully sprayed onto the foliage of the plant during its time of flowering or as close to it as possible without impacting pollinators. Cut-stem herbicide application involves cutting the target vegetation at or very close to the ground surface and applying a concentrated solution of herbicide to the freshly cut stem. Girdling involves cutting the bark and cambium in a circle around the trunk and should be conducted in the spring.

Table 7 includes the total impact of each specific vegetation management type by each wetland resource and its buffer. Refer to Figure C5 for the locations of the overlap in these resource areas and invasive plant management

Table 7. Impact Calculations within Specific Vegetation Management Areas

Resource Area	Invasive Plant Focus Areas	
	1	**2**
Bank (LF)	0	0
100-ft Buffer (sf)	*3,662*	*86*
RFA (sf)	5,324	86
BLSF (sf)	2,973	86

Note: All invasive plant management will require a DCR Special Use Permit filing.

5.3 Restoration Goals

While DCR has not yet developed a full restoration plan for this proposed vegetation management program, Table 8 details ongoing restoration goals across various sections of the Charles River Reservation. DCR has developed a seed and planting pallet to be used consistently throughout the Reservation. The seed mix was developed to emphasize the use of native as well as cultural/historic plantings in the park. It is DCR's intent to encourage the use of the seed/planting pallet for all DCR and partner projects.

Table 8. Restoration Goals

Proposed Site	Restoration Goal
General Site Restoration	Monitor and vegetate exposed soils and other areas of concern using plant/seed material. Stabilize using straw mulch and/or all-natural fiber erosion control blanket as necessary. Restoration areas larger than 10 square feet may require the installation of temporary bird deterrent fencing. If rutting and soil compaction results from vegetation management activities, the area shall be returned to pre-existing conditions, and comparable to the surrounding area, by light hand raking or back blading with machinery (bank excluded). Deep ruts (>10-inches) shall be filled using available loose soil from the general area. Implement CRVMP: framework to guide future restoration projects.
Invasive Plant Focus Areas	Monitor and revegetate with seed as needed; practice adaptive management and use various methods of management and active restoration when needed.

5.4 Proposed Impact Calculations

The three types of proposed vegetation management are proposed throughout the project footprint but occur at different times of year and at different intervals. Therefore, there is overlap in the total impact of each type of vegetation. The total impact for the entire project is presented in Table 9 by each jurisdictional resource area. These total impact calculations were determined in ArcGIS based on the overlap of each delineated resource area and the total proposed footprint of all aspects of the CRVMP.

Table 9. Resource Area Impact Calculations

Resource Area	Total Impact	Impact to Buffer Zone
Bank	0 linear feet	7,904square feet
RFA	10,947square feet	N/A
BLSF	7,007 square feet	N/A

Note: Some resource area calculations overlap and are not cumulative.

RFA = Riverfront Area; BLSF = Bordering Land Subject to Flooding.

6 GENERAL PROVISIONS AND PERFORMANCE STANDARDS REVIEW

Proposed projects that are subject to the WPA and its implementing regulations must demonstrate how they comply with the general provisions and applicable performance standards. While the Ordinance went into effect in December 2019, regulations implementing the Ordinance have not been issued; however, they are currently being promulgated. Table 10 and the following sections detail the general provisions and performance standards under the WPA associated with the jurisdictional resource area in which the proposed work would occur.

Table 10. General Provisions of the Wetlands Protection Act (310 CMR 10.03)

Citation	Regulation	Compliance
310 CMR 10.03(1)(a)1.	The area is not significant to the protection of any of the interests identified in the WPA.	There are no permanent impacts proposed as part of the proposed work. Temporary impacts

Citation	Regulation	Compliance
		associated with vegetation management will be minor and will be restorative in nature.
310 CMR 10.03(1)(a)2.	Work within a resource area will contribute to the protection of the interests of the WPA.	The proposed work that is the subject of this NOI will be located within an area subject to regulation but will not adversely affect any resource areas.
310 CMR 10.03(1)(a)3.	Work within the buffer zone will contribute to the protection of the interests of the WPA.	Work within the buffer zone is necessary to maintain existing recreational properties and the needs of those properties (active and passive recreation). No work will result in any adverse impacts to regulated resource areas and will not diminish the ability of the project area to contribute to the interests of the WPA.
310 CMR 10.03(1)(b)	Claims of work outside of any jurisdictional area impacting a jurisdictional area must demonstrate the work has had an adverse impact.	Not applicable.
310 CMR 10.03(2)	Credible evidence from a competent source to support the position taken when contesting DEP's position.	Not applicable.
310 CMR 10.03(3)	Installation of subsurface sewage disposal systems.	Not applicable.
310 CMR 10.03(4)	Presumption concerning point-source discharges.	Not applicable.
310 CMR 10.03(5)	Each resource area is presumed to be significant to the interests of the WPA.	All impacts are temporary and furthermore are planned to be restored following invasive plant management. Furthermore, all properties proposed for vegetation management are already actively managed by DCR to maintain recreational use.
310 CMR 10.03(6)	Presumption concerning the application of herbicides.	Herbicide application will be minimized to the extent possible and will be limited to the management of invasive and nuisance vegetation within the project area. The selective use of herbicides will be lawfully conducted and will further the protection of wildlife habitat (interest of the WPA) through the elimination of invasive plants and restoration of native vegetation.
310 CMR 10.03(7)(a)	Filing fees for NOIs pursuant to the WPA.	Copies of checks are included in Appendix A.

6.1 Bordering Land Subject to Flooding (310 CMR 10.57(4)(a))

Impacts to the BLSF are temporary in nature and consist of invasive plant management within the two focus areas. Vegetated areas will remain vegetated and there will be no change in topography, flood storage or ground infiltration. Project activities are not anticipated to limit the floodplain's ability to protect the interests specified in 310 CMR 10.57(2)(a)(3).

8. *Compensatory storage shall be provided for all flood storage volume that will be lost as the result of a proposed project within Bordering Land Subject to Flooding, when in the judgment of the issuing authority said loss will cause an increase or will contribute incrementally to an increase in the horizontal extent and level of flood waters during peak flows.*

   This is not applicable as there is no proposed fill associated with this project.

9. *Work within Bordering Land Subject to Flooding, including that work required to provide the above-specified compensatory storage, shall not restrict flows so as to cause an increase in flood stage or velocity.*

   This is not applicable, as there is no proposed fill associated with this project.

10. *Work in those portions of bordering land subject to flooding found to be significant to the protection of wildlife habitat shall not impair its capacity to provide important wildlife habitat functions.*

    As explained above, the proposed project activities should not result in an alteration to any habitat characteristics. Where they do, there will be an improvement to habitat through the elimination of invasive vegetation and restoration of native plant communities. In addition, impacts from the project activities are temporary in nature. As an Ecological Restoration Limited Project, the project is not subject to the requirement to complete a wildlife habitat evaluation under 310 CMR 10.60.

6.2 Riverfront Area (310 CMR 10.58(4))

Impacts to the RFA are temporary in nature and consist of invasive plant management within the two identified Focus Areas. Vegetated areas will remain vegetated. Therefore, the proposed work will not limit the RFA's ability to protect the interests specified in 310 CMR 10.58(4).

(a) Protection of Other Resource Areas. The work shall meet the performance standards for all other resource areas within the riverfront area, as identified in 310 CMR 10.30 (Coastal Bank), 10.32 (Salt Marsh), 10.55 (Bordering Vegetated Wetland), and 10.57 (Land Subject to Flooding).

A small portion of the project is located within BLSF. However, the project will not result in any impacts to topography or change in flood storage. The performance standard for this resource area has been taken into consideration and is addressed in Sections 6.4 and 6.2, respectively.

(b) Protection of Rare Species. No project may be permitted within the riverfront area which will have any adverse effect on specified habitat sites of rare wetland or upland, vertebrate or invertebrate species, as identified by the procedures established under 310 CMR 10.59 or 10.37, or which will have any adverse effect on vernal pool habitat certified prior to the filing of the Notice of Intent.

Not applicable. The project does not occur within any mapped habitat for rare species as identified by the most recent mapping provided by NHESP (NHESP 2021)

(c) Practicable and Substantially Equivalent Economic Alternatives. There must be no practicable and substantially equivalent economic alternative to the proposed project with less adverse effects on the interests identified in M.G.L. c. 131 § 40.

There is no practicable or equivalent alternative that would achieve the goals of the proposed project. Furthermore, a portion of the project includes restoration through invasive and nuisance vegetation management to establish a flourishing native vegetative community. As such, this project will result in an improvement to overall quality of habitat within RFA.

7 AVOIDANCE, MINIMIZATION, AND MITIGATION

DCR will minimize all impacts the extent practicable and will mitigate for any impacts through systematic restoration practices. DCR has specific minimization strategies for all general activities and invasive plant management minimization practices and BMPs to avoid and reduce impact.

7.1 General Minimization Strategies

The following minimization strategies are applicable to all activities associated with the proposed work presented in this NOI.

- Vegetation management activities shall adhere to the following stipulations
  - Inspect all equipment prior to arrival onsite
    - Ensure all are properly functioning, all hoses are in good condition (no leaks)
  - Conducted during dry conditions only to as to avoid rutting
    - Does not apply to hand pruning and cutting activities
- Equipment storage, use, and maintenance shall adhere to the following stipulations
  - Conduct all equipment travel along finished grade and on parkland, avoiding exposed tree roots
    - E.g., turf grass, trails, paths, and the Paul Dudley White Greenway
  - Store spill kit(s) near areas where fueled maintenance equipment is being used
    - Spill kit shall include absorbent pads and disposable bags.
    - DCR's Spill Prevention and Control Plan (Appendix G) will be implemented in the event of a spill.
  - Store fueled equipment outside of resource areas and buffers, or in existing paved parking areas when not in use
  - Conduct all equipment maintenance and fueling outside of resource areas and buffers or in paved parking areas
  - Clean equipment that has been placed or used within areas containing invasive species prior to leaving those invasive areas
    - Clean all plant matter (stems, flowers, roots, etc.), soil, or other deleterious materials

7.2 Invasive Plant Management

All of the above-detailed BMPs also apply to invasive plant management. In addition, DCR will ensure that the following overall BMPs are implemented.

Cutting and Removal of Invasive Vegetation

Invasive plant material cut as part of the invasive plant management shall be disposed consistent with the following by vegetation type.

- Woody material without flowers or seeds: create small stockpiles away from wetlands and recreational facilities (to be coordinated with operations)
- Non woody material: bag and dispose of appropriately
- Flower or seed heads: dead head, bag and dispose of appropriately

Herbicide Application

Only individuals appropriately licensed and certified by the Massachusetts Department of Agricultural Resources Pesticide Bureau will be allowed to apply herbicides. Herbicide applications must comply with all applicable local, state, and federal regulations. DCR mustapprove all herbicides and surfactants prior to their application.

Additionally, herbicides will not be applied during the following adverse weather conditions.

- High wind velocity, per 333 CMR 11.03(6)
- During periods of dense fog, or moderate to heavy rainfall
- During periods of high temperatures andlow humidity (applications of volatile herbicides only)
- When rain is forecast within the 24-hour period after a scheduled application

When applying herbicides, the contractor will follow all labeled restrictions. All plant control treatments will follow all applicable federal and state laws and regulations. The contractor shall provide DCR with copies of any forms/reports filed regarding herbicide application covered under this effort.

The contractor shall comply with all federal, state, and local laws and regulations controlling pollution of the environment. The contractor shall take necessary precautions to prevent pollution of streams, wetlands, and ponds with fuels, oils, chemicals, or other harmful materials and to prevent pollution of the atmosphere from particulate and gaseous matter.

The storage or disposal of fuels, oils, chemicals, or other harmful materials on any project sites or neighboring property is strictly prohibited.

The contractor shall provide to DCR a written record (log) of all work done, including herbicide applications showing dates and times of application, names and license numbers ofapplicators, weather conditions, volumes, concentrations, types of herbicide solutions used, and locations treated.

Manual Management

If management activities are completed by volunteers, Volunteer Stewardship Agreementshall be in place for the proposed activities.

