

NOTICE OF INTENT FILING REQUIREMENTS

Property Location _____

Map _____ Lot _____

NOI Checklist:

1. NOI FORM & supporting documents (wetland report w/datasheets, drainage report, etc. 1 Original
2. 2 Plans w/original stamp and signature by appropriate licensed Professional Engineer and licensed Land Surveyor Copy
No copies of seals or signatures will be accepted.
3. 4 Additional Copies of plan (all plans should measure 24" x 36")
4. **Electronic PDF of NOI, plans and supporting documents emailed to the Conservation Office**
5. USGS Map with any NHESP Estimated Habitats of Rare Wildlife and Certified Vernal Pools
6. Certified list of abutters
7. Affidavit of Service
8. Notification to Abutters form (to abutters within 100 feet of property on which work is proposed)
9. Payments to the **Town of Kingston**
 - a. NOI fees
 - b. Pre-payment for issuance of Orders of Conditions (\$50.00 for DEP Orders + \$50.00 for KWPR Orders = \$100.00)
10. Copy of checks to Town of Kingston
11. Waiver Agreement
12. Check made out to **Gannett Media** for advertisement of the public hearing (Fee is currently \$ 42.50)

PLAN Checklist:

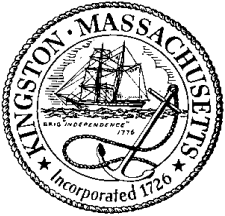
- a) FEMA 100-year Flood Elevation, Flood Zone, and Velocity Zone *if applicable* (based on same datum as current floodplain maps)
- b) Location and detail of any proposed sedimentation, erosion control measures and limit of work line
- c) WRPD & Zone II Wellhead Protection Zone
- d) Mean High Water Line, top of bank, Land Subject to Coastal Storm Flowage with slope detail *if applicable*
- e) Location of all belowground existing and proposed structures (utilities, drywells, etc.)
- f) Location of all aboveground existing and proposed structures
- g) Locus
- h) North arrow must show on plan
- i) Existing stone walls seawalls, etc.
- j) Easements
- k) Frimpter Calculations
- l) Test Pit data
- m) Scale no smaller than 1"=40'
- n) Title Box must list:
 - a. Date
 - b. Prop. Owner
 - c. Bar scale
 - d. Prop. Address
 - e. Assessor's Map & Lot Reference
 - f. Stamp and seal of Professional(s) who prepared plan
 - g. Address and name of Professional who prepared plan
- o) All abutters' property listed on plan with assessor's reference
- p) Project drawing showing accurate measurements of the proposed work and plan view distances to any Wetland Resource area
 1. 100 ft. Riverfront area (highlighted purple) *if applicable*
 2. 200 ft Riverfront area (highlighted purple) *if applicable*
 3. 100' vernal pool boundary (highlighted purple) *if applicable*
 4. 100' buffer zone (highlighted green)
 5. No-disturbance zone(s) (highlighted red)
 6. limit of work (highlighted orange) and type of erosion controls used with plan detail (no haybales *please*)
 7. floodplain (highlighted blue) *if applicable*
 8. shortest distance between activity and wetland
- q) Existing and proposed contours
- r) wetland line with flag #'s (highlighted blue)
- s) wetland fill (highlighted pink) *if applicable*
- t) wetland replication/restoration (highlighted yellow) *if applicable*
- u) date wetland flagged
- v) name of individual/firm responsible for identifying wetland
- w) identification of wetland type(s)
- x) square footage calculation of existing (if constructed after 10/6/1997) & proposed riverfront area alteration & square footage of alteration shown as a percentage of total riverfront area on the lot *if applicable*
 - y) percentage of existing & proposed impervious coverage on the lot within the Commission jurisdiction
 - z) location of stockpiled excavated soils
- aa) location of crushed stone apron at construction entrance

Public Hearing Notice Will Be Advertised in the Old Colony Memorial through the Conservation Office. A minimum fee of \$42.50 payable to Gannett Media shall be submitted to Conservation at the time of filing. This notice is based on your project description, so please make sure that it speaks to the scope of the entire project.

Abutter Notification will be handled by the Applicant or Representative (forms available at the Conservation Office), the Certified Mail Return Receipts or Certificate of Mailing Receipts may come directly to the Conservation Office or be brought to the opening of the Public Hearing.

I certify that the above checked items have been completed and understand that incomplete applications are cause for scheduling delays/continuations of public hearings.

Signed: _____ Title: _____ Date: _____



KINGSTON CONSERVATION COMMISSION



26 Evergreen Street, Kingston, MA 02364

POLICY ON RECEIPT OF INFORMATION

1. All filings/applications must be complete and in the Conservation office no less than three weeks prior to an anticipated public hearing date in order to allow time for placement of a legal advertisement and for review by the Commission and the Agent.
2. Submission of revised plans or additional information must be received in the Commission office no less than two weeks prior to the continuation date of the public hearing in order to allow time for review by the Commission and the Agent.

Applications, revisions and additional information arriving after these deadlines may not receive review prior to the public hearing, thereby resulting in a continuance to the next available meeting.

