



August 31, 2023

Town of Ashland
Ashland Conservation Commission
Attn: Becca Solomon, Conservation Agent
101 Main Street
Ashland, MA 01721

**Re: NOTICE OF INTENT RESPONSE TO COMMENTS - ASHLAND STATE PARK
DEP FILE 095-0988**

Dear Ms. Solomon and Conservation Commissioners:

Below are the comments sent to Coneco Engineers & Scientists on August 23, 2023 by Becca Solomon. The comments are in regard to the Notice of Intent (NOI) submittal for the proposed pedestrian trail bridge in Ashland State Park. On August 29th Becca and I visited the site and some of the responses below reflect discussions held during the site visit. Ms. Solomon's questions are numbered below (1-28), and the Coneco responses are listed as bullet points in Bold.

WPA Forms

1. Section A1, Parcel number is incorrectly marked as 0240-0001. The correct assessor information for this parcel is Map 24, Parcel 1
 - **Section A1 was updated to show the parcel as Map 24, Parcel 1. An updated WPA Form 3 is attached.**
2. Section A3, Property Owner phone number is missing
 - **A phone number for the property owner has been included.**
3. Section A6, fails to include information pertaining to the invasives removal and additional trail maintenance mentioned in the attachments. These should be included in this section.
 - **During a site visit, it was determined that there are no invasive species within the project area and therefore, the information was not addressed in section A6.**
4. Section Ba, Bank is on the site and the narrative states the abutments of the channel will be replaced. Unnatural (man-made) structures including culverts and abutments are still considered Bank. The impact values should either be added to the form or the explanation of how the work is not impacting the Bank added to the narrative.
 - **For this project there are no impacts to Bank. The upper boundary of a Bank is the first observable break in the slope or the mean annual flood level, whichever is lower. Bank in this area (approximately elevation 218 feet) is well below the elevation of the top of the dam (elevation 224 feet) where work is proposed. The spillway is approximately 30 feet wide, and the proposed structure will be 40 feet long. The new concrete footings for the bridge will be located partially within the buffer zone and partially within Riverfront Area but will be located behind the existing granite structures of the spillway. The existing granite structures will not be touched.**

5. Section Bd, BLSF is located in the work area, but is not included in the impacts on the WPA form, nor called out in the narrative. Impact values should be added to the form or the explanation of how the work is not impacting BLSF added to the narrative.

- **According to the FEMA Panels 25017C0626F and 25017C0627F the 100-year floodplain (BLSF) is located within the reservoir itself at elevation 220 feet (NAVD 1988). The top of the dam is at, and above, elevation 224 feet. All work is proposed above elevation 224 feet. The project is a bridge that fully spans the BLSF. We have included copies of the two FEMA panels with this submittal.**

6. Section Bf4, Riverfront Area impacts are stated as 195 temporary square feet and 25 permanent square feet; however, the narrative specified that 4,400 square feet of Riverfront Area is located in the project zone. The narrative also specifies that 57 permanent square feet and 381 temporary square feet of impacts will be done in the 100-foot buffer zone of the Bank, which is also within the 200-foot Riverfront Area. Plan shows abutments measures to be 3.5'x11' for a total of 38.5sqft each or 77sqft total and approximately 153sqft of trail resurfacing and grading on the east side and 415sqft on the west side, which are permanent impacts amounting to a total of 645sqft within Riverfront Area. Numbers are not consistent between WPA Form, Plans, and Narrative. Numbers should be clarified or corrected.

- **The Riverfront Area (RFA) specified in the narrative starts at a line drawn parallel to the spillway (where the river starts as it exists the reservoir). While the 100-foot Buffer to Bank and RFA overlap, RFA takes precedence Buffer to Bank, so we did not “double count” the impacts. The impacts are only counted under one resource. In this case where it is buffer to bank only, buffer zone is counted, and where it is both buffer zone and RFA, only RFA is counted.**
- **The impacts for grading are considered temporary because the work area is on top of the dam, has previously been altered, and the work will have no adverse effect. The numbers have been revised on the WPA Form 3 and in the Narrative to match the plan set.**

7. Section Bf5, Alternatives analysis is checked off as not provided. Narrative does not explain why an alternative analysis is not provided. Please provide an alternative analysis and correct this on the WPA form.

