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NOTICE OF INTENT APPLICATION CITY OF NEWBURYPORT NORTH JETTY DREDGE

Merrimack River Entrance Salisbury, Massachusetts 01952

April 21, 2022
GZA File No. 18.0175549.00



PREPARED FOR:
City of Newburyport
60 Pleasant Street
Newburyport, Massachusetts

GZA GeoEnvironmental, Inc.
144 Elm Street | Amesbury, MA 01913
781-278-4800



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April 21, 2022
GZA File No. 18.0175549.00

Town of Salisbury
Conservation Commission Office
Town Hall
5 Beach Road
Salisbury, MA 01952

Re: Notice of Intent Application
Newburyport North Jetty Dredge Project

Dear Commissioners:

On behalf of the City of Newburyport, GZA GeoEnvironmental Inc. (GZA) is submitting this Notice of Intent (NOI) application for the above-mentioned project. GZA has prepared this NOI application per the requirements of the Massachusetts Wetlands Protection Act (WPA; M.G.L. Chapter 131, Section 40) and The Town of Salisbury Conservation Commission Rules and Policies.

The City of Newburyport wishes to dredge the shoaled area south of the North Jetty within the entrance of the Merrimack River, north of the Federal Navigational Project (FNP) Limits. The City wishes to have the required agreements and permits in place for this project to be combined with the U.S. Army Corps of Engineers' (USACE) Newburyport Harbor Maintenance Dredging Project, anticipated to occur during the 2022/2023 winter dredging season.

Additional information on the proposed project, including resource area impacts, is presented in the Project Narrative. As required, one copy of the Notice of Intent has been submitted to the Northeast Regional Office of the Massachusetts Department of Environmental Protection (MassDEP) and one copy has been submitted to the Natural Heritage and Endangered Species Program in accordance with the MA Endangered Species Act (MESA) requirements

Please contact David A. Smith at GZA at (781) 278-4806 if you have any questions or require additional information regarding this application. We look forward to discussing the project with the Conservation Commission.

Very truly yours,

GZA GEOENVIRONMENTAL, INC.

David A. Smith
Senior Project Manager

Enclosure: Notice of Intent Application



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COVER LETTER

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NOI WETLAND FEE TRANSMITTAL FORM

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Enter your transmittal number

X288958

Transmittal Number

Your unique Transmittal Number can be accessed online:

http://www.mass.gov/eea/agencies/massdep/service/approvals/transmittal-form-for-payment.html

Massachusetts Department of Environmental Protection

Transmittal Form for Permit Application and Payment

1. Please type or print. A separate Transmittal Form must be completed for each permit application.

2. Make your check payable to the Commonwealth of Massachusetts and mail it with a copy of this form to: MassDEP, P.O. Box 4062, Boston, MA 02211.

3. Three copies of this form will be needed.

Copy 1 - the original must accompany your permit application. Copy 2 must accompany your fee payment. Copy 3 should be retained for your records

4. Both fee-paying and exempt applicants must mail a copy of this transmittal form to:

MassDEP
P.O. Box 4062
Boston, MA
02211

* Note: For BWSC Permits, enter the LSP.

A. Permit Information

WPA Form 3

Notice of Intent

1. Permit Code: 4 to 7 character code from permit instructions

2. Name of Permit Category

Dredging

3. Type of Project or Activity

B. Applicant Information - Firm or Individual

City of Newburyport

1. Name of Firm - Or, if party needing this approval is an individual enter name below:

2. Last Name of Individual

3. First Name of Individual

4. MI

60 Pleasant Street

5. Street Address

Newburyport

MA

01950

978-360-6963

6. City/Town

7. State

8. Zip Code

9. Telephone #

10. Ext. #

Paul Hogg

PHogg@CityofNewburyport.com

11. Contact Person

12. e-mail address

C. Facility, Site or Individual Requiring Approval

City of Newburyport

1. Name of Facility, Site Or Individual

60 Pleasant Street

2. Street Address

Newburyport

MA

01950

978-360-6963

3. City/Town

4. State

5. Zip Code

6. Telephone #

7. Ext. #

8. DEP Facility Number (if Known)

9. Federal I.D. Number (if Known)

10. BWSC Tracking # (if Known)

D. Application Prepared by (if different from Section B)*

GZA GeoEnvironmental, Inc.