3. Exceptions to the deadlines listed above may be granted at the discretion of the Commission/Agent for emergency projects whereby a delay may cause adverse impacts to public or private water supply, groundwater supply, surface waters, land containing shellfish, fisheries or wildlife habitat or where a delay may hinder the ability to control flooding, prevent storm damage or prevent pollution.
4. All plans submitted to the Conservation office must be stamped, signed and dated with at least two plans containing an *original* stamp and signature by a registered professional engineer and land surveyor.
5. All revisions and additional information submitted to the Conservation office for applications subject to the Massachusetts Wetlands Protection Act must also be sent to the Department of Environmental Protection Southeast Regional office in Lakeville, MA.

The Kingston Conservation Commission and staff are committed to a thorough and timely review of each project and to ensuring that the public hearing process is completed with due diligence. We seek the cooperation of applicants and their professional consultants in achieving this goal.

We thank you in advance for your cooperation.



KINGSTON CONSERVATION COMMISSION



26 Evergreen Street, Kingston, MA 02364

ABUTTER NOTIFICATION & ADVERTISING PROCESS

Dear Applicant,

PRIOR to sending out Abutter Notification Form (see attachment) you must obtain:

- certified abutter list from the Town Assessors Office (*NOI or ANRAD only*)
- a public hearing date and time from the Conservation Office will be issued after receipt of a complete filing as determined by the Conservation staff.

Please enclose with your RDA, NOI, or ANRAD:

- a certified abutters list (*NOI or ANRAD only*)
- affidavit of service (*NOI or ANRAD only*)
- a check made payable to Gannett Media in the amount of \$42.50 (as of March 1, 2012) for the publishing of the Public Hearing notice

The Conservation Office will publish a public hearing notice in the Old Colony Memorial at least 5 days prior to the public hearing. This public hearing notice will be:

- based on your project description, please be as descriptive as possible

The abutter notification must be sent by either certified mail, return receipt or by certificate of mailing.

C.1

NOTIFICATION TO ABUTTERS
Under the
Massachusetts Wetlands Protection Act
&
Kingston Wetlands Protection By-Law

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40 and the Town of Kingston Wetlands Protection By-law, Article 4, you are hereby notified of the following:

1. The applicant has filed a Notice of Intent/Abbreviated Notice of Resource Area Delineation (circle one) with the Conservation Commission for the municipality of KINGSTON seeking permission to remove, fill, dredge or alter an area subject to Protection Under the Massachusetts Wetlands Protection Act (General Laws Chapter 131, Section 40) and the Town of Kingston Wetlands Protection By-law and Regulations.
2. The name of the applicant is _____.
CONTACT NAME: _____.
Check one: this is the applicant___, representative___, or other___(specify)
3. The address of the lot(s) where the activity is proposed is,
Map(s) _____ Lot(s) _____, Kingston, MA.
4. Date of Public Hearing: _____ Time of Public Hearing: _____
Location of Public Hearing: Room 200, Kingston Town Hall, 26 Evergreen Street, Kingston, MA
5. Notice of the public hearing, including its date, time, and place, will be published at least five (5) days in advance in the Old Colony Memorial Newspaper (local newspaper).
6. Copies of the filing (NOI/ANRAD) may be examined at the Kingston Conservation Commission Office, 26 Evergreen Street, Kingston, MA 02364 between the hours of 8:00AM and 4:30PM by appointment. For more information call 781-585-0537.
7. Copies of the filing (NOI/ANRAD) may be obtained from either (check one) the applicant___, or the applicant's representative___ by calling ___ - ___ - ___ between ___AM and ___PM on the following days of the week:
8. You may also contact the Department of Environmental Protection Regional Office for more information about this application or the Wetlands Protection Act. To contact DEP, call: Southeast Region: (508) 946-2800.
9. Brief Narrative of Project:

KINGSTON WETLAND PROTECTION REGULATIONS

C.2

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act and Town of Kingston Wetlands Protection By-Law

(to be submitted to the Massachusetts Department of Environmental Protection and the Conservation Commission when filing a Notice of Intent / ANRAD)

I, _____, hereby certify under the pains and penalties of perjury that on _____ I gave notification to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the DEP Guide to Abutter Notification dated April 8, 1994, in connection with the following matter:

An ANRAD / Notice of Intent has been filed under the Massachusetts
(circle one)
Wetlands Protection Act and the Town of Kingston Wetlands Protection By-Law by
_____ with the Kingston Conservation Commission on
_____ for the property located at
_____.

The form of the notification, and a list of the abutters to whom it was given and their addresses, are attached to this Affidavit of Service.

NAME

DATE



KINGSTON CONSERVATION COMMISSION



26 Evergreen Street, Kingston, MA 02364

WAIVER AGREEMENT Public Hearing / Meeting Time Frame

Massachusetts General Law, Chapter 131 & 40 (Wetlands Protection Act), and the Town of Kingston Wetland Protection By – Law Section 5.03 A & B, and the associated Regulation, mandate that a public hearing be held within 21 days of receiving a Notice of Intent. These laws also mandate that a public meeting be held and a decision rendered within 21 days of receiving a Request for Determination of Applicability. Due to a high volume of requests, we may have to hold the hearing for your project after the 21 day time period has lapsed.

Meetings are held every second and fourth Wednesday of each month.