8 SUMMARY

SWCA is submitting this NOI as an Ecological Restoration Limited Project under 310 CMR 10.53(4) to implement an updated CRVMP within the Charles River Reservation. The proposed project seeks to control invasive plant species and create a standard practice for special event vegetation management within BLSF, and RFA, as well as buffer zones to Bank. The goal of the proposed project is to reduce and systematically eliminate invasive plant species from the site and improve restoration and sustainable management practices during general maintenance. This will be conducted through improvements/refinement to general maintenance practices (Section 5.1) and the application of herbicide and manual invasive plant management (invasive plant management, Section 5.2), and systematic restoration of vegetation management areas (reseeding and/or revegetation following invasive plant management, Section 5.3). Once implemented, the proposed management plan will increase native biodiversity and increase the habitat for native wildlife species, such as nesting birds.

All work performed within sensitive resource areas discussed in this NOI submission will be performed with the utmost care and selectivity. Sedimentation controls will not be necessary, as soil disturbance will not occur. Pesticides proposed for use are certified for aquatic use and will be applied with caution to non-target species. We are seeking a 5-year Ecological Restoration Order of Conditions to implement the CRVMP that focuses on annual monitoring and adaptive management.

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Email: Assessing@newtonma.gov

Assessment Administration
City of Newton, MA

Phone Numbers
Main Office: 617-796-1160
Facsimile: 617-796-1179

REQUEST FOR ABUTTERS LIST AND MAILING LABELS

Purpose: (check one)

- X Conservation Commission Filing
- ___ Filing for Victualler's/Restaurant or Liquor License
- ___ Other: _____

(Ordinances, laws, or regulations that require a citizen/organization to send a notice by mail to "parties of interest.")

Name of organization: SWCA Environmental Consultants
Person filing request: Naomi Valentine **Title:** Ecological Restoration Team Lead
Address: 15 Research Drive, Amherst, MA 01002
Telephone no. during day: 413-658-2012 (to notify for pick-up)

Subject property: Charles River Reservation (SBL 71013 0001, Map022SW/ID 71013 0001)
Abutters list requires owner names and addresses of: (check all that apply)

- ___ Abutters to subject property and abutters to abutters
- X Abutters within user-specified distance from property line: within 100 feet
- ___ Restaurant/Liquor License: (1) all abutters; (2) all public or private elementary, middle, or secondary schools, churches, synagogues, religious institutions of worship, or hospitals within 500 feet from the proposed licensed premises.
- ___ Abutters along one or more streets (list below):

_____
_____
_____
_____

Mailing labels for abutters (as above): (Charge: $.50 per label sheet)

- X 1 set
- ___ 2 sets

Fees: Staff preparation time if request takes 2 hours or more to complete.

Staff Fee:	**$ 23.75 /hour (or portion thereof)**
Mailing labels:	**$ .50 per label sheet**
Total:	***Calculated upon completion***

Please allow ten (10) business days for completion of this request.

Signature: _____ **Date:** _____

0 1600 3200 ft

Printed on 06/24/2022 at 12:36 PM

Newton, MA DPW - MapsOnline

Abutters List print this list
Date: June 24, 2022

Subject Property Address: 1 NONANTUM RD Newton, MA
Subject Property ID: 71-013-0001

Search Distance: 100 Feet

Prop ID: 71-007-0017
Prop Location: 8-10 JEFFERSON ST Newton, MA
Owner: MUNAFO EDWARD J
Co-Owner: SNOXELL CAROL ANN T/C
Mailing Address:

8 JEFFERSON ST
NEWTON, MA 02458

Prop ID: 71-007-0018
Prop Location: 6 JEFFERSON ST Newton, MA
Owner: LIM LEX
Co-Owner: WONG YVONNE
Mailing Address:
6 JEFFERSON ST
NEWTON, MA 02458

Prop ID: 71-007-0019
Prop Location: 130 NONANTUM RD Newton, MA
Owner: DASSORI F DAVIS TR
Co-Owner: NONANTUM ROAD REALTY TRUST
Mailing Address:
2 INTERNATIONAL PL
BOSTON, MA 02110

Prop ID: 71-007-0020
Prop Location: 124-126 NONANTUM RD Newton, MA
Owner: YAKHKIND LEONID
Co-Owner: CHERNIKOV VITALI P TRS
Mailing Address:
19 BEECHER TER
NEWTON, MA 02459

Prop ID: 71-007-0021
Prop Location: 9 RUSSELL RD NNC Newton, MA
Owner: STEINSIECK GREGORY C
Co-Owner: KABBASH APRIL
Mailing Address:
9 RUSSELL RD
NEWTON, MA 02458

Prop ID: 71-007-0022
Prop Location: 15 RUSSELL RD NNC 15 Newton, MA
Owner: YOSHPE MICHAEL & MARGARITA
Mailing Address:
15 RUSSELL RD NNC 15
NEWTON, MA 02458

Prop ID: 71-007-0022-A1
Prop Location: 17 RUSSELL RD NNC 17 Newton, MA
Owner: SETH PANKAJ K & NILUFER P
Mailing Address:
17 RUSSELL RD NNC 17
NEWTON, MA 02458

Prop ID: 71-009-0005
Prop Location: 5 JEFFERSON ST Newton, MA
Owner: MACLEOD JOANNE M
Mailing Address:
5 JEFFERSON ST
NEWTON, MA 02458

Prop ID: 71-010-0001
Prop Location: MAPLE ST NNC Newton, MA
Owner: LYONS RICHARD & CLAIRE S
Mailing Address:
48 MAPLE STREET
WATERTOWN, MA 02472

Prop ID: 71-010-0002

Prop Location: 62 MAPLE ST NNC Newton, MA
Owner: LEDOYT JOHN BRUCE & NINA LILLIE
Mailing Address:
62 MAPLE ST
NEWTON, MA 02458

Prop ID: 71-010-0003
Prop Location: 68 MAPLE ST NNC Newton, MA
Owner: LIU DAVID S C
Co-Owner: LIU PI-YAO AILEEN
Mailing Address:
68 MAPLE ST NNC
NEWTON, MA 02458

Prop ID: 71-011-0001
Prop Location: 8 RUSSELL RD NNC Newton, MA
Owner: HACKFORD TERRY REECE
Co-Owner: HACKFORD ALAN W TRS
Mailing Address:
40 PARADISE RD
NORTHPORT, ME 04849

Prop ID: 71-011-0002
Prop Location: 12-14 RUSSELL RD NNC 12 Newton, MA
Owner: KLINE SUSAN A
Mailing Address:
12 RUSSELL RD UN 12
NEWTON, MA 02458

Prop ID: 71-011-0002-A
Prop Location: 12-14 RUSSELL RD NNC 14 Newton, MA
Owner: APPELL MICHAEL M
Co-Owner: RONEN GUY
Mailing Address:
14 RUSSELL RD NNC 14
NEWTON, MA 02458

Prop ID: 71-011-0003
Prop Location: 16-18 RUSSELL RD NNC Newton, MA

Owner: PATRIACCA MARK A
Mailing Address:
41 WESTCHESTER RD
NEWTON, MA 02458

Prop ID: 71-011-0004
Prop Location: 11 CHARLESBANK TER Newton, MA
Owner: PREBLE AMY E & JANET
Mailing Address:
11 CHARLESBANK TER
NEWTON, MA 02458

Prop ID: 71-011-0005
Prop Location: 7 CHARLESBANK TER Newton, MA
Owner: DEVAGNO MICHAEL J
Mailing Address:
7 CHARLESBANK TER
NEWTON, MA 02458

Prop ID: 71-011-0006
Prop Location: 14 ST JAMES TER Newton, MA
Owner: BANE FRANCIS G
Co-Owner: BANE MARY
Mailing Address:
14 ST JAMES TER
NEWTON, MA 02458

Prop ID: 71-013-0003
Prop Location: 5-11 CHARLESBANK RD Newton, MA
Owner: 5-11 CHARLESBANK RD LLC
Mailing Address:
PO BOX 95059
NEWTON, MA 02495

Prop ID: 71-013-0004
Prop Location: 49 CHARLESBANK RD 49A Newton, MA
Owner: OLSHAN DAVID M
Mailing Address:

49A CHARLESBANK RD UN 49A
NEWTON, MA 02458

Prop ID: 71-013-0004-A
Prop Location: 15 CHARLESBANK RD #15 Newton, MA
Owner: ROWE LINDA J
Co-Owner: HANSON DOUGLAS J
Mailing Address:
15 CHARLESBANK RD
NEWTON, MA 02458

Prop ID: 71-013-0004-B
Prop Location: 15 CHARLESBANK RD 15A Newton, MA
Owner: EICHLING HARVEST LYNN
Mailing Address:
15 CHARLESBANK RD 15A
NEWTON, MA 02458

Prop ID: 71-013-0004-C
Prop Location: 17 CHARLESBANK RD 17 Newton, MA
Owner: LEE-CHIN YUN WAI VERA
Co-Owner: CHIN KENYON BLAKE TRS
Mailing Address:
68 BARTLETT ST
CHELMSFORD, MA 01824

Prop ID: 71-013-0004-D
Prop Location: 17 CHARLESBANK RD 17A Newton, MA
Owner: MORAN MARY M
Mailing Address:
17A CHARLESBANK RD UN 17A
NEWTON, MA 02458

Prop ID: 71-013-0004-E
Prop Location: 19 CHARLESBANK RD #19A Newton, MA
Owner: HEDGES MATTHEW RUSSELL
Mailing Address:
19 CHARLESBANK RD #19A
NEWTON, MA 02458

Prop ID: 71-013-0004-F
Prop Location: 21 CHARLESBANK RD 21 Newton, MA
Owner: LY PETER QUOC
Co-Owner: VAN HELEN
Mailing Address:
21 CHARLESBANK RD 21
NEWTON, MA 02458

Prop ID: 71-013-0004-G
Prop Location: 21 CHARLESBANK RD 21A Newton, MA
Owner: LEE SUE FUN
Co-Owner: KO RO
Mailing Address:
1 CRESCENT ST
WELLESLEY, MA 02481

Prop ID: 71-013-0004-H
Prop Location: 23 CHARLESBANK RD 23 Newton, MA
Owner: POLONSKY SANDRA
Mailing Address:
1876 WASHINGTON ST
AUBURNDALE, MA 02466

Prop ID: 71-013-0004-I
Prop Location: 23 CHARLESBANK RD 23A Newton, MA
Owner: HINDSON JESSICA E
Co-Owner: HINDSON DAVID F
Mailing Address:
20 HILLSIDE AVE
WINCHESTER, MA 01890

Prop ID: 71-013-0004-J
Prop Location: 25 CHARLESBANK RD 25 Newton, MA
Owner: ZHAO XUJIE
Co-Owner: HUANG MINJING
Mailing Address:
121A HOLTON ST
BRIGHTON, MA 02135

Prop ID: 71-013-0004-K
Prop Location: 27 CHARLESBANK RD #27 Newton, MA
Owner: DENG CHUANLIN
Mailing Address:
1 GREEN ST
BEDFORD, MA 01730

Prop ID: 71-013-0004-L
Prop Location: 29 CHARLESBANK RD 29 Newton, MA
Owner: KAN REBECCA J
Mailing Address:
3 JACOB GATES RD
HARVARD, MA 01451

Prop ID: 71-013-0004-M
Prop Location: 31 CHARLESBANK RD 31 Newton, MA
Owner: PLOTKIN RITA Y
Co-Owner: ZAUYERLENDER ARTHUR Y
Mailing Address:
389 AMERICA BLVD
ASHLAND, MA 01721

Prop ID: 71-013-0004-N
Prop Location: 33 CHARLESBANK RD 33 Newton, MA
Owner: GAMER ARLENE J
Mailing Address:
33 CHARLESBANK RD
NEWTON, MA 02458

Prop ID: 71-013-0004-O
Prop Location: 35 CHARLESBANK RD 35 Newton, MA
Owner: CALLINI CARLA A
Mailing Address:
35 CHARLESBANK RD 35
NEWTON, MA 02458

Prop ID: 71-013-0004-P
Prop Location: 37 CHARLESBANK RD 37 Newton, MA
Owner: TOVSKY NISA J
Mailing Address:
37 CHARLESBANK RD UN 37
NEWTON, MA 02458