- **A formal alternatives analysis was not completed because there is no feasible alternative for a new crossing. Upstream of the existing crossing is the reservoir and downstream is the side slope of the dam, the spillway, and the raceway. The location selected will provide the least amount of impact to the site and resource areas.**

8. Section D4, Plan information listed does not match plans submitted. WPA form shows the plan as dated August 4th 2013, while the plans are dated August 4th 2023. Additionally, the sign and stamp from the engineer and surveyor are different from the plan date of August 4th 2023 and are listed as August 21st 2023. Please correct these discrepancies on the form and plans.

- **The WPA was updated to show the plan date as 8/21/23. The plan sheets are listed as August 4th because that was the date of the last edits were made. The August 21st date is when the plans were officially approved, stamped, and able to be filed. This is the date required on WPA Form 3.**

9. Section E, Supplies information for checks and narrative provides scan copies of checks, but checks are not included in the packet. If this state project is fee exempt, please correct the form to mark fee exempt and remove mention of filing fees from the narrative. If this project is not fee exempt, please provide the checks required and additionally address the below two comments.

- a. Wetland Fee Transmittal Form Section A2, Phone number and email address of applicant are not listed.
 - **The check was mailed separately to your office on the same date as the filing. The DEP check was mailed at the same time, they received it, and the DEP has issued file number 095-0988. Please let us know if you have not received the Town's check.**
 - **The phone number for the applicant was added to WPA Form 3 and the Wetland Fee Transmittal Form.**
- b. Wetland Fee Transmittal Form Section A3, Phone number of property owner is not listed.
 - **The phone number for the property owner was added to the Wetland Fee Transmittal Form.**

Narrative and Packet Attachments

10. Narrative states delineation was completed using the 1987 Corps of Engineers Wetland Delineation Manual and 2012 supplements. The MassDEP released the Second Edition Massachusetts Handbook for Delineation of Bordering Vegetated Wetlands, September 2022, in the past year. Delineations should follow the most recent handbook and the supplemental US Army Corps of Engineers 2020 National Wetland Plant List.

- **The recently released handbook for delineating wetlands was not used because the delineation of the site was completed prior to the issuance of the document. There are no BVWs within the project area.**
- a. Delineation forms provided by the handbook should be filled out and included in the packet.
 - **Delineation forms were not completed for the project because there were no wetlands located within the project area.**

11. Narrative states no BVW was located on site but does not provide an explanation of how this was determined.

- **A member of Coneco conducted a site visit on August 24th of 2022 to determine the extent of resource areas within the project area. This person identified areas of bank associated with the reservoir and stream but did not locate any areas that meet the definition of a wetland.**

12. Narrative states that BLSF is present on site but notes that abutment and grading are located outside the area. Please provide elevation data for the floodplain compared to elevation data of the proposed work. Please show this distinction on the plans as well. See also comment 5.

- **The 100-year floodplain in the reservoir is at an elevation of 220 feet (NAVD 1988). The top of the wall was surveyed in at approximately 224.6 feet, and the top of the bridge is at approximately 225.8 feet.**

13. Narrative correctly states that Stormwater Management Standards shall apply to the maximum extent practical, but also states that no improvements are proposed. Please clarify the narrative to explain the existing stormwater if any, and why improvements are not necessary.

- **A stormwater checklist stamped by a Massachusetts PE with annotations pertaining to the applicability of the Stormwater Standards was included in the NOI filing. None of the sections within the checklist are applicable to the project.**

14. Narrative states work is to occur in summer to early fall 2023. Please confirm that this timeline is still accurate.

- **The project is more likely to be bid this fall and constructed in 2024.**

15. Narrative states that there is 4,400sqft of Riverfront Area in the project area. States only 25sqft of permanent impacts and 195sqft of temporary impacts will occur in the Riverfront Area. States 57sqft of permanent and 381sqft of temporary impacts will occur in the Bank Buffer Zone. The Riverfront Area encompasses the Bank Buffer Zone. These numbers should either be corrected or clarified to reflect the correct values. See also comment 6.