I understand the Commission will make every effort to hold a public hearing / meeting within the mandated 21 day time frame and render a decision within the subsequent time frame. However, due to present circumstances, I hereby waive the time requirement set forth in Chapter 131 & 40 (Wetlands Protection Act), its regulations at 310 CMR 10.00, and the Town of Kingston Wetlands Protection Regulations, Section 5.03 A & B.

In agreeing with this waiver, I accept that the public hearing / meeting will take place within 50 days of receiving the Request for Determination of Applicability or Notice of Intent.

(Signature of Applicant or Representative)

(Date)

Applicant's Name: (Print) _____

Address: _____

Telephone: _____

Project Location: _____

KINGSTON WETLAND PROTECTION REGULATIONS

Appendix A.1 Fee Schedule

The schedule of fees, established as per Article 3 of the Kingston Wetlands Protection By-Law and payable to the Town of Kingston, is:

Notice of Intent/ANRAD – There are two fees payable to the Town of Kingston for a Notice of Intent/ANRAD Filing.

Fee Number One: The Wetland Protection Act (WPA) fee (as determined under WPA Form 3, NOI Instructions, Section E & WPA Form 4A, ANRAD Instructions, Section E) is divided between the State and the Town.

Fee Number Two: The Kingston Wetland Protection By-Law requires the additional fee listed below and is payable in its entirety to the town of Kingston.*

Category 1	\$ 110.00
Category 2	\$ 500.00
Category 3	\$1050.00
Category 4	\$1450.00
Category 5	\$4 per linear foot
Category 6	\$2 per linear foot with a maximum of \$200 for a single family house project and a maximum of \$2000.00 for any other activity.
REQUEST FOR DETERMINATION OF APPLICABILITY	\$ 75.00
DETERMINATION OF APPLICABILITY	\$ 50.00
WPA ORDER OF RESOURCE AREA DELINEATION	\$ 50.00
KINGSTON ORDER OF RESOURCE AREA DELINEATION	\$ 50.00
WPA ORDER OF CONDITIONS	\$ 50.00
KINGSTON ORDER OF CONDITIONS	\$ 50.00
WPA EXTENSION OF ORDER OF CONDITIONS	\$ 100.00
KINGSTON EXTENSION OF ORDER OF CONDITIONS	\$ 100.00
WPA TRUE & ATTESTED ORDERS	\$ 50.00
KINGSTON TRUE & ATTESTED ORDERS	\$ 50.00
WPA AMENDMENT TO ORDERS	\$ 50.00
KINGSTON AMENDMENT TO ORDERS	\$ 50.00
WPA CERTIFICATE OF COMPLIANCE	\$ 50.00
KINGSTON CERTIFICATE OF COMPLIANCE	\$ 50.00
WPA PARTIAL CERTIFICATE OF COMPLIANCE	\$ 50.00
KINGSTON PARTIAL CERTIFICATE OF COMPLIANCE	\$ 50.00
WPA RUSH CERTIFICATE OF COMPLIANCE (WITHIN 10 DAYS)	\$ 100.00
KINGSTON RUSH CERTIFICATE OF COMPLIANCE (WITHIN 10 DAYS)	\$ 100.00
CONTINUATION OF A PUBLIC HEARING (APPLICANT REQUEST)	\$ 25.00
BANK LETTER FOR CLOSINGS	\$ 75.00
* AFTER-THE-FACT FILINGS (In all cases under the By-Law only)	\$ 50.00 (In addition to fees above)



Massachusetts Department of Environmental Protection
Bureau of Resource Protection – Wetlands & Waterways
BRP WPA Form 3 - Notice of Intent
Instructions and Supporting Materials

Instructions for Completing Application
WPA Form 3 – Notice of Intent

Please read these instructions for assistance in completing the Notice of Intent application form (WPA Form 3). These instructions cover certain items on the Notice of Intent form that are not self-explanatory.

Purpose of the Notice of Intent (NOI)

To protect the Commonwealth's wetland resources, the Massachusetts Wetlands Protection Act (General Law Chapter 131, Section 40) prohibits the removal, dredging, filling, or altering of wetlands without a permit. To obtain a permit (called an Order of Conditions), a project proponent must submit an application to the Conservation Commission and the Department of Environmental Protection (the Department). The Notice of Intent application provides the Conservation Commission and the Department with a complete and accurate description of the:

- **Site:** including the type and boundaries of resource areas under the Wetlands Protection Act, and
- **Proposed work:** including all measures and designs proposed to meet the performance standards described in the Wetlands Protection Act Regulations, 310 Code of Massachusetts Regulations (CMR) 10.00, for each applicable resource area.

The applicant is responsible for providing the information required for the review of this application to the permit issuing authority (Conservation Commission or the Department). The submittal of a complete and accurate description of the site and project will minimize requests for additional information by the issuing authority that may result in an unnecessary delay in the issuance of an Order of Conditions.

To complete this form, the applicant should refer to the wetlands regulations (310 CMR 10.00), which can be obtained from the Department's web site: <https://www.mass.gov/regulations/310-CMR-1000-wetlands-protection-act-regulations>. Regulations are available for viewing at public libraries and county law libraries across the state, as well as at the Department's Regional Service Centers (see <https://www.mass.gov/service-details/massdep-regional-offices-by-community> for locations of regional offices and the communities they serve). Regulations also are available for sale from the State House Bookstore in Boston (617-727-2834) and State House Bookstore West in Springfield (413-784-1378).