Prop ID: 71-013-0004-Q
Prop Location: 39 CHARLESBANK RD 39 Newton, MA
Owner: FREY JEREMY R & KATIE E
Mailing Address:
39 CHARLESBANK RD 39
NEWTON, MA 02458

Prop ID: 71-013-0004-R
Prop Location: 41 CHARLESBANK RD 41 Newton, MA
Owner: LE QUANG XUAN & DANG THAI THI
Mailing Address:
41 CHARLESBANK RD UN 41
NEWTON, MA 02458

Prop ID: 71-013-0004-S
Prop Location: 41 CHARLESBANK RD 41A Newton, MA
Owner: ASIK MEHMET DOGAN
Mailing Address:
41 CHARLESBANK RD 41A
NEWTON, MA 02458

Prop ID: 71-013-0004-T
Prop Location: 43 CHARLESBANK RD 43 Newton, MA
Owner: BARLETTA N JAMES
Mailing Address:
43 CHARLESBANK RD
NEWTON, MA 02458

Prop ID: 71-013-0004-U
Prop Location: 43 CHARLESBANK RD 43A Newton, MA

Owner: BOYADJIAN ANNIE
Mailing Address:
43A CHARLESBANK RD UN 43A
NEWTON, MA 02458

Prop ID: 71-013-0004-V
Prop Location: 45 CHARLESBANK RD 45 Newton, MA
Owner: LUI SANFORD
Co-Owner: CHOW LILLIAN
Mailing Address:
45 CHARLESBANK RD UN 15 49A
NEWTON, MA 02458

Prop ID: 71-013-0004-W
Prop Location: 45 CHARLESBANK RD 45A Newton, MA
Owner: HASKELL WENDY A TR
Co-Owner: W A HASKELL TRUST
Mailing Address:
45A CHARLESBANK RD
NEWTON, MA 02458

Prop ID: 71-013-0004-X
Prop Location: 47 CHARLESBANK RD 47 Newton, MA
Owner: LARKIN KIM M
Mailing Address:
47 CHARLESBANK RD
NEWTON, MA 02458

Prop ID: 71-013-0004-Y
Prop Location: 47 CHARLESBANK RD #47A Newton, MA
Owner: KULBERSH JANET C TR
Co-Owner: OAREA REALTY TRUST
Mailing Address:
21 WOODLAND RD
WAYLAND, MA 01778

Prop ID: 71-013-0004-Z
Prop Location: 49 CHARLESBANK RD 49 Newton, MA

Owner: VELASCO GUILLERMO
Mailing Address:
49 CHARLESBANK RD 49
NEWTON, MA 02458

Prop ID: 71-013-0005
Prop Location: 53-55 CHARLESBANK RD 53 Newton, MA
Owner: KLEBANOV YANA
Mailing Address:
53 CHARLESBANK RD 53
NEWTON, MA 02458

Prop ID: 71-013-0005-A
Prop Location: 53-55 CHARLESBANK RD 55 Newton, MA
Owner: MAY AUDREY
Mailing Address:
55 CHARLESBANK RD
NEWTON, MA 02458

Prop ID: 71-013-0006
Prop Location: 57-59 CHARLESBANK RD #57L Newton, MA
Owner: PEPPER KAREN
Mailing Address:
57 CHARLESBANK RD 57L
NEWTON, MA 02458

Prop ID: 71-013-0006-A
Prop Location: 57-59 CHARLESBANK RD #57R Newton, MA
Owner: PEPPER KAREN
Mailing Address:
57-59 CHARLESBANK RD 57R
NEWTON, MA 02458

Prop ID: 71-013-0006-B
Prop Location: 57-59 CHARLESBANK RD #59 Newton, MA
Owner: SCOTT LAURA LEIGH
Co-Owner: CHURNSIDE ALEXANDER SULLIVAN
Mailing Address:

57-59 CHARLESBANK RD 59
NEWTON, MA 02458

Prop ID: 71-013-0007
Prop Location: 61-63 CHARLESBANK RD Newton, MA
Owner: DONNELLY TRACY HOWARD
Co-Owner: MONBOUQUETTE MARGARET A TRS
Mailing Address:
61 CHARLESBANK RC
NEWTON, MA 02458

Prop ID: 71-013-0008
Prop Location: 73 CHARLESBANK RD 102 Newton, MA
Owner: BEREZYUK SERHIY
Co-Owner: BEREZYUK AZA
Mailing Address:
73 CHARLESBANK RD UN 102
NEWTON, MA 02458

Prop ID: 71-013-0008-A
Prop Location: 73 CHARLESBANK RD #104 Newton, MA
Owner: RONEN GUY
Co-Owner: APPELL MICHAEL
Mailing Address:
73 CHARLESBANK RD 104
NEWTON, MA 02458

Prop ID: 71-013-0008-B
Prop Location: 73 CHARLESBANK RD 105 Newton, MA
Owner: KHAN RAEEL
Co-Owner: NAZ FARHANA
Mailing Address:
38 N GATE PARK
WEST NEWTON, MA 02465

Prop ID: 71-013-0008-C
Prop Location: 73 CHARLESBANK RD 106 Newton, MA
Owner: CHAN GLORIA KWOKHEUNG

Co-Owner: YU SIU Y
Mailing Address:
20 COOLIDGE RD APT 1
ALLSTON, MA 02134

Prop ID: 71-013-0008-D
Prop Location: 73 CHARLESBANK RD 201 Newton, MA
Owner: AYDIN SERIFE & ZEKI
Mailing Address:
73 CHARLESBANK RD UN 201
NEWTON, MA 02458

Prop ID: 71-013-0008-E
Prop Location: 73 CHARLESBANK RD 202 Newton, MA
Owner: FUCHS DONNA
Mailing Address:
34 MARGARET RD
NEWTON, MA 02461

Prop ID: 71-013-0008-F
Prop Location: 73 CHARLESBANK RD 203 Newton, MA
Owner: WANG SHUHANG
Co-Owner: ZHANG ZHILU
Mailing Address:
73 CHARLESBANK RD 203
NEWTON, MA 02458

Prop ID: 71-013-0008-G
Prop Location: 73 CHARLESBANK RD 204 Newton, MA
Owner: CASCAP-METSTATE HOUSING LLC
Mailing Address:
231 SOMERVILLE AVE
SOMERVILLE, MA 02143

Prop ID: 71-013-0008-H
Prop Location: 73 CHARLESBANK RD 205 Newton, MA
Owner: HU ZHENYU
Co-Owner: TANG SHUANG
Mailing Address:

73 CHARLESBANK RD 205
NEWTON, MA 02458

Prop ID: 71-013-0008-J
Prop Location: 73 CHARLESBANK RD 206 Newton, MA
Owner: MARKOT WILLIAM M
Mailing Address:
73 CHARLESBANK RD U-206
NEWTON, MA 02458

Prop ID: 71-013-0008-K
Prop Location: 73 CHARLESBANK RD 301 Newton, MA
Owner: KLIMOVA TATYANA
Co-Owner: GOLDBERG IGOR
Mailing Address:
73 CHARLESBANK RD 301
NEWTON, MA 02458

Prop ID: 71-013-0008-L
Prop Location: 73 CHARLESBANK RD 302 Newton, MA
Owner: GUAN QI LI
Mailing Address:
73 CHARLESBANK RD 302
NEWTON, MA 02458

Prop ID: 71-013-0008-M
Prop Location: 73 CHARLESBANK RD 303 Newton, MA
Owner: STOKAR FAITH D
Mailing Address:
73 CHARLESBANK RD 303
NEWTON, MA 02458

Prop ID: 71-013-0008-N
Prop Location: 73 CHARLESBANK RD 304 Newton, MA
Owner: KLEBANOV YANA
Mailing Address:
73 CHARLESBANK RD 304
NEWTON, MA 02458

Prop ID: 71-013-0008-P
Prop Location: 73 CHARLESBANK RD 305 Newton, MA
Owner: POTASHINSKY ARKADY TR
Co-Owner: NEWWALTHAM RLTY TRUST
Mailing Address:
89 GARDNER ST
NEWTON, MA 02458

Prop ID: 71-013-0008-Q
Prop Location: 73 CHARLESBANK RD 306 Newton, MA
Owner: MCCARTHY JOHN E & REIKO TRS
Co-Owner: MCCARTHY FAM TRUST
Mailing Address:
P O BOX 426
WEST BRIDGEWATER, MA 02379

Prop ID: 71-013-0008-R
Prop Location: 73 CHARLESBANK RD PS 17 Newton, MA
Owner: MARKOT WILLIAM M
Mailing Address:
73 CHARLESBANK RD UN 206
NEWTON, MA 02458

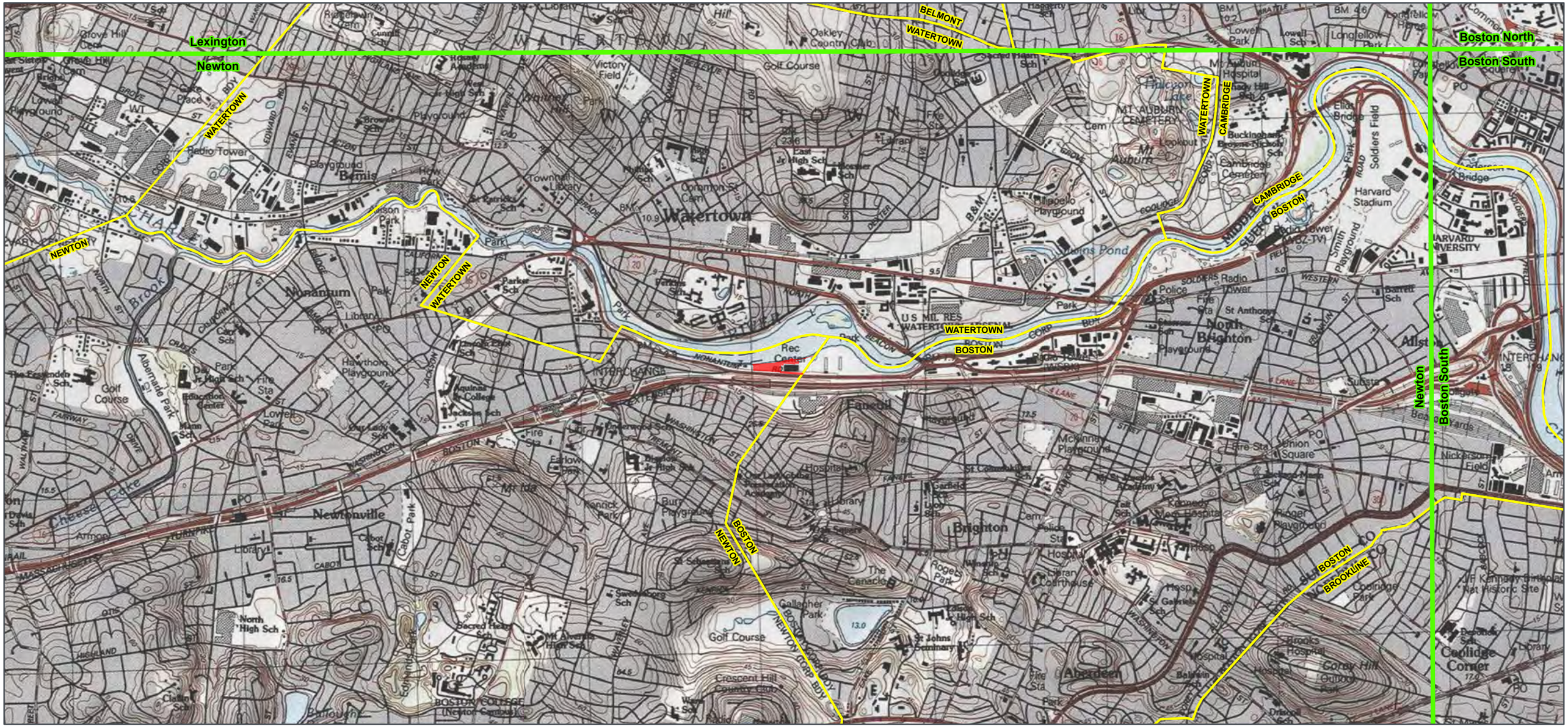
Prop ID: 71-013-0008-S
Prop Location: 73 CHARLESBANK RD PS 18 Newton, MA
Owner: FUCHS DONNA
Mailing Address:
34 MARGARET RD
NEWTON, MA 02461