- **The 4,400 sq. ft. of Riverfront Area specified in the narrative counts some area that is downstream of the bridge location on the property. While the 100-foot Buffer to Bank and RFA overlap, RFA takes precedence over Buffer to Bank. The impacts are only counted under one resource. In this case where it is buffer to bank only, buffer zone is counted, and where it is both buffer zone and RFA, only RFA is counted.**

16. Narrative states that the new bridge will be expanded as well as the existing trails, but claims no adverse impact to Riverfront Area. Please clarify the narrative to explain how the increase in disturbed areas will not constitute a negative impact in the Riverfront Area.

- **While the bridge is both longer and wider than the existing bridge (wider for ADA Accessibility and longer to keep the bridge footings off the granite walls of the spillway) the work is being completed within an area that has previously been disturbed (top of the dam). The bridge will have a clear span with no additional supports required so the only impacts will be the new footings.**

17. Narrative does not provide an alternative analysis for work in the Riverfront Area or as a Limited Project. Please provide at least one alternative that is of *equal or lesser impact*. A “no-build” or “more impactful” option are not reasonable alternatives. If no reasonable alternative exists, this must be proven in the narrative.

- **A formal alternatives analysis was not completed because there is no feasible alternative for a new crossing. Upstream of the existing crossing is the reservoir and downstream is the side slope of the dam, the spillway, and the raceway. The location selected will provide the least amount of impact to the site and resource areas.**

18. Narrative states that existing abutments will be demolished and replaced with expanded size, but claims no adverse impacts to Bank. Please clarify the narrative to explain how the increase in disturbed areas will not constitute a negative impact to the Bank.

- **For this project there are no impacts to Bank. The upper boundary of a Bank is the first observable break in the slope or the mean annual flood level, whichever is lower. Bank in this**

area (approximately elevation 218 feet) is well below the elevation of the top of the dam (elevation 224 feet) where work is proposed. The spillway is approximately 30 feet wide, and the proposed structure will be 40 feet long. The new concrete footings for the bridge will be located partially within the buffer zone and partially within Riverfront Area but will be located behind the existing granite structures of the spillway. The existing granite structures will not be touched.

19. Narrative states impacts are to Riverfront Area only, but mentions both Bank and BLSF. Please clarify how Bank and BLSF are not being impacted. See also comments 4, 5, 12, and 18.

- **Please see our response to the previous questions.**

	Temporary Impacts	Permanent Impacts
Riverfront Area (RFA)	195 sq. ft.	25 sq. ft.
100-foot Buffer to Bank	381 sq. ft.	57 sq. ft.

20. Affidavit of Service incorrectly lists property information as Map 24 Parcel 0240-0001. The correct property information is Map 24 Parcel 1. See also comment 1.

- **Affidavit of Service has been updated to show the correct property information.**

21. Attachment G references an Invasive Species Management Plan that is not otherwise noted in the narrative, reflected on the WPA Form, or called out on the plans. This should be corrected.

- **An invasive species management plan was not created because there are no invasive species located within the project area.**

22. Attachment H references Trail Maintenance and Operations that DCR requires be included in all WPA filings, but is not referenced in the narrative. Please call out this attachment in the narrative and explain how it will be applied to this project.

- **This document was referenced in the Table of Contents for the NOI. The Trail Maintenance and Operations Provisions is a guide for the people that will be working on site. It covers the basic information that one should have before heading out to the site for the first time. It will be provided for all entities that will be working on the project to ensure that the resource areas and buffer zones are protected throughout the construction process.**

Plans

23. Plan date (8/4/2023) does not match the sign and stamp date (8/21/2023). Please clarify on the plan the correct plan date. See also comment 8.