Requirements for Professional Services

The issuing authority may require that supporting plans and calculations be prepared and stamped by a registered professional engineer (PE) when, in its judgment, the complexity of the proposed work warrants this certification. Examples of information likely to require certification by a PE include: hydraulic and hydrologic calculations; critical elevations and inverts; and drawings for water control structures such as head walls, dams, and retention areas.

The issuing authority also may require that supporting materials be prepared by other professionals including, but not limited to, a registered architect, registered landscape architect, registered land surveyor, registered sanitarian, biologist, environmental scientist, geologist, or hydrologist when the complexity of the proposed work warrants specialized expertise.



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Completing WPA Form 3

Leave the shaded box located at the upper right hand corner of page 1 of NOI blank. This box contains the words: “MassDEP File Number” and “Document Transaction Number”. The MassDEP File Number for this project will be issued to the Conservation Commission by the Department’s regional office. Once issued, all subsequent correspondence on the project should reference the MassDEP file number.

Instructions to Section A: General Information

Item 1. Project Location. The map or plat, parcel, and lot numbers must be included if the lot subject to the NOI does not contain a residence, school, or commercial or industrial establishment, or if the lot is being subdivided.

Electronic filers must click on the button next to Item 1 and use to the GIS locator to identify the project site.

Item 3. Property Owner. If there is more than one property owner, a list of additional property owners should be attached to the Notice of Intent.

Item 5. Total Wetlands Protection Act Fee Paid. Instructions regarding calculations of fees are explained in Section E, below.

Item 6. General Project Description. The applicant should provide a brief description of the project. Describe, and show on accompanying maps and plans, both existing and proposed site conditions, including temporary construction impacts, replication areas, and/or other mitigation measures. Attach maps, plans, and other documents identifying proposed activities and their location relative to the boundaries of each wetland resource area and Buffer Zone (if applicable).

Item 8. Property Recorded at the Registry of Deeds. For Multiple Parcels, additional book and page numbers should be attached to the Notice of Intent.

Instructions to Section B: Buffer Zone and Resource Area Impacts

To determine the size and location of any impacts that a proposed project may have on each wetland resource area, first determine the resource area boundaries.

Item 1. Buffer Zone Only. The **boundary of the buffer zone** is determined by measuring 100 feet horizontally from the outer (landward) boundaries of bordering vegetated wetland, inland or coastal bank, coastal or barrier beach, rocky intertidal shore, salt marsh, and/or coastal dune. See Instructions in Section B, below, to determine the outer boundaries of these resource areas. If you check the Buffer Zone Only box in this section (indicating that the project is entirely in the Buffer Zone), skip the remainder of Section B of the Notice of Intent (Buffer Zone and Resource Area Impacts), and go directly to Section C of the Notice of Intent.

Item 2. The **boundaries of inland resource areas** in Items 2a through f can be determined by reference to the wetlands regulations, subsection (2), “Definitions, Critical Characteristics, and Boundaries,” for each resource area covered under 310 CMR 10.54 - 10.58. The Riverfront Area, listed in Item 1f, also can be a coastal resource area. The width of the Riverfront Area is described in 310 CMR 10.58(2)(a)3, and the methods for determining the Mean Annual High-Water Line (which is the inner boundary) are found in 310 CMR 10.58(2)(a)2 and 10.58(2)(c).

Item 3. The **boundaries of coastal resource areas** (in Items 3a-k) can be determined by reference to 310 CMR 10.25 – 10.35, and to the definitions found in 310 CMR 10.04 and 10.23, and M.G.L. c. 131, § 40. Land Subject to Coastal Storm Flowage is defined in the Wetlands Protection Act (M.G.L. c. 131, § 40); there are no performance standards pertaining to this resource area.



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Once you have identified the resource areas and located the components of the proposed project in each such area, you must indicate on the Notice of Intent the size of the proposed alterations (and proposed replacement areas) in each resource area. **Replacement area standards**, if any, are included in the performance standards for each resource area, discussed in the paragraph below. See also the Department's "Massachusetts Inland Wetland Replication Guidelines", March 2002 (available on MassDEP website at: <https://www.mass.gov/files/documents/2016/08/xf/replicat.pdf>).

You must also attach to the Notice of Intent a narrative and any supporting documentation describing how the project will meet all **performance standards** for each of the resource areas altered, including standards requiring consideration of alternative project design or location. The wetland regulations describe the type and extent of work that may be permitted in resource areas, called performance standards. Proposed work must meet these standards.

- **Performance standards for inland resource areas**, including the Riverfront Area (which can be either inland or coastal) are described in the Wetland regulations, subsection 3: "General Performance Standards" for each resource area covered under 310 CMR 10.54 - 58. Among other performance standards, an **alternatives analysis** is required for all projects involving bordering vegetated wetlands as well as those in the Riverfront Areas. Detailed requirements for the evaluation of alternatives to proposed work in Riverfront Areas and bordering vegetated wetlands are described at 310 CMR 10.58(4) and 310 CMR 10.55(4), respectively.
- **Performance standards for coastal resource areas** (excluding Riverfront Area) are described in various subsections within 310 CMR 10.25 – 10.35.
- **Limited Projects** are categories of activities specified in the regulations at 310 CMR 10.24(7) and 10.53(3) – (6), which can proceed at the discretion of the issuing authority without fully meeting the resource area performance standards. **Performance standards for limited projects** are described in the regulations at 310 CMR 10.24(7) and 10.53(3)-(6). An **alternatives analysis** performance standard is required for most limited projects.