Prop ID: 71-013-0008-T
Prop Location: 73 CHARLESBANK RD PS 19 Newton, MA
Owner: BEREZYUK SERHIY & AZA
Mailing Address:
73 CHARLESBANK RD UN 102
NEWTON, MA 02458

Prop ID: 71-013-0012
Prop Location: 15-17 ST JAMES TER Newton, MA
Owner: CEDRONE WILLIAM & JANET L
Mailing Address:
15 ST JAMES TER
NEWTON, MA 02458

Prop ID: 71-013-0013
Prop Location: 19-21 ST JAMES TER Newton, MA
Owner: KHOR TEONG ENG
Co-Owner: KHOR TEONG KHIM T/C
Mailing Address:
19-21 ST JAMES TER
NEWTON, MA 02458

Prop ID: 71-013-0014
Prop Location: 23-25 ST JAMES TER Newton, MA
Owner: CHIN WAI M & MICHAEL TRS
Co-Owner: CHIN TRUST
Mailing Address:
40 LODGE RD
NEWTON, MA 02465



CHARLES RIVER VMP PERMITTING AND IMPLEMENTATION PROJECT

Figure 1. USGS Topographic Map

SWCA ENVIRONMENTAL CONSULTANTS

dcr Massachusetts

Newton, MA
USGS 7.5' Quadrangles: Newton and Boston South
NAD 1983 StatePlane Massachusetts Mainland FIPS 2001 Feet
71.1707°W 42.3587°N

0 1,000 2,000 Feet
0 250 500 Meters

1:24,000

N

Base Map: ESRI ArcGIS Online, accessed March 2022

Updated: 3/30/2022
Project No. 70690

CHARLES RIVER VMP PERMITTING AND IMPLEMENTATION PROJECT

Figure 2. Outstanding Resource Waters

SWCA ENVIRONMENTAL CONSULTANTS

dcr Massachusetts

- Outstanding Resource Waters
- Project Area
- Municipal Boundary

Watertown, MA
USGS 7.5' Quadrangles: Newton and Boston South
NAD 1983 StatePlane Massachusetts Mainland FIPS 2001 Feet
71.1707°W 42.3587°N

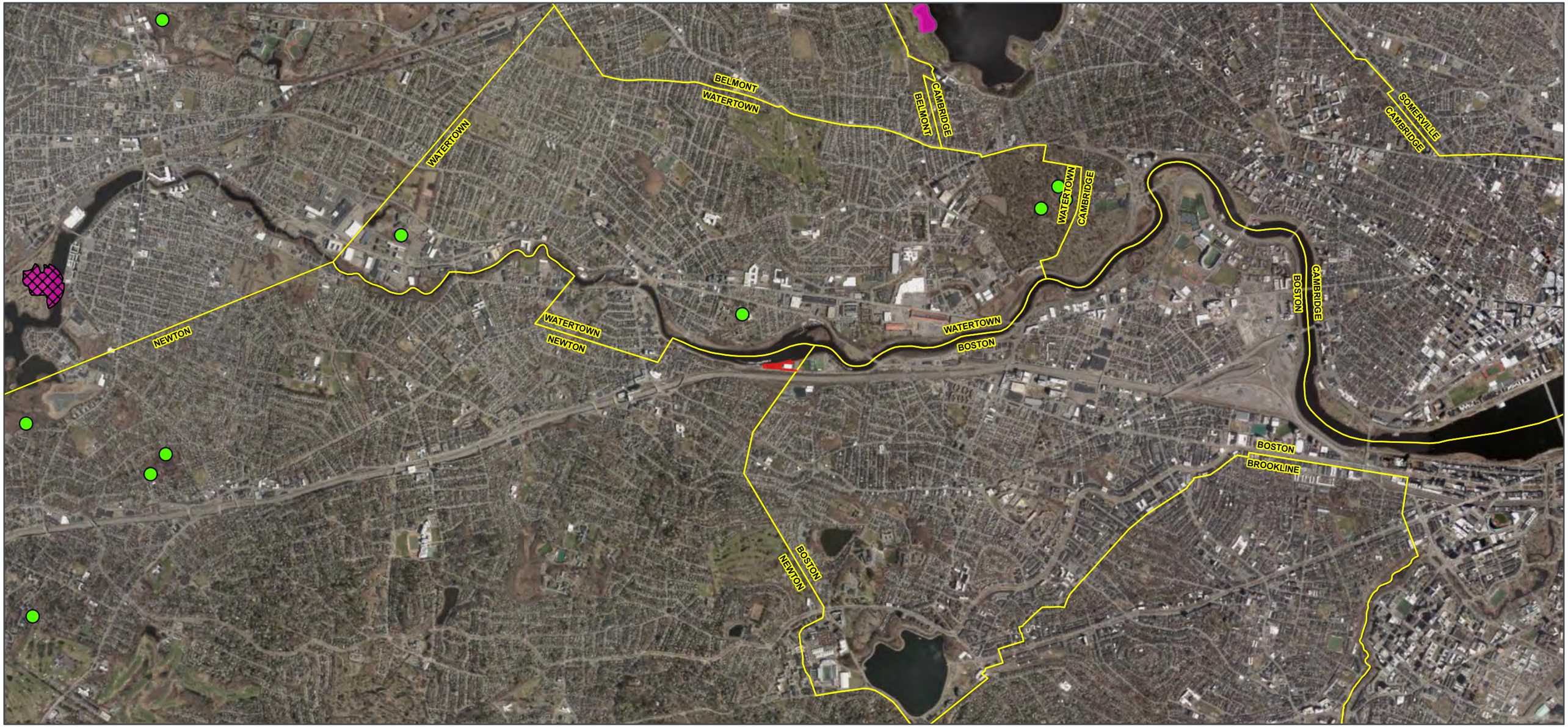
0 1,000 2,000 Feet
0 250 500 Meters

1:24,000

N

Base Map: ESRI ArcGIS Online, accessed March 2022

Updated: 3/30/2022
Project No. 70690



CHARLES RIVER VMP PERMITTING AND IMPLEMENTATION PROJECT

Figure 3. NHESP

- Certified Vernal Pool
- Potential Vernal Pool
- Estimated Habitats of Rare Wildlife
- Priority Habitats of Rare Species
- Project Area
- Municipal Boundary

Newton, MA
USGS 7.5' Quadrangles: Newton and Boston South
NAD 1983 StatePlane Massachusetts Mainland FIPS 2001 Feet
71.1707°W 42.3587°N

0 1,000 2,000 Feet
0 250 500 Meters

1:35,000

N

Base Map: ESRI ArcGIS Online, accessed March 2022

Updated: 3/30/2022
Project No. 70690

SWCA ENVIRONMENTAL CONSULTANTS

dcr Massachusetts

CHARLES RIVER VMP PERMITTING
AND IMPLEMENTATION PROJECT

Figure 4. Routine Maintenance

SWCA ENVIRONMENTAL CONSULTANTS

dcr Massachusetts

- 100' Buffer Zone
- 200' Riverfront Area
- Delineated Bank
- Major Road
- Bordering Land Subject To Flooding
- Municipal Boundary

Landscape Type

- CI - Circulation
- L - Lawn
- RE - River's Edge
- T - Woodland

Newton, MA
USGS 7.5' Quadrangles: Newton and Boston South
NAD 1983 StatePlane Massachusetts Mainland FIPS 2001 Feet
71.1707°W 42.3586°N

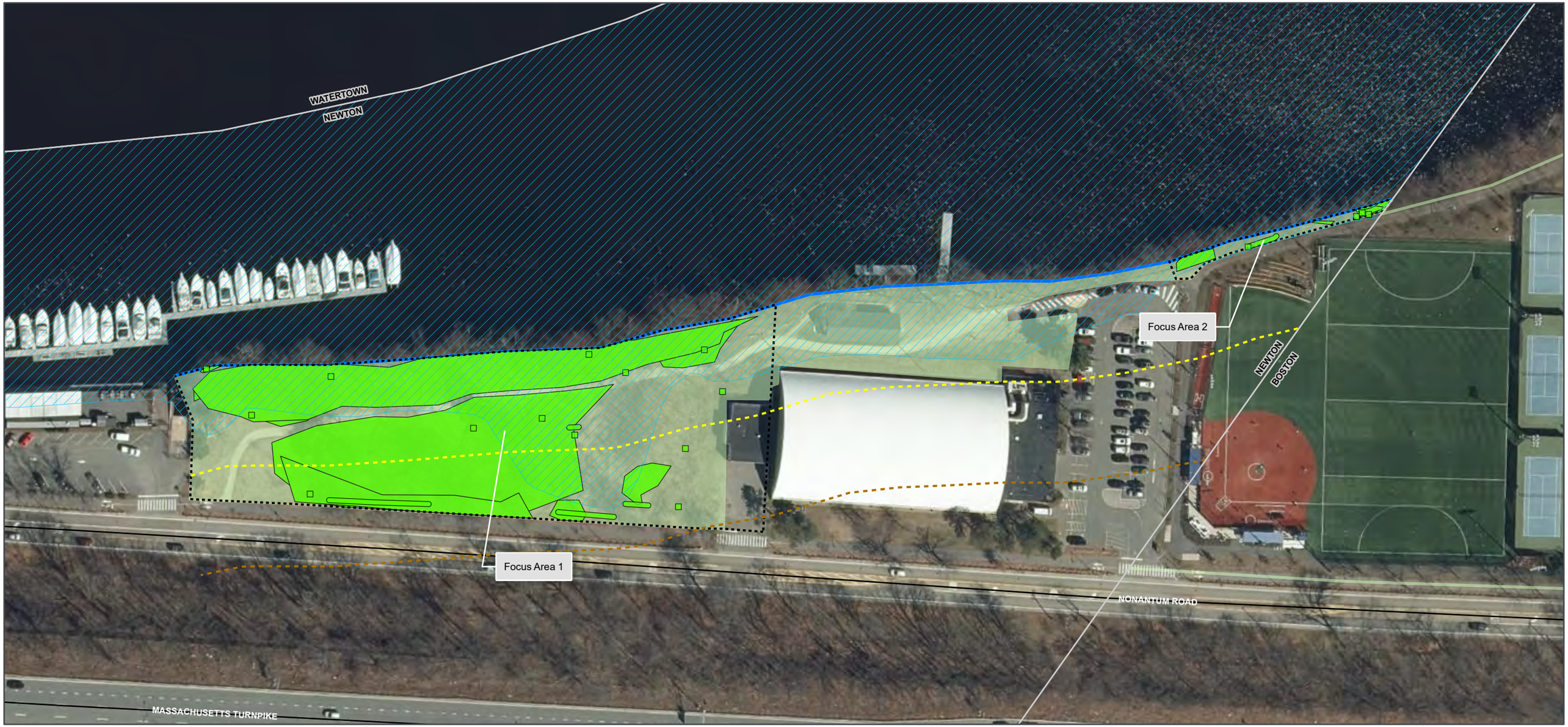
Base Map: ESRI ArcGIS Online, accessed June 2022

0 50 100 Feet
0 10 20 Meters

1:1,250

N

Updated: 6/27/2022
Project No. 70690



CHARLES RIVER VMP PERMITTING AND IMPLEMENTATION PROJECT

Figure 5. Wetland Resources and Invasive Plant Management Areas

SWCA ENVIRONMENTAL CONSULTANTS

dcr Massachusetts

- 100' Buffer Zone
- 200' Riverfront Area
- Delineated Bank
- Major Road
- Bordering Land Subject To Flooding
- Invasive Plant Management Focus Area
- Invasive Plant Population
- Project Area
- Municipal Boundary

Newton, MA
USGS 7.5' Quadrangles: Newton and Boston South
NAD 1983 StatePlane Massachusetts Mainland FIPS 2001 Feet
71.1707°W 42.3587°N

0 50 100 Feet
0 10 20 Meters

1:1,250

N

Base Map: ESRI ArcGIS Online, accessed June 2022

Updated: 6/27/2022
Project No. 70690

Photos 1: View of Invasive Management Focus Area. *Facing north.*

Photos 2: View of existing vegetative conditions within Invasive Management Focus Area. *Facing southwest*

Photo 3: View of Invasive Management focus. *Facing northwest.*

Photo 4: View of the existing vegetative conditions along walking path within the Invasive Management focus area. *Facing west from existing path.*

Photo 5: Profile of existing soil core sample from within Invasive Management Focus Area. This area does not classify as a wetland. *Soil Profile.*

CRVMP Invasive Plant Management Decision Tree

DCR-proposed invasive plant management will be completed by DCR staff, partner groups, or state contractors

Category of Invasive Plant (Method of Spread)

Prioritization Based on Population Size, Density, and other considerations* (Personnel)

What category of invasive plants are present in the proposed area?