1. Name of Firm Or Individual

144 Elm Street

2. Address

Amesbury

MA

01913

978-835-5532

3. City/Town

4. State

5. Zip Code

6. Telephone #

7. Ext. #

David Smith

8. Contact Person

9. LSP Number (BWSC Permits only)

E. Permit - Project Coordination

1. Is this project subject to MEPA review? [] yes [X] no
If yes, enter the project's EOE file number - assigned when an Environmental Notification Form is submitted to the MEPA unit:

EOEA File Number

F. Amount Due

Special Provisions:

- 1. [X] Fee Exempt (city, town or municipal housing authority)(state agency if fee is \$100 or less).
There are no fee exemptions for BWSC permits, regardless of applicant status.
2. [] Hardship Request - payment extensions according to 310 CMR 4.04(3)(c).
3. [] Alternative Schedule Project (according to 310 CMR 4.05 and 4.10).
4. [] Homeowner (according to 310 CMR 4.02).

DEP Use Only

Permit No:

Rec'd Date:

Reviewer:

n/a

n/a

n/a

Check Number

Dollar Amount

Date



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

Salisbury

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):

North Jetty, Merrimack River Entrance

Salisbury

01952

a. Street Address

b. City/Town

c. Zip Code

Latitude and Longitude:

42.818571

-70.803977

d. Latitude

e. Longitude

f. Assessors Map/Plat Number

g. Parcel /Lot Number

2. Applicant:

Paul

Hogg

a. First Name

b. Last Name

City of Newburyport

c. Organization

60 Pleasant Street

d. Street Address

Newburyport

MA

01950

e. City/Town

f. State

g. Zip Code

(978) 360-6963

(978)-255-7749

PHogg@CityofNewburyport.com

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):

David

Smith

a. First Name

b. Last Name

GZA GeoEnvironmental, Inc.

c. Company

144 Elm Street

d. Street Address

Amesbury

MA

01913

e. City/Town

f. State

g. Zip Code

978-835-5532

david.smith@gza.com

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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

Provided by MassDEP:
MassDEP File Number
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Salisbury
City/Town

A. General Information (continued)

6. General Project Description:

The proposed project is to dredge approximately 7,400 square feet, 505 cubic yards, of the shoaled area south of the North Jetty at the entrance to the Merrimack River. See NOI Project Narrative for a complete description.

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

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

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

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

2. Limited Project Type

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

8. Property recorded at the Registry of Deeds for:

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

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

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

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



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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. 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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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**

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

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Provided by MassDEP:

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

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

D. Additional Information

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

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

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

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

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



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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.

Proposed Dredge Footprint

a. Plan Title	Joshua Zall	Anders Bjargard, P.E.
b. Prepared By	April 4, 2022	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:

FEE EXEMPT

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



Massachusetts Department of Environmental Protection
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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

Salisbury
City/Town

F. Signatures and Submittal Requirements

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

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

1. Signature of Applicant 

2. Date 4/20/22

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

6. Date 4/20/22

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.



1.0 INTRODUCTION

On behalf of the City of Newburyport, GZA GeoEnvironmental, Inc. (GZA) has prepared this Notice of Intent (NOI) application to describe the dredging of approximately 7,400 square feet of the shoaled area just south of the North Jetty within the entrance of the Merrimack River. (**Figure 1**).

This application is submitted in accordance with the requirements of the Massachusetts Wetlands Protection Act (WPA; M.G.L. Chapter 131, Section 40), its associated Regulations (310 CMR 10.00), and The Town of Salisbury Conservation Commission Rules and Policies. The following provides a detailed description of the current conditions and the proposed Project, as well as a description of the resource areas and potential impacts to those resources that may result from this Project.