Instructions to Section C. Other Applicable Standards and Requirements

Item 1. Rare Wetland Wildlife Habitat. Except for Designated Port Areas, no work (including work in the Buffer Zone) may be permitted in any resource area subject to the Act that would have adverse effects on the habitat of rare, "state-listed" vertebrate or invertebrate animal species.

The most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife is published by the Natural Heritage and Endangered Species Program (NHESP). See: http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm or the *Massachusetts Natural Heritage Atlas*.

If any portion of the proposed project is located in Estimated Habitat of Rare Wildlife as indicated on NHESP maps, the project is subject to the endangered species protection provisions of the Massachusetts Wetlands Protection Act Regulations (310 CMR 10.37, 10.58(4)(b), & 10.59). Projects located within Estimated Habitat are also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18; for exemptions see 321 CMR 10.14). If any portion of the proposed project is located within Estimated Habitat, the applicant must send the Natural Heritage Program, at the following address, a copy of the Notice of Intent by certified mail or priority mail (or otherwise sent in a manner that guarantees delivery within two days), no later than the date of the filing of the Notice of Intent with the Conservation Commission and the Department.

Evidence of mailing to the Natural Heritage Program (such as Certified Mail Receipt or Certificate of Mailing for Priority Mail) must be submitted to the Conservation Commission and the Department's Regional Office along with the Notice of Intent.



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Instructions and Supporting Materials

Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581-3336
508.792.7270

To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete the portion of Section D in the NOI entitled: Streamlined Massachusetts Endangered Species Act/Wetlands protection Act Review. **If MESA supplemental information is not included with the NOI, the NHESP will require a separate MESA filing which may take up to 90 days to review.**

Item 2. Coastal Projects. The **mean high water line** in coastal areas is described in the regulatory definitions at 310 CMR 10.23. The definition of **anadromous/catadromous “fish runs”** is found at 310 CMR 10.35(2). If the proposed work is located in either such area, the applicant must send the Massachusetts Division of Marine Fisheries (South Shore (Cohasset to Rhode Island, and the Cape & Islands): Division of Marine Fisheries - Southeast Marine Fisheries Station, Attn: Environmental Reviewer, 836 South Rodney French Blvd., New Bedford, MA 02744 or North Shore (Hull to New Hampshire): Division of Marine Fisheries - North Shore Office, Attn: Environmental Reviewer, 30 Emerson Avenue, Gloucester, MA 01930) a copy of the Notice of Intent by certified mail or priority mail (or otherwise sent in a manner that guarantees delivery within two days) no later than the date of the filing of the Notice of Intent with the Conservation Commission and the Department. Evidence of mailing to the Division of Marine Fisheries (such as certified mail receipt or certificate of mailing for priority mail) must be submitted to the Conservation Commission and the Department’s Regional Office along with the Notice of Intent.

Item 3. Areas of Critical Environmental Concern. If the project is proposed in one of the communities listed in the last page of these Instructions (also listed at the Department’s web site: <https://www.mass.gov/files/documents/2016/08/xo/aceclist.pdf>) the project may be located in an Area of Critical Environmental Concern (ACEC). To confirm whether the project location is in an ACEC, contact the Conservation Commission or the MA Department of Conservation & Recreation (formerly the Department of Environmental Management) ACEC Program at:

251 Causeway St., Suite 600
Boston, MA 02114
617.626.1394

The ACEC Program also may be contacted for additional information or to verify new ACEC designations.

Item 5. Restriction Orders. If any portion of the proposed project is located on a site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131 § 40A) or Coastal Wetlands Restriction Act (M.G.L. c. 130 § 105), attach a copy of the order to the Notice of Intent. To determine if a Wetlands Restriction Order exists for the site, contact the Conservation Commission or the Department’s Regional Office (see <https://www.mass.gov/service-details/massdep-regional-offices-by-community>).

Item 6. Stormwater Management. According to MassDEP’s Stormwater Regulations (January 2008), certain projects require stormwater management measures. To determine if a project requires stormwater management, consult the Wetland Regulations at 310 CMR 10.05(6) and the Department publications: *Massachusetts Stormwater Management Handbook: Volumes 1, 2, 3*. These documents are available for purchase from the State House Bookstore (617/727-2834) and State House Bookstore West (413/784-1378) and also may be obtained from MassDEP’s web site: <https://www.mass.gov/guides/massachusetts-stormwater-handbook-and-stormwater-standards>.



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If stormwater management is required, applicants are required to submit a Stormwater Report with the Notice of Intent to provide stormwater management information for Conservation Commission review consistent with the wetland regulations, 310 CMR 10.05(6)(k)-(q). The Department requires engineers to also complete the Stormwater Report Checklist and Certification to certify that the project conforms to the Stormwater Regulations and meets acceptable engineering standards. For recharge wells, check the Underground Injection Control (UIC) requirements to see if UIC regulation is required at <https://www.mass.gov/service-details/underground-injection-control-uic-application-forms>.