- **The plan sheets are listed as August 4th because that was the date of the last edits were made. The August 21st date is when the plans were officially approved, stamped, and able to be filed as required on NOI Form 3.**

24. Plans do not call out the BLSF elevation. This should be added. See also comment 12.

- **The 100-year floodplain in the reservoir is at an elevation of approximately 220 feet. The top of the wall was surveyed in at approximately 224.6 feet, and the top of the bridge is at approximately 225.8 feet.**

25. Plans do not call out invasive species management areas. See also comment 21.

- **An invasive species management plan was not created for this site because there are no invasive species located within the project area that need to be managed.**

26. See comment 6.

- **The 100-foot Buffer to Bank and RFA overlap, but RFA takes precedence over Buffer to Bank. The impacts are only counted under one resource. In this case where it is buffer to bank only, buffer zone is counted, and where it is both buffer zone and RFA, only RFA is counted. The plans depict this correctly.**

27. Plans do not specify the type of erosion and sediment control to be used. These should be clarified on the plans and a detail added showing how they will be installed.

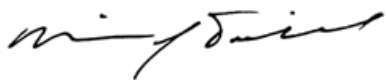
- **The sedimentation controls are shown on the plan as a dashed brown line. The controls will consist of compost socks and straw waddles as determined by the site contractor or as conditioned by the Commission.**

Other

28. No digital copy of the submission has been received. Please email or send a dropbox, Google Drive, or similar access link for both the current files and any additional revised materials. Any revised materials to be submitted are due on August 31st in order to be reviewed by the Commission for the September 11th meeting.

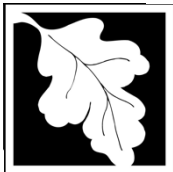
- **The application and revised components were emailed to the Commission as PDFs on 8/25.**

Sincerely,



Michael J. Toohill, PWS, CE, CERP
Principal, Ecological Services and Permitting

cc: MA DEP NERO
Ellen Huffman and Paul Jahnige - DCR
Kevin McHugh, PE – Coneco



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Ashland

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):

State Park Road	Ashland	01721
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:	42.246587	-71.458823
	d. Latitude	e. Longitude
Map 24	Parcel 1	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

Paul	Jahnige	
a. First Name	b. Last Name	
Department of Conservation & Recreation		
c. Organization		
136 Damon Road		
d. Street Address		
Northampton	MA	01060
e. City/Town	f. State	g. Zip Code
617-626-1250	mass.parks@mass.gov	
h. Phone Number	i. Fax Number	j. Email Address

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

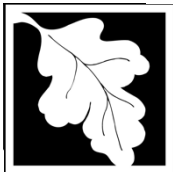
Priscilla	Geigis	
a. First Name	b. Last Name	
Commonwealth of Massachusetts		
c. Organization		
10 Park Plaza Suite 6620		
d. Street Address		
Boston	MA	02116
e. City/Town	f. State	g. Zip Code
617-626-1250	PRISCILLA.GEIGIS@STATE.MA.US	
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

Michael	Toohill	
a. First Name	b. Last Name	
Coneco Engineers & Scientists Inc.		
c. Company		
238 Littleton Road, Suite 105		
d. Street Address		
Westford	MA	01886
e. City/Town	f. State	g. Zip Code
978-656-8684 x201	mtoohill@coneco.com	
h. Phone Number	i. Fax Number	j. Email address

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

\$750	\$362.50	\$387.50
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:

The existing trail bridge will be removed and an new trail bridge is to constructed at the same location.

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

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

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

- 1. Yes No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types) 10.53(6): Construction, rehabilitation, & maintenance of footpaths; & 10.53(3.)(j): catwalks, footbridges, etc.

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.

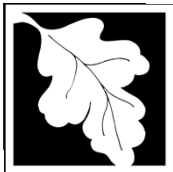
8. Property recorded at the Registry of Deeds for:

Middlesex County	
a. County	b. Certificate # (if registered land)
10954	300
c. Book	d. Page Number

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

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

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



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

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

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet	
	2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input checked="" type="checkbox"/> Riverfront Area	Cold Spring Brook	

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: 688,330 square feet

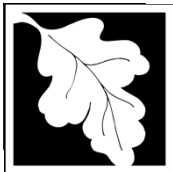
4. Proposed alteration of the Riverfront Area:

<u>195</u> Temp., <u>25</u> Perm.	<u>195</u> Temp., <u>25</u> Perm.	<u>0</u>
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.