2.0 EXISTING CONDITIONS

The Project Site is located at the entrance of the Merrimack River, south of the North Jetty, north of the Federal Navigation Project (FNP) Limits. The Newburyport Harbor and Merrimack River Channel has been dredged at least 15 times since 1961. The work is typically preformed by the U.S. Army Corps of Engineers (USACE) on an “as-needed” basis to alleviate shoaling conditions within the FNP. The last dredging of the Newburyport Harbor FNP at the mouth of the Merrimack River occurred in 2010 and included onshore placement on both Salisbury and Plum Island beaches. Prior to that, the FNP was dredged in 1999 with the dredge spoils placed in the Plum Island Nearshore Disposal Site.

The City of Newburyport’s Harbormaster has reported an additional shoaling area located outside of the USACE FNP, just south of the North Jetty at the Merrimack River’s entrance that has also been reported by mariners over the years and confirmed by recent survey data performed by the USACE. Based on the most recent survey conducted, the peak of the shoal is at elevation -7 Mean Lower Low Water Datum (MLLW).

The Project Site is shown on the Permit Plans (**Appendix A**) and includes the areas of temporary and permanent impact from construction activities associated with the proposed work.

3.0 PROPOSED PROJECT

The USACE is anticipated to dredge the FNP in the upcoming 2022/2023 winter season. The City of Newburyport intends to perform the dredge of the proposed Project Site in conjunction with the USACE project. The intent of the proposed project by the City of Newburyport is to have the work performed by the same contractor as the USACE project but will have separate contracting agreements between the contractor and the City. As such, the City is working toward obtaining the necessary regulatory authorizations in order to meet the schedule to allow for this work to be completed during the 2022/2023 winter season. The proposed project consists of the dredging of approximately 7,400 square feet from elevation -7 MLLW to elevation -10 MLLW, with an allowable 1-foot over dredge to elevation -11 MLLW. The removal of approximately 505 cubic yards of presumably clean sand will allow mariners to navigate without encountering hazardous shoaling. It is our understanding that the sediment will be removed using a hopper dredge or hydraulic pipeline dredge. The dredged material will be used as beach nourishment and nearshore disposal on Plum Island Beach in Newburyport and will be permitted separately through an amendment to the existing Order of Conditions that was issued for the USACE dredging project.

4.0 REGULATORY COMPLIANCE AND IMPACTS

The proposed work will be performed using the best available measures to avoid and minimize the adverse impacts to the resource areas defined under the Massachusetts Wetlands Protection Act (WPA). The project has been designed to limit



both temporary and permanent impacts at the site. However, the proposed work will result in unavoidable temporary and permanent impacts.

4.1 LAND UNDER THE OCEAN (310 CMR 10.25)

Massachusetts WPA Regulations define Land Under the Ocean as, “the land extending from the mean low water line seaward to the boundary of the municipality’s jurisdiction and includes land under estuaries.”

This site falls entirely into the category of Land Under the Ocean. The proposed work will eliminate the shoal and allow mariners’ passage. In accordance with 310 CMR 10.25, when Land Under the Ocean or nearshore areas of land under the ocean are found to be significant to the protection of marine fisheries, protection of wildlife habitat, storm damage prevention or flood control, 310 CMR 10.25(3) through (7) shall apply. **Table 1** lists the performance standards for Land Under the Ocean and describes how the proposed project will address the performance standards.

Table No. 1 – Performance Standards for Work Performed to Land Under the Ocean	
Performance Standard	Proposed Project
<p><u>310 CMR 10.25(3)</u> <i>Improvement dredging for navigational purposes affecting land under the ocean shall be designed and carried out using the best available measures so as to minimize adverse effects on such interests caused by changes in:</i></p> <p><i>(a) bottom topography which will result in increased flooding or erosion caused by an increase in the height or velocity of waves impacting the shore;</i></p> <p><i>(b) sediment transport processes which will increase flood or erosion hazards by affecting the natural replenishment of beaches;</i></p> <p><i>(c) water circulation which will result in an adverse change in flushing rate, temperature, or turbidity levels; or</i></p> <p><i>(d) marine productivity which will result from the suspension or transport of pollutants, the smothering of bottom organisms, the accumulation of pollutants by organisms, or the destruction of marine fisheries habitat or wildlife habitat.</i></p>	<p>The proposed project will not increase flooding or erosion to the shore. It will have temporary, insignificant affects on the sediment transport process and water circulation. Temporary suspension of sand and marine sediment will not have significant effects on the wildlife habitat.</p>
<p><u>310 CMR 10.25(4)</u> <i>Maintenance dredging for navigational purposes affecting land under the ocean shall be designed and carried out using the best available measures so as to minimize adverse effects on such interests caused by changes in marine productivity which will result from the suspension or transport of pollutants, increases in turbidity, the smothering of bottom organisms, the accumulation of pollutants by organisms, or the destruction of marine fisheries habitat or wildlife habitat.</i></p>	<p>The proposed work will have temporary effects on localized water turbidity due to the suspension of sediment. Coastal organisms are exposed to suspended sediments from tidal flow, currents, and storms and have adaptive behavioral and physiological mechanisms to handle these conditions.</p> <p>The project will be performed during dates with the least adverse impact to spawning and fish migration.</p>