Instructions to Section D: Additional Information

All information listed in Section D of the Notice of Intent must be provided along with the Notice of Intent when it is filed with the conservation commission and the Department.

Item 2. Plans should be of adequate size, scale, and detail to completely and accurately describe the site, resource area boundaries, and proposed work. The following guidelines are provided to encourage uniformity:

Sheet Size

- Maximum 24" x 36"
- If more than one sheet is required to describe the proposed work, provide an additional sheet indexing all other sheets and showing a general composite of all work proposed within the Buffer Zone and areas subject to protection under the Act.

Scale

- Not more than 1" = 50'
- If plans are reduced, display graphical scales.

Title Block

- Included on all plans
- Located at the lower right hand corner, oriented to be read from the bottom when bound at the left margin
- Include original date plus additional space to reference the title and dates of revised plans.

Item 3. Resource Area Delineation Methodology: Attach documentation of the methodology used to delineate the Bordering Vegetated Wetlands (BVW) boundary (e.g. BVW Field Data Form, Final Order of Resource Area Delineation or other delineation method) as well as methods used to delineate any other resource areas proposed for alteration.

Instructions to Section E: Fees

A wetland application filing fee must accompany the Notice of Intent. The fee is based on the category of the proposed activity (described in 310 CMR 10.03(7)) and the resource area to be impacted by the activity. To calculate the filing fee of the NOI Wetland Fee Transmittal Form from the instructions below.

In summary, the total filing fee for a Notice of Intent that involves more than one activity is determined by adding the fees for each proposed activity. When work is proposed in the Riverfront Area, as well as another resource area or their Buffer Zones, add 50% to the fee for each activity in the Riverfront Area. For activities exclusively within the Riverfront Area, and not within other resource areas or their Buffer Zones, the fee is determined by



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adding the amounts for each proposed activity. The city/town share of the fee is the first \$25, plus half of the remaining total fee. The state share is half the total fee in excess of \$25.

Complete pages 1 and 2 of the NOI Wetland Fee Transmittal Form (attached to the NOI) and send them, along with a check for the state share of the filing fee, payable to *the Commonwealth of Massachusetts*, to MassDEP, Box 4062, Boston, MA 02211. Review of the Notice of Intent cannot begin until the fee is received.

Include check number and payor name information on the Notice of Intent to expedite fee payment confirmation.

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.

In addition, a notice of the application must be placed in a local newspaper, and published at least five days prior to the hearing, at the applicant's expense. Contact the Conservation Commission for the municipality where the project is located regarding the procedure for public newspaper notice.

Instructions for Completing the NOI Wetland Fee Transmittal Form

The wetland filing fee should be calculated using the following steps based on a hypothetical project involving two driveway crossings through a Riverfront Area and Bordering Vegetated Wetland and six single family houses in Riverfront Area only.

Step 1/Type of Activity: Review plans and narrative to identify each activity in wetland resource areas and their applicable Buffer Zones. Example: driveway crossing and construction of a single family house.

Step 2/Number of Activities: Determine the number of each activity associated with the project. Example: driveway crossings and 6 single family homes.

Step 3/Individual Activity Fee: List the fee amount for each category of activity (see Category Activities and Fee, below) Example: Driveway crossing is a Category 2(f.) activity and is \$500 each. Construction of a single family house is a Category 2(a.) activity and is \$500 each.

Step 4/Subtotal Activity Fee: Determine the subtotal fee for each type of activity by multiplying the fee for the activity (Step 3) by the number of activities (Step 2). If the activity is within the Riverfront Area as well as another resource area or its Buffer Zone, add 50% to total fee (e.g., multiply the fee by 1.5). If the activity is located in a Riverfront Area only, apply the fee amount for the category without the additional 50%. Example: 2 (driveway crossings in BVW) x \$500 x 1.5 (for riverfront area) = \$1,500; 6 (single family homes) x \$500 = \$3,000.

Step 5/Total Project Fee: Add all the subtotals identified in Step 4 to determine the total fee. Example: \$1,500 + \$3,000 = \$4,500.

Step 6/Fee Payments: The state share of the fee is 50% of any filing fee in excess of \$25 (i.e., the state share can be determined by dividing the total fee in half and subtracting \$12.50); the remaining portion of the fee shall be made to the city or town (i.e., the City/Town share can be determined by dividing the total fee in half and adding \$12.50). Example: City/Town share: \$2,262.50; state share: \$2,237.50.



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Category Activities and Fees

Category 1 (Fee for each activity is **\$110**):

- a.) work on single family lot; addition, pool, etc.;
- b.) site work without a house;
- c.) control vegetation;
- d.) resource improvement;
- e.) work on septic system separate from house;
- f.) monitoring well activities minus roadway;
- g.) new agricultural or aquaculture projects.

Category 2 (Fee for each activity is **\$500**)

- a.) construction of single family house;
- b.) parking lot;
- c.) beach nourishment;
- d.) coastal limited projects;
- e.) inland limited projects minus road crossings and agriculture;
- f.) each crossing for driveway to single family house;
- g.) each project source (storm drain) discharge;
- h.) control vegetation in development;
- i.) water level variations;
- j.) any other activity not in Category 1, 3, 4, 5 or 6;
- k.) water supply exploration.