- **Non-Woody (Fruit and seed)**
  - Small = Manual
    1. Hand-pull prior to seeding (A, C)
    2. Repetitive cutting if applicable (A, C)
    3. Cover with black plastic if applicable (A, B, C)
  - Large = Mechanical or Chemical
    1. Mow or cut with motorized hand tools before plant goes to seed if applicable (A, C)
    2. Till where applicable (A, B)
    3. Apply herbicides if other options not feasible (B)
- **Non-Woody (Fruit, seed, and plant fragmentation)**
  - Small = Manual
    1. Hand pull/remove - only applicable to yellow iris (A, C)
    2. Smothering/growth restriction - i.e., black plastic, hydrogel method, wire mesh method, etc. (A, B)
  - Large = Mechanical or Chemical
    1. Herbicide application (i) cut-stem in sparse areas; (ii) foliar in dense/monocultures (B)
    2. Mowing/cutting - in conjunction with herbicide application - performed without disturbing propagules (A, B)
  - Small and/or without desirable natives mixed = manual or mechanical
    1. Hand removal - without soil disturbance (A, C)
    2. Mowing - if hand-removal not feasible (A, B)
  - Large and/or mixed with desirable natives = chemical or manual
    1. Woody stems larger than 0.5-inch diameter, cut and dab (B)
    2. Careful foliar herbicide application - if feasible (B)
    3. Hand-pull over time if options 1 and 2 are not feasible (A, C)
- **Vines (Fruit and seed)**
  - Small and/or without desirable natives mixed = chemical or manual
    1. Herbicide application (B)
    2. Hand-pull and/or smother (A, C)
  - Large and/or mixed with desirable natives – chemical or manual
    1. Woody stems larger than 0.5-inch diameter, cut and dab (B)
    2. Careful foliar herbicide application - if feasible (B)
    3. Hand-pull over time if options 1 and 2 are not feasible (A, C)
- **Vines (Fruit, seed, and plant fragmentation)**
- **Woody (all)**
  - All sizes and densities
    1. Cut and dab herbicide application (B)
    2. Foliar herbicide application - if cut and dab not possible (B)
    3. Hand-pull - if performed without disturbing soil and/or propagules and plants are small (A, C)
    4. Mow if applicable - for young/resprouting individuals only (A)

*No mowing or tilling will ever occur in wetlands, steep slopes, or within bank.
*Hand pulling will not be performed within bank.

Personnel to Conduct Work

A **DCR Staff**

Trained DCR staff will conduct a combination of manual and mechanical management as detailed in this document and in the Invasive Plant Management Matrix.

B **Licensed Pesticide Applicator/Contractor**

Contractors or approved partners will conduct herbicide application and management activities. All work will be completed under the supervision of DCR staff (LAs/REs/Ecology).

C **Partner Groups/Volunteers**

DCR will coordinate invasive management with authorized partners. Partner Groups: CRC, CRWA & Esplanade Association. Partner groups provide oversite for manual removal of invasives. Activities will be limited to those approved by DCR.

All management will be overseen by DCR LA/Ecology Staff. DCR LA/Ecology will also prepare annual report of each year's activities and propose management activities for the upcoming year.

		Methods of Management				Methods of Disposal
Category	**Invasive Plant Name**	**Mechanical**	**Manual**	**Chemical**	**Species-Specific Notes**	
Non-woody; Fruit and seed	Garlic Mustard (*Alliaria petiolata*)		-Hand pull (small infestations): do not put pulled plants in piles where roots can stay moist -Mulching: several inches of wood chips -Cutting: repetitive for multiple growing seasons prior to seed set; cut a few inches above soil after flower stalks elongate but before flowers open. Do not cut first year rosettes.	- Foliar Application: 1-3% Glyphosate (or approved alternative solution - see notes) directly to foliage prior to seed set	Herbicide application: most effective in fall and/or early spring	**Prior to flowering:** Depends on scale of infestation Small infestation • Pull or cut plant and leave on site with roots exposed. Large infestation • Pull or cut plant and pile. (You can pile onto or cover with plastic sheeting). • Monitor. Remove any re-sprouting material. **During and following flowering** Do nothing until the following year or remove flowering heads and bag and let rot. Small infestation • Pull or cut plant and leave on site with roots exposed. Large infestation • Pull or cut plant and pile remaining material. (You can pile onto plastic or cover with plastic sheeting). • Monitor. Remove any re-sprouting material.
	Purple Loosestrife (*Lythrum salicaria*)		-Hand pull small/manageable infestations before flowering/seed		Herbicide application: after flowering but before seeds form (June - August)	
	Broad-Leaved Pepperweed (*Lepidium latifolium*)	-Tilling/mowing (herbicide follow-up required): disk in fall, mow when flowers bud in spring. Allow plants to reach flower bud stage once more before applying herbicide. Further spraying likely needed in future.			Herbicide Application: should be timed to be at the period when carbohydrate root reserves are at lowest during early flowering or bud stage.	
	Greater Celandine (*Chelidonium majus*)				Safety note: Sap can cause skin irritation. Wear gloves when handling.	
	Ground Elder/ Bishops Weed/Goutweed (*Aegopodium podagraria*)	-Mowing: frequent mowing at short heights, early in year just after plant has reached full leafout -Covering: cover with black plastic sheeting			Covering: covering after mowing can exhaust energy reserves	
	Lesser Celandine (*Ficaria verna*)				Safety note: Sap can cause skin irritation. Wear gloves when handling.	
	Japanese Stiltgrass (*Microstegium vimineum*)	-Cutting: cut to ground with weed whacker in September, shortly before they produce seed			Herbicide application: 1-2% Fusion/surfactant solution recommended -June to August)	
	Horned Poppy (*Glaucium flavum*)				Hand pull in spring/early summer	
	Tyrol Knapweed (*Centaurea nigrescens*)	-Mowing: mow when plants are in late bud to early bloom stage, 2-4 times a year		- Foliar Application: 3% solution of triclopyr herbicide/water to leaves in early spring or fall	Herbicide application: most effective when combined with hand pulling or mowing	
	Spotted Knapweed (*Centaurea biebersteinii*)				Safety note: Sap of related knapweed can cause skin irritation and tumors. Wear gloves when handling.	
	Wild Chervil (*Anthriscus sylvestris*)	-Mowing: repeatedly before seed set	-Hand pulling -Digging: Dig up seedling plants and root before flowering	- Foliar Application: Broadleaf selective herbicides more effective than nonselective herbicides	Hand pulling: remove entire rosette and taproot Herbicide application: can be enhanced with tilling one week after application, then mid-September seeding of perennial native grasses Safety note: Can cause skin irritation. Wear gloves when handling.	
	Leafy Spurge (*Euphorbia esula*)	-Mowing	-Cutting		Cutting/mowing: seed formation can be prevented by repeated cutting/mowing, but root system will remain viable. Cut plants within 4 inches from ground before seed sed and repeat through growing season.	
	Giant Hogweed (*Heracleum mantegazzianum*)	-Plowing: must be done for multiple years; best after mechanical and chemical control	-Hand pulling: (young plants in April-May) -Flower/seed head removal: when flowers are no longer visible but before seeds mature -Cut and Cover- cut plants to ground level and cover soil with black plastic (multiple years)	- Foliar Application: systemic herbicide between April-June and again in July-August	Root removal: cut taproot about 6 inches below ground level in early spring, remove cut pieces, follow up visit 2 weeks after root cut.	

		Methods of Management				Methods of Disposal
Category	**Invasive Plant Name**	**Mechanical**	**Manual**	**Chemical**	**Species-Specific Notes**	
Non-woody; Fruit, seed, and plant fragment	Common Reed (*Phragmites australis*)		-Pulling/cutting (not very effective and can lead to spread of propagules) -Hydrogel: cut stalks to ground surface, cover with biodegradable material, place hydrogel and planting medium, and install native vegetation.	Foliar Herbicide Application Cut-Stem Application (isolated stems only)	Pulling/cutting: cut stems below lowest leaf, leaving a stump 6 in or shorter during the flowering stage or boot stage (developed seed head) -typically July Herbicide application: Glyphosate or Imazapyr foliar application during flowering or boot stage.	**Small infestation** • Bag all plant material and let rot. • Never pile and use resulting material as compost. • Burn. **Large infestation** • Remove material to unsuitable habitat (dry, hot and sunny or dry and shaded location) and scatter or pile. • Monitor and remove any sprouting material. • Pile, let dry, and burn.
	Chinese Silvergrass (*Miscanthus sinensis*)		-Grubbing (small infestations)	Foliar Application: Spot treatments of 2% glyphosate/water solution in late spring or fall	Grubbing: ensure ALL roots are removed	
	Japanese Knotweed (*Polygonum cuspidatum*)	-Cutting/mowing: Early June or after plant has bloomed out	-Wire mesh: install after cutting vegetation flush to ground. Tightly secure and ensure mesh remains tightly affixed to ground surface.	- Foliar application: apply to foliage - Cut-stem: apply concentrated herbicide to exposed stem (thick stems only)		
	Reed Canary Grass (*Phalaris arundinacea*)	Mowing	-Cutting: Cut as close to the ground as possible to prevent seeding or as part of integrated approach -Shading: Cover with shade cloth and secure tightly; mulching with thick cardboard and wood mulch -Restoration Planting: install native trees and shrub to shade out and compete	- Glyphosate or Imazapyr spot spraying		
	Yellow Iris (*Iris pseudacorus*)		- Pulling/Digging: Hand pull seedlings; dig up mature plants			
	Mugwort (*Artemisia vulgaris*)			- Foliar application: apply glyphosate or triclopyr in late summer or early fall	Mow in early summ and early fall	
Vine; Non-woody; Fruit and seed	Mile-A-Minute (*Polygonum perfoliatum*)	Mowing	-Hand pulling: when soil is wet prior to fruit formation	Foliar application: apply systemic herbicide in summer before fruiting; use surfactant	Mowing must be repetative to prevent flowering and fruit/seed production	**Prior to flowering:** Depends on scale of infestation Small infestation • Pull or cut plant and leave on site with roots exposed. Large infestation • Pull or cut plant and pile. (You can pile onto or cover with plastic sheeting). • Monitor. Remove any re-sprouting material. **During and following flowering** Do nothing until the following year or remove flowering heads and bag and let rot. Small infestation • Pull or cut plant and leave on site with roots exposed. Large infestation • Pull or cut plant and pile remaining material. (You can pile onto plastic or cover with plastic sheeting). • Monitor. Remove any re-sprouting material.
	Swallow-wort (*Cynanchum spp.*)		-Digging: Dig up plants so that root crown and rhizomes can be removed, before seeds mature.	- Cut and dab Triclopyr treatment	Mowing can reduce spread, bu must be done every year to be effective. Conduct before seed pods mature.	
	Japanese Hops (*Humulus japonicus*)	-Mechanized cutting early and throughout growing season	-Hand pulling (small infestations)	- Foliar treatment: ideally two systemic s a year after germination but before extensive growth and again before seed production		
	Porcelain Berry (*Ampelopsis brevipedunculata*)			- systemic prior to seed set		
	Dodder (*Cuscuta spp.*)		-Hand pulling: remove if seedlings found before attaching to host -Pruning -Restoration Planting: install non-host species such as grasses and monocots	Herbicide application: Pre-emergent herbicides such as trifluralin applied before seed germination	Pruning: after attachment to host, prune part of host plant 1/4 to 1/8 of an inch below infected area	