Table No. 1 – Performance Standards for Work Performed to Land Under the Ocean	
Performance Standard	Proposed Project
<p><u>310 CMR 10.25(5)</u> <i>Projects not included in 310 CMR 10.25(3) or (4) which affect nearshore areas of land under the ocean shall not cause adverse effects by altering the bottom topography so as to increase storm damage or erosion of coastal beaches, coastal banks, coastal dunes, or salt marshes.</i></p>	<p>The proposed project is not expected to have significant impacts to the surrounding environment.</p>
<p><u>310 CMR 10.25(6)</u> <i>Projects not included in 310 CMR 10.25(3) which affect land under the ocean shall if water-dependent be designed and constructed, using best available measures, so as to minimize adverse effects, and if non-water-dependent, have no adverse effects, on marine fisheries habitat or wildlife habitat caused by:</i></p> <p><i>(a) alterations in water circulation;</i></p> <p><i>(b) destruction of eelgrass (<i>Zostera marina</i>) or widgeon grass (<i>Rupia maritima</i>) beds;</i></p> <p><i>(c) alterations in the distribution of sediment grain size;</i></p> <p><i>(d) changes in water quality, including, but not limited to, other than natural fluctuations in the level of dissolved oxygen, temperature or turbidity, or the addition of pollutants; or</i></p> <p><i>(e) alterations of shallow submerged lands with high densities of polychaetes, mollusks or macrophytic algae.</i></p>	<p>The proposed project will not have significant temporary or permanent impact on water circulation, sediment size, or water quality.</p>
<p><u>310 CMR 10.25(7)</u> Notwithstanding the provisions of 310 CMR 10.25(3) through (6), no project may be permitted which will have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures established under 310 CMR 10.37.</p>	<p>The proposed project is likely to have temporary localized impacts with no significant impacts to these habitats. The USACE, under the USACE Federal Channel Dredging project, is in consultation with the National Marine Fisheries Service to ensure that any potential impacts will be minimized.</p>

4.2 FISH RUNS (310 CMR 10.35)

The Merrimack River contains several species of anadromous fish that transit the river primarily in the months of May and June. Considering the scope of the project and the anticipated time of year restrictions for dredging work, it will not have a significant adverse impact on the anadromous fish population.



Table No. 2 – Performance Standards for Fish Runs	
Performance Standard	Proposed Project
<p><u>310 CMR 10.35(3)</u></p> <p><i>(3) Any project on such land or bank shall not have an adverse effect on the anadromous or catadromous fish run by:</i></p> <p><i>(a) impeding or obstructing the migration of the fish, unless DMF has determined that such impeding or obstructing is acceptable, pursuant to its authority under M.G.L. c. 130, § 19;</i></p> <p><i>(b) changing the volume or rate of flow of water within the fish run; or</i></p> <p><i>(c) impairing the capacity of spawning or nursery habitats necessary to sustain the various life stages of the fish.</i></p>	<p>The proposed project will not have a significant impact or adverse effects on the fish run.</p>
<p><u>310 CMR 10.35(4)</u></p> <p><i>(4) Unless otherwise allowed by DMF pursuant to M.G.L. c. 130, § 19, dredging, disposal of Dredged Material or filling in a fish run shall be prohibited between March 15 and June 15 in any year.</i></p>	<p>The proposed project will not involve the disposal of dredged material during the prohibited months.</p>
<p><u>310 CMR 10.35(5)</u></p> <p><i>(5) Notwithstanding the provisions of 310 CMR 10.35(3), no project may be permitted which will have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures established under 310 CMR 10.37.</i></p>	<p>The proposed project will not have adverse effects on rare species.</p>