Category 3 (Fee for each activity is **\$1,050**)

- a.) site preparation (for development) beyond Notice of Intent scope;
- b.) each building (for development) including site;
- c.) road construction not crossing or driveway;
- d.) hazardous cleanup;
- e.) water supply development.

Category 4 (Fee for each activity is **\$1,450**):

- a.) each crossing for development or commercial road;
- b.) dam, sluiceway, tidegate (safety) work;
- c.) landfills operation/closures;
- d.) sand and gravel operations;
- e.) railroad line construction;
- f.) bridge;
- g.) hazardous waste alterations to resource areas;
- h.) dredging;
- i.) package treatment plant and discharge;
- j.) airport tree clearing;
- k.) oil and/or hazardous material release response actions.

Category 5 (Fee is **\$4 per linear foot**; total fee not less than \$100 or more than \$2,000):

- a.) work on docks, piers, revetments, dikes, etc. (coastal or inland).

Category 6 (Fee is **\$2 per linear foot for each resource area**): **For each resource area delineation, the fee shall not exceed \$200 for activities associated with a single family house or \$2,000 for all other activities).**



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BRP WPA Form 3 - Notice of Intent Instructions and Supporting Materials

Instructions to Section F: Signatures and Submittal Requirements

Signatures and Submittal Requirements. Follow the filing instructions in Section F of the Notice of Intent. For additional filing requirements, see Section D of these instructions, above. The original Notice of Intent and a copy must be sent, by certified mail or hand delivery, to the Conservation Commission. At the same time the original Notice of Intent is submitted to the commission, one copy of the Notice of Intent must be sent to the appropriate MassDEP Regional Office (see <https://www.mass.gov/service-details/massdep-regional-offices-by-community>) by certified mail or hand delivery. Failure by the applicant to send the copies in a timely manner may result in dismissal of the Notice of Intent application.

Mail transmittal forms and MassDEP payments, payable to:

Commonwealth of Massachusetts
Department of Environmental Protection
Box 4062
Boston, MA 02211



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TOWNS WITH ACECs WITHIN THEIR BOUNDARIES

Town	ACEC NAME	Town	ACEC NAME
Ashby	Squannassit	Lunenburg	Squannassit
Ayer	Petapawag and Squannassit	Lynn	Rumney Marshes
Barnstable	Sandy Neck/Barnstable Harbor	Mansfield	Canoe River Aquifer
Bolton	Central Nashua River Valley	Mashpee	Waquoit Bay
Boston	Rumney Marshes	Melrose	Golden Hills
	Fowl Meadow and Ponkapoag Bog	Milton	Fowl Meadow and Ponkapoag Bog
	Neponset River Estuary		Neponset River Estuary
Bourne	Pocasset River	Mt Washington	Karner Brook Watershed, Schenob Brook
	Herring River Watershed		Parker River/Essex Bay
	Bourne Back River	Newbury	Hockomock Swamp
Braintree	Cranberry Brook Watershed	Norton	Canoe River Aquifer
Brewster	Pleasant Bay, Inner Cape Cod Bay		Three Mile River
Bridgewater	Hockomock Swamp		Fowl Meadow and Ponkapoag Bog
Canton	Fowl Meadow and Ponkapoag Bog	Norwood	Inner Cape Cod Bay, Pleasant Bay
Chatham	Pleasant Bay	Orleans	Petapawag and Squannassit
Cohasset	Weir River	Pepperell	Hinsdale Flats Watershed
Dalton	Hinsdale Flats Watershed	Peru	Herring River Watershed, Ellisville Harbor
Dedham	Fowl Meadow and Ponkapoag Bog	Plymouth	Neponset River Estuary
Dighton	Three Mile River		Fowl Meadow and Ponkapoag Bog
Dunstable	Petapawag	Randolph	Hockomock Swamp
Eastham	Inner Cape Cod Bay	Raynham	Rumney Marshes
	Wellfleet Harbor	Revere	Parker River/Essex Bay
Easton	Canoe River Aquifer	Rowley	Sandy Neck/Barnstable Harbor
	Hockomock Swamp	Sandwich	Rumney Marshes, Golden Hills
Egremont	Karner Brook Watershed	Saugus	Canoe River Aquifer
Essex	Parker River/Essex Bay	Sharon	Fowl Meadow and Ponkapoag Bog
Falmouth	Waquoit Bay		Schenob Brook
Foxborough	Canoe River Aquifer	Sheffield	Squannassit
Gloucester	Parker River/Essex Bay	Shirley	Kampoosa Bog Drainage Basin
Groton	Petapawag and Squannassit	Stockbridge	Hockomock Swamp, Canoe River Aquifer, Three Mile River
Grafton	Miscoe-Warren-Whitehall Watersheds	Taunton	Squannassit
Harvard	Central Nashua River Valley		Wellfleet Harbor
	Squannassit	Townsend	Petapawag
Harwich	Pleasant Bay	Truro	Miscoe-Warren-Whitehall Watersheds
Hingham	Weir River, Weymouth Back River	Tyngsborough	Golden Hills
Hinsdale	Hinsdale Flats Watershed	Upton	Hinsdale Flats Watershed
Holbrook	Cranberry Brook Watershed	Wakefield	Wellfleet Harbor
Hopkinton	Westborough Cedar Swamp	Washington	Hockomock Swamp
	Miscoe-Warren-Whitehall Watersheds	Wellfleet	Westborough Cedar Swamp
Hull	Weir River	W Bridgewater	Fowl Meadow and Ponkapoag Bog
Ipswich	Parker River/Essex Bay	Westborough	Weymouth Back River
Lancaster	Central Nashua River Valley	Westwood	Rumney Marshes
	Squannassit	Weymouth	
Lee	Kampoosa Bog Drainage Basin	Winthrop	
Leominster	Central Nashua River Valley		