		Methods of Management				Methods of Disposal
Category	**Invasive Plant Name**	**Mechanical**	**Manual**	**Chemical**	**Species-Specific Notes**	
Vine; Non-woody; Fruit, seed, and plant fragment	Hedge Bindweed (*Calystegia sepium*)		-Hand pulling: pull young plants 3-4 weeks following germination -Deep cultivation -Covering: cover using landscape fabric or cardboard to prevent light (up to 3 years)	- Fall treatment with glyphosate preferably when there are few flowers but not full bloom	Deep cultivation: use wide sweeps to cut roots and rhizomes 16-18 inches below the surface in dry soil Herbicide application: avoid treatments in time of drought	**Prior to fruit/seed ripening** Small infestation/Seedlings • Bag all plant material and let rot. • Never use resulting material as compost. • Burn. Larger infestations • Make a brush pile. • Burn. **After fruit/seed is ripe** Don't remove from site. • Burn. • Make a covered brush pile. • Chip – only after material has fully dried (1 year) and all fruit has dropped from branches. Leave resulting chips on site and monitor.
	Japanese Honeysuckle (*Lonicera japonica*)		-Hand pulling (small infestations)	Apply a 2% glyphosate or triclopyr solution to leaves from spring through fall. Use 25% solution if using cut-stump method		
	Kudzu (*Pueraria montana spp. Lobata*)		-Mowing/Digging	Utilize cut-stem treatments with systemic chemicals	Mowing/Digging: Use shovel or pick axe to expose base of root crowns and cut the root below crown with axe or handsaw. Preferably done during hottest parts of summer. Herbicide application: try to remove vines from native plant species prior to application	
	Bittersweet Nightshade (*Solanum dulcamara*)		-Hand pulling: pull young plants, taking care not to break pieces Cut/cover: can be cut to ground and covered with heavy-duty geotextile fabric for at least 2 years		Herbicide application: must effective when temperatures are between 50-80 °F; and no rain expected; should be applied before native plants emerge. Retreat for 1-2 years may be necessary. Physical removal should only be done after herbicide has been in place long enough for nightshade to be brown and dead.	
Vine; Woody; Fruit, seed, and plant fragment	Hardy Kiwi (*Actinididia arguta*)		-Cutting: cut large vines in winter/early spring	Foliar or cut-stem herbicide treatment with glyphosate. -Foliar treatment apply directly to leaves with 3% solution (Foliar when cut stem is not possible due to access or too small stem width) This treatment is possible throughout the growing season and usually most effective when flowering/fruiting. -Cut stem cut vine stems and apply 20%-50% solution immediately -Basal Bark apply concentrated herbicide directly to tree/shrub bark. (fall or early winter)	Herbicide application should be conducted in late summer - early fall	
	Asiatic Bittersweet (*Celastrus orbiculatus*)	Brush mow large infestations of smaller vines when not overtopping desirable vegetation.	-Hand pulling (small infestations) -Cutting: cut climbing vines near ground		Herbicide application: apply immediately after cutting, repeat applications preferably in fall and winter. Basal bark method with Garlon 4 can be done if temperatures are above 50 degrees F.	
Vine; Woody; Fruit and seed	Morning Glory/Bindweed (*Convolvulus arvensis*)		-Hand pulling: pull up to 3-4 weeks following germination -Deep cultivation -Covering: cover using landscape fabric or cardboard (up to 3 years)	- Fall treatment with glyphosate preferably when there are few flowers but not full bloom	Deep cultivation: use wide sweeps to cut roots and rhizomes 16-18 inches below surface in dry soil Herbicide treatment: avoid treatments in times of drought	**Prior to fruit/seed ripening** Seedlings and small plants • Pull or cut and leave on site with roots exposed. No special care needed. Larger plants • Use as firewood. • Make a brush pile. • Chip. • Burn. **After fruit/seed is ripe** Don't remove from site. • Burn. • Make a covered brush pile. • Chip once all fruit has dropped from branches. • Leave resulting chips on site and monitor.

		Methods of Management				Methods of Disposal
Category	**Invasive Plant Name**	**Mechanical**	**Manual**	**Chemical**	**Species-Specific Notes**	
Woody; Fruit and seed	Autumn Olive (*Elaeagnus umbellata*)	Mowing (when small enough resprouts are present)	-Hand pulling/digging: pull or dig small seedings and sprouts -Cutting: remove saplings with weed wrench, cut large plants and dig out stump if possible	Foliar or cut-stem herbicide treatment with glyphosate. -Foliar treatment apply directly to leaves with 3% solution (Foliar when cut stem is not possible due to access or too small stem width) This treatment is possible throughout the growing season and usually most effective when flowering/fruiting. -Cut stem cut vine stems and apply 20%-50% solution immediately -Basal Bark apply concentrated herbicide directly to tree/shrub bark. This treatment can occur in fall or early winter	Herbicide application to occur in the late growing season (July-September)	**Prior to fruit/seed ripening** Seedlings and small plants • Pull or cut and leave on site with roots exposed. No special care needed. Larger plants • Use as firewood. • Make a brush pile. • Chip. • Burn. **After fruit/seed is ripe** Don't remove from site. • Burn. • Make a covered brush pile. • Chip once all fruit has dropped from branches. • Leave resulting chips on site and monitor.
	Common Buckthorn (*Rhamnus cathartica*)				herbicide application in fall or early winter	
	Burning Bush (*Euonymus alatus*)				Digging: large plants can be dug up with spading fork, pulled with weed wrench, or cut. Stump must be ground out or regrowth clipped.	
	Cypress Spurge (*Euphorbia cyparissias*)				Hand pulling must be conducted frequently and repeatedly	
	Glossy Buckthorn (*Frangula alnus*)					
	Shrub Honeysuckles (*Lonicera morrowii, L. tatarica L.x bella, L. maackii*)				Utilize a 25% solution when conducting cut-stem application	
	Japanese Barberry (*Berberis thunbergia*)				Herbicide application to occur in late summer during fruiting	
	Norway Maple (*Acer platanoides*)		-Hand pulling: pull seedlings from moist soils, dig up larger plants -Girdling: cut through bark and cambium in circle around trunk in the spring -Cutting: cut trunks 2-3' from ground prior to spring sap		Herbicide application: for trees smaller than 4 inches in diameter: apply Triclopyr mixed with horticultural oil to the bark, a foot from base of trunk in early spring or from June-September -Cut stem treatments should be applied to outer	
	Sycamore Maple (*Acer pseudoplatanus*)					
	Multiflora Rose (*Rosa multiflora*)	-Mowing (when small with regular mower, when larger with brush mower)	-Hand pulling/cutting (small populations)		Mowing: 3-6 times per year when performed for partial control	
Woody; Fruit, seed, and plant fragment	False Indigo Bush (*Amorpha fruticosa*)		Hand-pull plants when feasible, dig to remove all roots when possible. Cut and continue to trim regularly.	Foliar or cut-stem with systemic herbicide (glyphosate or approved alternative) -Foliar application apply 3% solution directly to leaves -Cut stem application cut as close to the ground as possible and apply 20%-50% solution as quickly as possible after cutting -Basal Bark application apply concentrated herbicide directly to bark as directed by herbicide label	-Repeated defoliation can limit regrowth, but mowing can encourage growth. -Digging: Dig and sever root 3-4 inches below the crown; repeat as necessary	**Prior to fruit/seed ripening** Seedlings and small plants • Pull or cut and leave on site with roots exposed. No special care needed. Larger plants • Make a brush pile. • Burn. **After fruit/seed is ripe** Don't remove from site. • Burn. • Make a covered brush pile. • Chip – only after material has fully dried (1 year) and all fruit has dropped from branches. Leave resulting chips on site and monitor.
	Tree of Heaven (*Ailanthus altissima*)	-Grubbing: for young trees or saplings	Hand pulling: pull or dig very young seedlings Cutting: cut trees while small, in early summer when root reserves are at lowest. Cut regrowth frequently.		Herbicide application: Basal bark application is most effective for trees 4-8 inches in diameter. Apply when tree is fully leafed but before it begins to show fall color	
	Large Gray Willow/Rusty Willow (*Salix atrocinarea/S. cinerea*)	Girdling: cut through bark and cambium layers			Herbicide application: best method for willows is bore and fill application: suitable for willows with branches larger than 50mm in diameter. Cut stem method for smaller trees and branches in summer-fall.	

OIL SPILL PREVENTION, CONTROL

AND

COUNTERMEASURE PLAN

FOR

VEGITATION MANAGEMENT ALONG CHARLES RIVER
CHARLES RIVER RESERVATION, BOSTON MA

PREPARED: AUGUST 28, 2021

dcr MASSACHUSETTS DEPARTMENT OF CONSERVATION AND RECREATION

Contents

INTRODUCTION

This Oil Spill Prevention, Control and Countermeasure Plan (OSPCCP) has been developed by the Massachusetts Department of Conservation & Recreation (DCR) as a required supplement for DCR's Vegetation Management project along the Charles River to be conducted in Boston, Massachusetts (Project Site).

Approximate location:
Latitude: 42.3643 N
Longitude: 71.1378 W

The purpose of the Oil Spill Prevention, Control and Countermeasure Plan is to prepare DCR and their contractor and its employees for emergency situations which may occur. Typical emergencies for which we need to be prepared include spills and leaks, personal injuries, fires, weather-related emergencies and other situations which require operational response.

The content of this Oil Spill Prevention, Control and Countermeasure Plan includes:

- Descriptions of expected emergencies, their hazards, and the recommended plan of action to combat their effects.
- Procedures for reporting employee injuries, motor vehicle accidents, spills, product contamination or any other emergencies which may occur.
- Emergency contact phone numbers
- Decision making infrastructure with defined action steps that can be executed quickly.

DESCRIPTION OF PROJECT

In anticipation of the Head of the Charles, DCR is proposing to manage (trim) vegetation along the riparian buffer to provide views of the water for event spectators, organizers and emergency personnel (Project). As part of the Project, nuisance shrubs such as false indigo, and invasive shrubs and perennials growing along the riparian buffer will be trimmed to a minimum height of 18-inches from the Reservation's finished grade at an approximate width of 6-feet. Care will be used to minimize the possibility of trimmed vegetation falling into the River. Any vegetation that enters the River will be removed if it is safe to do so. Trimmed vegetation will be raked and stockpiled on the finished grade for removal and disposal upon completion of the activities and prior to the Head of the Charles

PLAN MAINTENANCE AND DISTRIBUTION

Copies of the Oil Spill Prevention, Control and Countermeasure Plan will be distributed as follows:

- DCR Project Manager
- Contractor Project Manager
- Contractor Field Managers

Designated recipients of the Oil Spill Prevention, Control and Countermeasure Plan will be offered training in the plan.

Requests for changes to Oil Spill Prevention, Control and Countermeasure Plan should be submitted in writing to the Project Safety Officer.

If there are any questions concerning changes to the plan, or if other revisions are required, contact the Project Safety Officer.

MOTOR VEHICLE ACCIDENTS

Immediate action steps:

1. Determine extent of the accident and any injuries.
2. If spill response assistance is required due to the size of the spill, location, or inability to immediately control it, or there is potential for the spill to impact the environment, immediately notify the Project Safety Officer who will then make the determination to contact our Insurance and/or Environmental Response Vendor.
3. Determine if immediate assistance is required at the accident scene that has not already been initiated (e.g. ambulance, police, tow truck, agency reporting, other vehicle to transfer cargo, etc.).
4. Verbally report accident to the Project Safety Officer.
5. Provide periodic feedback and/or status reports as often as required or necessary.
6. Should a motor vehicle accident result in personal injury, fatality, or any vehicle being towed or a product release to the ground, sewer, or navigable waterway, the Project Safety Officer will make an immediate verbal report to ownership.