4.3 LAND CONTAINING SHELLFISH (310 CMR 10.34)

The Project Site is located within the Atlantic sturgeon critical habitat. Critical habitat is defined by Section 3 of the ESA as; “(1) the specific areas within the geographical area occupied by the species, at the time it is listed, on which are found those physical or biological features; (a) essential to the conservation of the species; and (b) which may require special management considerations or protection; and (2) specific areas outside the geographical area occupied by the species at the time it is listed, upon a determination by the Secretary that such areas are essential for the conservation of the species (NOAA 2016).”

Shellfish are well adapted to turbid environments and will not be significantly affected by the temporary suspension of sediment. The depth of sediment removed is a maximum of 2 feet and will not significantly affect the sturgeon habitat.

Table No. 3 – Performance Standards for Land Containing Shellfish	
Performance Standard	Proposed Project
<p>310 CMR 10.34(4)</p>	<p>The proposed project will not affect water circulation, significantly impact relief elevation, involve compaction by</p>



Table No. 3 – Performance Standards for Land Containing Shellfish

Performance Standard	Proposed Project
<p><i>(4) Except as provided in 310 CMR 10.34(5), any project on land containing shellfish shall not adversely affect such land or marine fisheries by a change in the productivity of such land caused by:</i></p> <p><i>(a) alterations of water circulation;</i></p> <p><i>(b) alterations in relief elevation;</i></p> <p><i>(c) the compacting of sediment by vehicular traffic;</i></p> <p><i>(d) alterations in the distribution of sediment grain size;</i></p> <p><i>(e) alterations in natural drainage from adjacent land; or</i></p> <p><i>(f) changes in water quality, including, but not limited to, other than natural fluctuations in the levels of salinity, dissolved oxygen, nutrients, temperature or turbidity, or the addition of pollutants.</i></p>	<p>vehicular traffic, change grain size, or have permanent effects on water quality.</p>
<p>310 CMR 10.34(5)</p> <p><i>(5) Notwithstanding the provisions of 310 CMR 10.34(4), projects which temporarily have an adverse effect on shellfish productivity but which do not permanently destroy the habitat may be permitted if the land containing shellfish can and will be returned substantially to its former productivity in less than one year from the commencement of work, unless an extension of the Order of Conditions is granted, in which case such restoration shall be completed within one year of such extension.</i></p>	<p>The proposed project will have temporary effects on the shellfish habitat but will be returned to its former productivity within one year.</p>
<p>310 CMR 10.34(6)</p> <p><i>(6) In the case of land containing shellfish defined as significant in 310 CMR 10.34(3)(b) (i.e., those areas identified on the basis of maps and designations of the Shellfish Constable), except in Areas of Critical Environmental Concern, the issuing authority may, after consultation with the Shellfish Constable, permit the shellfish to be moved from such area under the guidelines of, and to a suitable location approved by, the Division of Marine Fisheries, in order to permit a proposed project on such land. Any such project shall not be commenced until after the moving and replanting of the shellfish have been commenced.</i></p>	<p>The proposed project is not expected to have significant impacts to the surrounding environment.</p>
<p>310 CMR 10.34(7)</p> <p><i>(7) Notwithstanding 310 CMR 10.34(4) through (6), projects approved by the Division of Marine Fisheries that are specifically intended to increase the productivity of land containing shellfish may be permitted. Aquaculture projects approved by the appropriate local and state authority may also be permitted.</i></p>	<p>The proposed project does not fall under these conditions.</p>



Table No. 3 – Performance Standards for Land Containing Shellfish	
Performance Standard	Proposed Project
310 CMR 10.34(8) (8) Notwithstanding the provisions of 310 CMR 10.34(4) through (7), no project may be permitted which will have any adverse effect on specified habitat of rare vertebrate or invertebrate species, as identified by procedures established under 310 CMR 10.37.	The proposed project will not adversely affect rare vertebrate or invertebrate species.