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

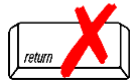
Provided by MassDEP:

MassDEP File Number

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City/Town

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



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

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

a. Street Address _____ b. City/Town _____ c. Zip Code _____

Latitude and Longitude: _____
d. Latitude _____ e. Longitude _____

f. Assessors Map/Plat Number _____ g. Parcel /Lot Number _____

2. Applicant:

a. First Name _____ b. Last Name _____

c. Organization _____

d. Street Address _____

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

h. Phone Number _____ i. Fax Number _____ j. Email Address _____

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

a. First Name _____ b. Last Name _____

c. Organization _____

d. Street Address _____

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

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

4. Representative (if any):

a. First Name _____ b. Last Name _____

c. Company _____

d. Street Address _____

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

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

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

a. Total Fee Paid _____ b. State Fee Paid _____ c. City/Town Fee Paid _____



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A. General Information (continued)

6. General Project Description:

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- | | |
|---|---|
| 1. <input type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Commercial/Industrial | 4. <input type="checkbox"/> Dock/Pier |
| 5. <input type="checkbox"/> Utilities | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation |
| 9. <input type="checkbox"/> Other | |

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

1. Yes No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

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

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

- Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



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

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Bank	1. linear feet _____	2. linear feet _____
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet _____	2. square feet _____
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet _____	2. square feet _____
	3. cubic yards dredged _____	

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet _____	2. square feet _____
	3. cubic feet of flood storage lost _____	4. cubic feet replaced _____
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet _____	
	2. cubic feet of flood storage lost _____	3. cubic feet replaced _____
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - specify coastal or inland _____	

2. Width of Riverfront Area (check one):

- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

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

5. Has an alternatives analysis been done and is it attached to this NOI? Yes No

6. Was the lot where the activity is proposed created prior to August 1, 1996? Yes No

3. Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



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

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	_____	
	1. square feet	

	2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	_____	_____
	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	_____	_____
	1. square feet	2. cubic yards dune nourishment
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	_____	
	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	_____	
	1. square feet	
h. <input type="checkbox"/> Salt Marshes	_____	_____
	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	_____	
	1. square feet	

	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	_____	
	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	

	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____	
	1. square feet	
4. <input type="checkbox"/> Restoration/Enhancement	If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.	
	_____	_____
	a. square feet of BVW	b. square feet of Salt Marsh
5. <input type="checkbox"/> Project Involves Stream Crossings		
	_____	_____
	a. number of new stream crossings	b. number of replacement stream crossings



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C. Other Applicable Standards and Requirements

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

- a. Yes No **If yes, include proof of mailing or hand delivery of NOI to:**

**Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581**

- b. Date of map _____

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

- c. Submit Supplemental Information for Endangered Species Review*

1. Percentage/acreage of property to be altered:

(a) within wetland Resource Area

_____ percentage/acreage

(b) outside Resource Area

_____ percentage/acreage

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

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

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

(b) Photographs representative of the site

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

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

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



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

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

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

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

(d) Vegetation cover type map of site

(e) Project plans showing Priority & Estimated Habitat boundaries

(f) OR Check One of the Following

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

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

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

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

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

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

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

North Shore - Hull to New Hampshire border:

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

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

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

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

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



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

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

- 4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
 a. Yes No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
 b. ACEC

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

D. Additional Information

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

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

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

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



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Provided by MassDEP:

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D. Additional Information (cont'd)

3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

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

a. Plan Title _____

b. Prepared By _____ c. Signed and Stamped by _____

d. Final Revision Date _____ e. Scale _____

f. Additional Plan or Document Title _____ g. Date _____

5. If there is more than one property owner, please attach a list of these property owners not listed on this form.

6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.

7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.

8. Attach NOI Wetland Fee Transmittal Form

9. Attach Stormwater Report, if needed.

E. Fees

1. Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

2. Municipal Check Number _____ 3. Check date _____

4. State Check Number _____ 5. Check date _____

6. Payor name on check: First Name _____ 7. Payor name on check: Last Name _____



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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

2. Date

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

6. Date

For Conservation Commission:

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

For MassDEP:

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

Other:

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

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



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 Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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



A. Applicant Information

1. Location of Project:

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

2. Applicant Mailing Address:

a. First Name _____ b. Last Name _____
 c. Organization _____
 d. Mailing Address _____
 e. City/Town _____ f. State _____ g. Zip Code _____
 h. Phone Number _____ i. Fax Number _____ j. Email Address _____

3. Property Owner (if different):

a. First Name _____ b. Last Name _____
 c. Organization _____
 d. Mailing Address _____
 e. City/Town _____ f. State _____ g. Zip Code _____
 h. Phone Number _____ i. Fax Number _____ j. Email Address _____

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

B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
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B. Fees (continued)

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

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

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

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

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

C. Submittal Requirements

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

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

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

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