OIL AND HAZARDOUS INCIDENT REPORTING

A "Hazardous Material Reportable Incident" is an occurrence during the course of transporting a hazardous material by truck, rail or air (including during loading, unloading and temporary storage) in which, as a direct result of the hazardous material:

- A person is killed;
- A person receives injuries requiring hospitalization;
- Estimated carrier or other property damage exceeds $50,000 (excluding vehicle/property damage unless caused by the material/product itself);
- An evacuation of the general public occurs lasting one or more hours;
- One or more major transportation arteries or facilities are closed or shut down for one hour or more; or
- The operation, flight pattern or routine of an aircraft is altered.

Or

- A situation exists of such a nature (i.e., a continuing danger to life at the scene) that, in the judgment of the Project Safety Officer, should be reported even though it does not meet the criteria above.

Or

- An unintentional release of a hazardous material from a container (i.e., tank truck) caused by failure of the container or operator.

Incidents meeting the above definition(s) must be reported to the Project Safety Officer. If the incident meets any of the criteria in the first two paragraphs above, reporting must be immediate by telephone to the National Response Center (800-424-8802). The Project Safety Officer will make the report which will include the following information:

- Name of reporter;
- Name and address of the carrier represented by the reporter;
- Phone number where the reporter can be contacted;
- Date, time and location of the incident;
- Extent of injuries if any;
- Classification, name and quantity of hazardous material involved; and
- Type of incident and whether a continuing danger to life exists at the scene.

In the case of property damage greater than $50,000, it may take some time to obtain estimates that are reliable and accurate enough to determine the total cost. If that's the only trigger for "immediate" reporting; telephonic notification, even days later, is acceptable. A telephone report must be followed within 30 days by a written report.

If the incident meets only the third item above, the report does not need to be immediate, but must be submitted in writing within 30 days of the incident.

Local Procedures: Field Staff must notify the Project Safety Officer for the following examples but not limited to these examples. Product spills, all motor vehicle accidents involving injuries significant property damage over one thousand dollars or if either vehicle is towed or if any party is taken to the hospital or if you are issued a citation, and any personal injury. **All spills regardless of quantity, must be reported immediately to the Project Safety Officer.**

Licensed Site Professional (LSP): A LSP has responsibility for issues associated with Oil and Hazardous Materials Releases that occur pursuant to Massachusetts Department of Environmental Protections (MassDEP) Massachusetts Contingency Plan (MCP) at 310 CMR 40.0000. The LSP is a hazardous waste consultant, as defined in M.G.L. C 21A paragraph 19 and holds a valid license issued by the Board of the Registration of Hazardous Waste Site Cleanup Professionals pursuant to M.G.L. C21A, paragraph 19-19J. In the event of a release of hazardous materials to soil or water, a LSP will be employed to provide necessary reporting to DEP or other appropriate regulatory agencies, and to coordinate any necessary site remediation activities.

The Licensed Site Professional (LSP) is required to provide the services necessary to comply with the requirements of the MCP. These services may include sampling, analysis and characterization of potentially contaminated media, preparation of Immediate Response Action (IRA) Plans, Utility-Related Abatement Measure (URAM) and Release Abatement Measure (RAM) Plans, Imminent Hazard Evaluations, status reports, transmittal forms, release notification forms, risk assessments, completion statements, and related documents required pursuant to the Massachusetts Contingency Plan (MCP).

The LSP shall evaluate soil and/or sediment with discoloration, odor, and presence of petroleum liquid or sheening on the groundwater surface, or any abnormal gas or materials in the ground which are known or suspected to be oil or hazardous materials.

NOTIFICATION OF RELEASES

The LSP is responsible for generating and submitting all soil tracking logs, daily field reports, analytical results, and MCP related reports (i.e. IRAs, URAMs, RAMs). These reports or logs will contain all field observations relevant to MCP issues, all data generated, and justification for all actions taken. The Contractor's LSP will be available to meet with DCR or its agents to discuss, clarify, or justify actions taken and data generated, and to accommodate comments or requests made by DCR or its agents.

RELEASES THAT REQUIRE NOTIFICATION TO MASSDEP

This section discusses release(s) that require notification to the MassDEP, as specified in 310 CMR 40.0310. If a 120-day reportable condition is encountered during characterization of soil that has not previously reported under RTN 3-1283. All work related to this "new" condition would be completed in accordance with requirements of the MCP. The Site is currently closed under the MCP and as such, reporting of a new release will only be required if a 2 or 72-hour condition is identified; or a contaminant not previously identified as a contaminant of concern is detected above reportable concentrations.

120-day notification conditions include, but are not limited to, the following:

- OHM detected in soil and/or groundwater at concentrations exceeding the applicable Reportable Concentrations
- The presence of Non-Aqueous Phase Liquid (NAPL) having a measured thickness equal to or greater than 1/8 inch and less than ½ inch.

A RAM, URAM, or other feasible MCP option, cannot be initiated or continued in the area where a two (2)-hour or seventy-two (72)-hour release or threat of release has been identified, as described in 310 CMR 40.0311 through 40.0314, until an Immediate Response Action (IRA) has been undertaken and an IRA Completion Statement has been submitted to the MassDEP. Remedial activities that are scheduled to take place in areas bordering other remedial area boundaries will be structured and monitored to assure they do not impact the conditions of other Remedial Activities.

Two (2)-hour notification conditions include, but are not limited to, the following:

- A release, or threat of release, of OHM over a 24-hour period that is equal to, greater than, or likely to be greater than, the MCP Reportable Quantity of that material
- Sudden release to water producing a sheen
- Release to a storm drain, or sanitary sewer posing an Imminent Hazard (as defined in 310 CMR 40.000)
- OHM detected in a private drinking water well at a concentration greater than or equal to the applicable MCP GW-1 RC.

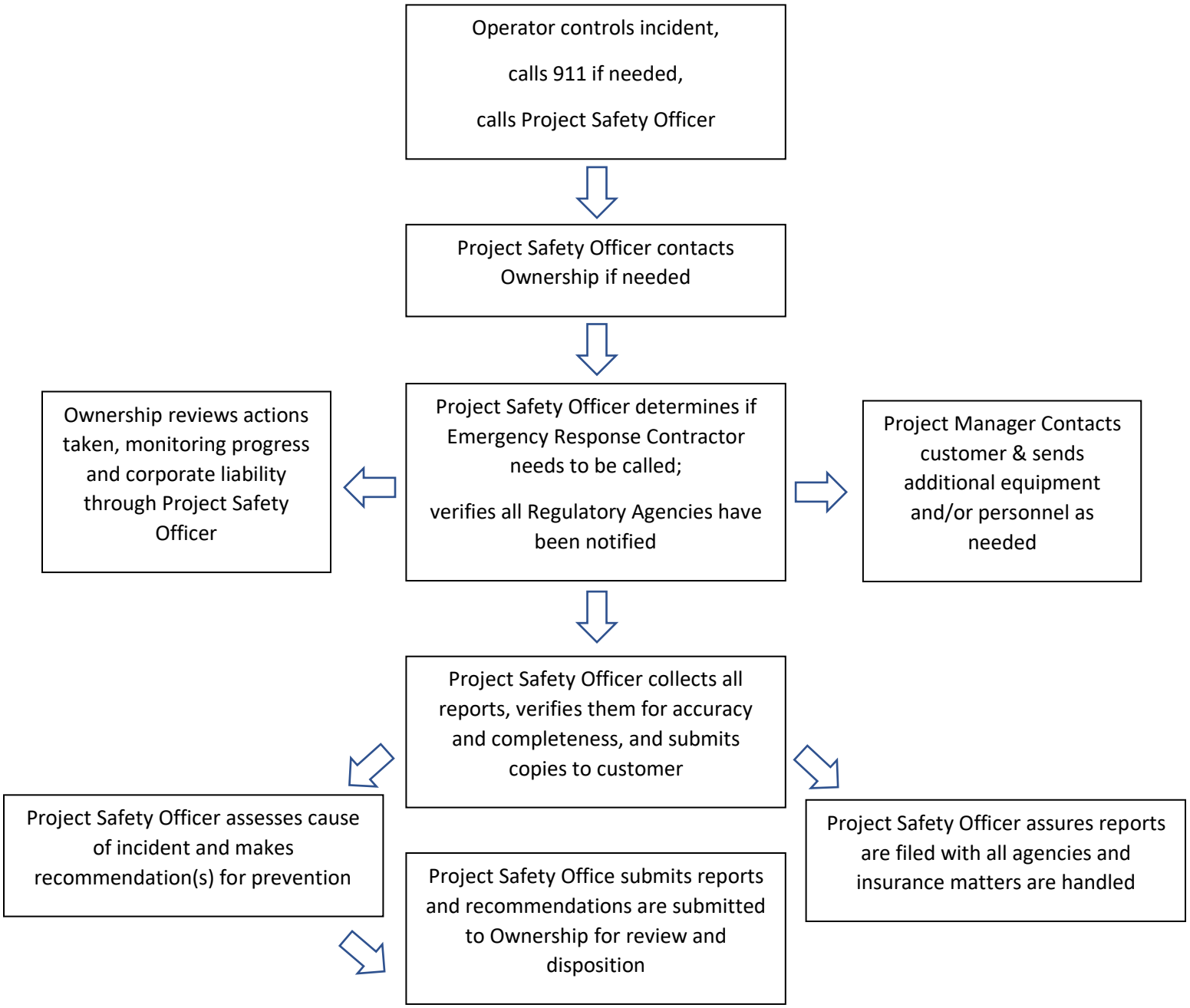
Seventy-two (72)-hour notification conditions include, but are not limited to, the following:

- Identification of non-aqueous phase liquid (NAPL) on groundwater or surface water, with a thickness equal to or greater than ½ inches.
- OHM detected in the Zone I of a public water supply or within 500-feet of a private drinking water well at concentrations greater than or equal to the applicable MCP GW-1 Reportable Concentration
- Release or threat of release from an underground storage tank.

If these, or other conditions requiring two (2) or seventy-two (72)-hour notification, are found on-site it is Newport Construction Corporation's responsibility to notify DCR, and to conduct the appropriate IRA activities. DCR will contact the MassDEP on behalf of the Contractor.

EMERGENCY PROCEDURES AND SAFETY PRECAUTIONS

EMERGENCY RESPONE FLOW CHART



GENERAL SPILL PROVISIONS

In the event of a spill, surface terrain, direction and velocity of the prevailing wind, and proximity to possible ignition sources shall be observed by the Contractor or DCR Project Managers or their designees and roadblocks to be set up immediately, if necessary.

Trucks, hand tools, and equipment should not be moved into the spill area until precautions have been taken. When equipment is moved into the spill area it shall be removed as soon as its task is completed. Only personnel vital to the cleanup effort will be allowed in the spill area.

No ignitable materials (matches, lighter, smoking materials) will be allowed into the spill area.

Minor Spill (< 10 GALLONS)

All efforts will be made to contain the spill by erecting an earthen berm or barrier. The area will be remediated in accordance with all applicable state and federal regulations.

Large Spill (>10 GALLONS)

The spill will be contained to the smallest area possible using booms, berms, or other effective barriers. DCR and the Contractor Project Manager, Contractor project contact, and the MassDEP will be notified immediately.

The Project Safety Officer and/or onsite representatives will notify the following agencies depending on the nature of the response:

- Boston Conservation Commission
  - 617-635-3850 from 9:00 am to 5:00 pm Monday thru Friday
  - 617-635-4500 all other items
  - Nicholas Moreno via email at cc@boston.gov
- Emergency Response Contractor(s)
- Boston Police Department
- Boston Fire Department
- Local Hospital: Massachusetts General Hospital
  55 Fruit Street
  Boston, MA

EMERGENCY CONTACTS

EMERGENCY SERVICES Fire		
Emergency		911
Medical Emergency Police		911
Emergency		911
Poison Control		(800) 542-4225
National Response Center		(800) 424-8802
DCR Contacts		
DCR Project Manager/ DCR Deputy Chief Engineer DCR	Ginna Johnson	(857)324-1424
Deputy Commissioner of Operations	Nick Gove	(617) 875-1984
Environmental Director	Thomas Valton	(339) 368-2930
MassDEP	(Day)	(978) 694-3200
	(Night)	1-888-304-1133

INJURIES AND ILLNESSES

Immediate action steps:

1. Determine extent of injuries or illness;
2. Determine if immediate assistance is required at the scene, which has not already been initiated (e.g. ambulance, police, agency reporting etc.);
3. Do Not attempt any treatment unless trained to do so;
4. Be aware of the location of the First Aid Kit (use only if trained);
5. Take appropriate precautions to avoid exposure to blood/bodily fluids
6. Verbally report incident to Project Safety Officer
7. In the case of a serious injury or illness requiring hospitalization, arrangements to provide family transportation to the hospital/treating facility should be considered.
8. Provide periodic feedback and/or status reports on-line as often as required or necessary.