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

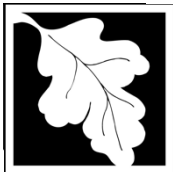
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	_____	
	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	_____	
	1. square feet	
h. <input type="checkbox"/> Salt Marshes	_____	_____
	1. square feet	2. sq ft restoration, 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. 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 checked="" type="checkbox"/> Project Involves Stream Crossings	
0	1
_____	_____
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

08/2021

b. Date of map

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

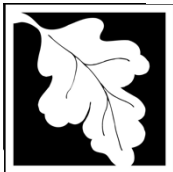
- c. Submit Supplemental Information for Endangered Species Review*

1. Percentage/acreage of property to be altered:
- (a) within wetland Resource Area _____ percentage/acreage
- (b) outside Resource Area _____ percentage/acreage
2. Assessor's Map or right-of-way plan of site
2. Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **
- (a) Project description (including description of impacts outside of wetland resource area & buffer zone)
- (b) Photographs representative of the site

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

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

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



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

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

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

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

- (d) Vegetation cover type map of site

- (e) Project plans showing Priority & Estimated Habitat boundaries

- (f) OR Check One of the Following

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

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

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

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

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

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

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

North Shore - Hull to New Hampshire border:

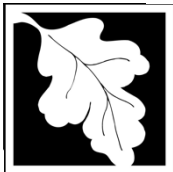
Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

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

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

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

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

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

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

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

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

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

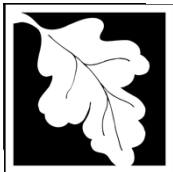
D. Additional Information

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

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

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

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

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

D. Additional Information (cont'd)

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

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

Ashland State Park Bridge Design

a. Plan Title

Coneco Engineers & Scientists, Inc.

b. Prepared By

8/21/23

d. Final Revision Date

Kevin McHugh

c. Signed and Stamped by

varies

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:

6239

2. Municipal Check Number

8/16/23

3. Check date

6240

4. State Check Number

8/16/23

5. Check date

Coneco Engineers and Scientists Inc.

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Ashland

City/Town

F. Signatures and Submittal Requirements

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

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

8/1/23

1. Signature of Applicant

2. Date

8/2/23

3. Signature of Property Owner (if different)

4. Date

8/16/23

5. Signature of Representative (if any)

6. Date

For Conservation Commission:

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

For MassDEP:

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

Other:

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

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



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

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



A. Applicant Information

1. Location of Project:

State Park Road	Ashland
a. Street Address	b. City/Town
6240	362.50
c. Check number	d. Fee amount

2. Applicant Mailing Address:

Paul	Jahnige	
a. First Name	b. Last Name	
Department of Conservation & Recreation		
c. Organization		
136 Damon Road		
d. Mailing Address		
Northampton	MA	01060
e. City/Town	f. State	g. Zip Code
617-626-1250		
h. Phone Number	i. Fax Number	j. Email Address

3. Property Owner (if different):

Priscilla	Geigis	
a. First Name	b. Last Name	
Commonwealth of Massachusetts		
c. Organization		
10 Park Plaza Suite 6620		
d. Mailing Address		
Boston	MA	02116
e. City/Town	f. State	g. Zip Code
617-626-1250	PRISCILLA.GEIGIS@STATE.MA.US	
h. Phone Number	i. Fax Number	j. Email Address

B. Fees

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

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

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

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

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

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

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

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



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

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Cat 2(j.) Any other activity not described in Categories 1, 3, 4, 5 or 6 for boardwalk crossing	1	500	500
Riverfront Area additional amount	0.5	500	250

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee:	750
State share of filing Fee:	a. Total Fee from Step 5 362.50
City/Town share of filing Fee:	b. 1/2 Total Fee less \$12.50 387.50
	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.)

National Flood Hazard Layer FIRMMette



71°27'50"W 42°15'1"N



Legend

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

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

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

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

GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall

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

MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped

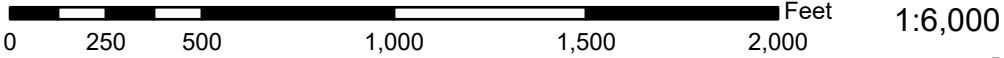


The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

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

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **8/29/2023 at 5:56 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

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



71°27'13"W 42°14'34"N