FUEL AND OIL SPILLS

If an oil or fuel release occurs, act quickly to ensure the following has been completed as appropriate.
Immediate action steps:

- De-activate equipment;
- Stop Work in area of Spill;
- Deploy a bucket to catch oil or fuel;
- Deploy sorbents to ground surface; and
- Bag spent sorbents.
- As appropriate, coordinate contractor pump-out and Emergency Response with Project Safety Officer
- Provide periodic feedback and/or status reports on-line as often as required.

FIRES

In a fire emergency, primary concern is for the safety of all employees, followed by protection of physical assets. The role of terminal/fleet employees is:

- Extinguish minor fires;
- Promptly notify the local Fire Department;
- Assist in the orderly and safe evacuation of the facility;
- Render assistance to the Fire Department, as required; and
- Notify appropriate management personnel.

If an employee observes or discovers a fire, or sees visible smoke, their first action is to alert employees, evacuate the building and notify the Fire Department.
Do not attempt to fight a fire if you are alone!

If an employee has been trained in the use of hand-portable fire extinguishers, attempt to extinguish the fire, or investigate the cause of smoke. In no event should the employee put themselves in jeopardy!

If an employee has not been trained in the use of fire extinguishers, remain at a safe distance and direct the responding response team or local Fire Department to the location of the fire or smoke.
If evacuation is required, all employees should immediately leave the building via the nearest

emergency exit and proceed away from the facility.

Verbally report incident to:

a) Ownership
   - Operations Manager
   - Project Safety Officer
   - Provide periodic feedback and/or status reports as often as required.

WEATHER

During severe weather conditions, it is ultimately the Field Staff's decision whether or not it is safe to drive during icy and or snowy conditions.

- If the Field Staff makes a determination that it is unsafe to enter or drive into the Site, they must continue to the closest area available that they determine is safe to stop and call the Project Safety Officer.
- When inclement weather conditions are forecast that may ultimately result in unsafe conditions (ice, snow, hurricane, etc.) it is the responsibility of the Operations Manager to constantly stay updated with these conditions through local weather reports.
- The Operations Manager may ultimately make different decisions pertaining to different geographical areas that we service, it will ultimately be the Operations Manager and/or Ownership determining what areas will be serviced.

OTHER EMERGENCIES (SECURITY, BOMB THREAT, CIVIL DISTURBANCE, ETC.)

In an emergency as listed above, the primary concern is for the safety of all employees, followed by protection of physical assets. The role of the employees is to:

- Secure the premises immediately;
- Promptly notify the local Fire and/or Police Departments;
- Assist in the orderly and safe evacuation of the facility/premises;
- Render assistance to the Civil Departments responding; and
- Notify appropriate management personnel.

In no event should the employee put himself or herself in jeopardy!

In an emergency as listed above, the primary concern is for the safety of all employees, subcontractors and protection of physical assets. The role of the employee is:

- Avoid situations that have a potential to become an emergency;
- Contact dispatch using your cell-phone providing them with your location and description of your emergency;
- Contact the local authorities; and
- Once you have located a safe haven, call the Operations Manager, Ownership and/or Project Safety Officer.

EMPLOYEE RESPONSIBILITIES

In the event of an emergency, immediately (or as soon as practical and necessary) notify management who will assist employees handling the incident. Management will be responsible for directing corrective actions, coordinating clean-up operations and/or monitoring the use of emergency equipment by outside services, as required.

Additional Responsibilities:

a) Assure that local police, fire, ambulance, National Response Center, EPA and Coast Guard, if dictated by the emergency, have been notified of the following:
   - Exact location of the incident
   - Nature and extent of injuries, if any
   - Specific products on board
   - Apparent condition of the vehicle
   - Need to apply foam (if volatile products have been released)
   - Any other real or potential hazards that are known at that time

b) Contact the Project Safety Officer for emergency information/assistance regarding Federal/State reporting requirements, environmental remediation and/or employee safety and health issues.

TRAINING

Training on the Emergency Response Plan, including a review of potential emergency situations, individual roles/responsibilities, reporting requirements and appropriate sections of this Plan should be conducted for all employees immediately upon assignment. Refresher training will be required on an annual basis, or whenever changes or updates to the Plan are made.

EMERGENCY TELEPHONE NUMBERS

- Steve Cyr, 617-304-6164
- Nick Gove, 617-875-1984
- Ale Echandi, Ecologist, 617-850-2398

ATTACHMENT A–ACCIDENT, SPILL & CONTAINMENT REPORTING FORM

Purpose

To provide managers and field staff with a procedure to properly report an accident, spill/contamination and safety incident and eliminate the need for personal decisions regarding the reporting procedures. This procedure helps ensure uniformity throughout the organization regarding accurate, timely and complete safety incident reporting. The procedure is written to maximize safety response and minimize injury.

Scope

The safety incident report must be completed each time an/accident, spill/contamination or work injury occurs within the organization. This includes the reporting requirements from initial notification to the completion of the report.

Responsibility

The field staff is responsible to call the Project Safety Officer's 24-hour cell phone number immediately to accurately report information regarding all aspects of the safety incident. The field staff must also complete the written incident report form and other documents, as necessary, provided in the accident report kit.

The Project Safety Officer will assist and administrate the field staff to handle the safety incident and in preparation of the written accident report. The Project Safety Officer will also complete the Contamination/Spill Report and Manager's Report of Injury to Employee when necessary.

Procedure

Every safety incident must be reported immediately to the Project Safety Officer by calling the 24**/7** emergency number. An emergency phone list is provided in the Emergency Response Procedure section of this manual in case the emergency number is out of service. Contractor contact information will be provided following the hiring of said contractor. Field Staff must call unless injury or safety precautions prevent him from doing so.

- An accident is defined as any unplanned event that may result in injury or interrupt the completion of an activity, and which may (or may not) include property damage.
- A spill is defined as a release of fluids from tanks, containers or vessels accidentally or unintentionally.
- Contamination is defined as any substance or reaction that causes the original product to be altered from its original state or purity.

The field staff involved in the safety incident is responsible for documenting pertinent facts and information relating to the cause and disposition of the incident. The field staff must properly complete the accident report kit provided. This includes:

- Taking photographs of the accident site, specific damage and for evidence of cause. Use your best judgment and when in doubt, take the photograph.
- Two witness cards are provided to be completed by up to two individuals who witness the

incident. One courtesy card is included for use if the field staff cannot leave the accident site. The card may be given to an individual on site to call and report the safety incident.

- A note card is included to write down any facts or statements that provide evidence pertinent to the safety incident.
- The completed documentation in the accident report kit must be turned into the office before completion of scheduled shift. If not able to do so other arrangements will be made. In the event of injury to the field staff, the Project Safety Officer is responsible to see that the accident report is completed to the best of his/her ability. This may include going to the site or authorizing company personnel on site to obtain necessary disposition.
- The Project Safety Officer will administer the reporting and claims processes and maintain required files.

Emergency Response Procedures

In the event of an accident, equipment breakdown, malfunction or human error, which results in the release of any oil, fuel, hazardous or non-hazardous product, the field staff should attempt to implement the following procedures.

APPROACH THE SCENE CAUTIOUSLY

Do not rush in to assist, or you may be added to the list of casualties. Prevent others from doing the same. DO NOT attempt any action beyond your level of training. DO call for help.

Identify The Hazards

Consult placards, container labels, MSDS, shipping papers, Emergency Response Guidebook and/or knowledgeable persons at the scene. Evaluate all available information before concluding on a course of action. Do not assume the material is harmless because it lacks a color or odor. If limited information is available, err on the side of caution; as more specific information becomes available, the response can be tailored to the hazard.

Secure The Area

Establish an exclusion zone that will keep non-emergency personnel well out of danger. It may be necessary to patrol the area to keep spectators at a safe distance.

Obtain Help

Contact the appropriate local emergency services and your Project Safety Officer as soon as possible. Be prepared to provide as much of the following information as possible:

- Location of release - a physical site address, town/city and state/providence, mile marker along a highway, direction of travel, or any other information, which will direct a responding emergency response cleanup crew.
- Details of release - what was released, what time it occurred, cause of the release, how much has been released, measures taken to prevent the release, and what media or mediums have been impacted by the release (i.e., storm drains, streams, roads, or soils.)

  Communications - provide the following if available: names and phone numbers of authorities contacted or at the scene, contact person and phone number if at a client's facility, and ensure that the MSDS is available to responding authorities. In a hazardous material incident, the transmittal of TIMELY and ACCURATE information is essential. This is especially true when determining the identity of the material(s) involved.

Emergency Response Priorities

- Prevent or reduce the loss of lives or injury to responders and the public. Prevent or reduce the loss of property or damage to property. Prevent or reduce the effects of the release upon the environment. Restore the area to normal (operational) conditions.

Emergency Spill Response Telephone Notification Procedure

- Field Staff reports the incident to the Project Safety Officer and to the local police and fire departments by dialing 911.
- The Project Safety Officer will coordinate with an emergency responder when required.

Depending on the nature of the release; the Project Safety Officer will report the incident to all appropriate authorities including the PHMSA's National Response Center and will need the following information:

1. Name, address and telephone number of the company and call back number
2. Location of spill (physical address, country and state)
3. Time and duration of release
4. Cause of release
5. Chemical identity of material released/ DOT identification number
6. Estimated amount of release (gallons, pounds)
7. Medium or media into which the release occurred
8. Hazard classification of released material
9. Containment efforts
10. Distance to nearest water body or storm drain
11. Name of cleanup contractor called and estimated time of arrival
12. Shipper and consignee information
13. Manufacturer, if known
14. Bill of lading number/waybill number

DCR - SPILL OR INCIDENT REPORT FORM

Instructions: Complete for any type of petroleum product or hazardous materials/waste spill or incident. Provide a copy of this report to management.

1. DCR Personnel Involved in Spill Reporting:

Project Supervisor: Name, Title, and Phone Number: _____

_____

DCR Project Safety Officer: Name, Title, and Phone Number: _____

_____

2. Contractor

Name and Title of Person Responsible for Spill Response: _____

Phone Number:_____

3. General Spill Information:

Common Name of Spilled Substance: _____

Quantity Spilled (Estimate): _____

Describe Concentration of Material (Estimate): _____

Date of Spill: _____/_____/_____

Time Spill Started: _____ AM _____ PM Time Spill Ended: _____ AM _____ PM

4. Spill Location and Conditions:

Project Title: _____

Street Address and City /or District & Park Name: _____

Weather Conditions: _____

If Spill to Water,

Name of Water Body (if ditch or culvert, identify the water body that the structure discharges to):

_____

Identify the Discharge Point: _____

Estimate the Depth and Width of the Water Body: _____

Estimate Flow Rate (i.e. slow, moderate, or fast): _____

Describe Environmental Damage (i.e., fish kill?): _____

5. Actions taken:

To Contain Spill or Impact of Incident: _____

To Cleanup Spill or Recover from Incident: _____

To Remove Cleanup Material: _____

To Document Disposal: _____

To Prevent Reoccurrence: _____

6. Reporting the Spill:

Spills to water & soil that may be an immediate threat to health or the environment (i.e., explosive, flammable, toxic vapors, shallow groundwater, nearby creek, etc.):

Immediately call DCR Environmental Director Thomas Valton - cell# 339.368.2930

Note: Project specific permits may have additional reporting requirements.

List all agencies contacted; include names, dates, and phone numbers for people you spoke with:

_____

_____

_____

7. Person Responsible for Managing Termination/Closure of Incident or Spill:

Name and Phone: _____

Address and Fax: _____

8. Additional Notes/Information (if necessary):

_____

_____

_____

_____