4.4 BUFFER ZONES

The proposed work is entirely contained by Land Under the Ocean and will not have any temporary or permanent impact to the 100-foot Wetland Buffer Zone.

4.5 OTHER REGULATED RESOURCE AREAS

GZA has also reviewed whether the Project Site falls within other environmental regulatory boundaries that would require additional permits. The project falls within the Natural Heritage and Endangered Species Program’s (NHESP) Estimated Habitat for Rare Species and Priority Habitat for Rare Wildlife. GZA will file this NOI under Massachusetts’s Wetlands Protection Act (WPA) and Massachusetts Endangered Species Act (MESA) for review. There are no additional Outstanding Resource Waters, Areas of Critical Environmental Concern, or Certified Vernal Pools, associated with the Project Site.

4.6 COMPLIANCE WITH STORMWATER PERMITTING

The proposed project is a dredging project that will not generate stormwater.

5.0 CONSTRUCTION PROCEDURES

The general construction process consists of:

1. Mobilization of equipment and materials to either hopper or hydraulic pipeline dredge and barge.
2. Removal of approximately 505 cubic yards of presumed clean sand.
3. Disposal of dredged material at beach nourishment and nearshore placement site off Salisbury Beach or Plum Island Beach (permitted separately by the Newburyport Conservation Commission).
4. Dredge demobilization.

It should be noted that the proposed dredging of the 505 CY of material under this project is intended to be performed by the contractor that is performing the USACE dredging of the Merrimack River. As such, there should be no separate mobilization of equipment outside of the Merrimack River dredging work.



5.1 MEASURES TO MINIMIZE RESOURCE AREA IMPACTS

Measures to minimize impacts to the Resource Areas noted above include the following:

- Vessels including tugs, barges, and scows transiting between the dredge site and the placement site shall operate at speeds not to exceed 10 knots. For unanticipated conditions, a vessel may operate at a speed necessary to maintain safe maneuvering speed instead of the required 10 knots. The intent of this is to reduce the potential for vessel collisions or adverse interactions with sea turtles and/or marine mammals.
- Each vessel/equipment shall be inspected daily for leaks; any leaking equipment shall be removed from the site immediately and shall not return to service until repaired.
- At the end of the disposal operations, a report will be submitted by email to both the National Marine Fisheries Service, and the USACE, summarizing the vessel route taken, number of trips, sightings of ESA-listed species, and any action taken to avoid interactions with ESA-listed species. The contractor will perform the work during favorable tides for the various aspects of the work. The contractor will work the tides to minimize impacts to resource areas.
- Construction debris to be monitored and any debris falling into the water will be removed immediately.
- Proposed work shall comply with all Federal, State and Local Codes and Regulations.
- Proposed work shall comply with the Local Conservation Commission’s Order of Conditions.

6.0 ALTERNATIVES ANALYSIS

An alternative analysis was developed for the proposed work as follows.

Alternative 1 - “Do Nothing”

The do-nothing alternative effectively means there is no project. The site and existing shoal would not be removed. If left as-is the area is likely to present a hazard to vessels navigating the river entrance. Continued shoaling would make vessels more susceptible to running aground, exposure to hazardous conditions when tides and weather create rough seas.

Alternative 2 – Dredge Area Separate from USACE FNP Project

Under this alternative, the project would move forward, however the work would not be performed in conjunction with the USACE dredging project. Additional funding would be required as the project under this alternative would have separate mobilization costs and the disposal would likely require additional permitting if the work was not performed by the USACE contractor.

Alternative 3 – Dredge Area (Preferred Option)

The dredging of the proposed project site would allow for mariners to safely navigate the channel. The USACE contractor would perform the work during the scheduled maintenance dredging of the FNP. This alternative would provide a safe passage for vessels by bringing the area to an authorized depth.

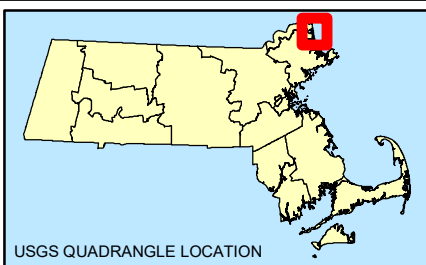
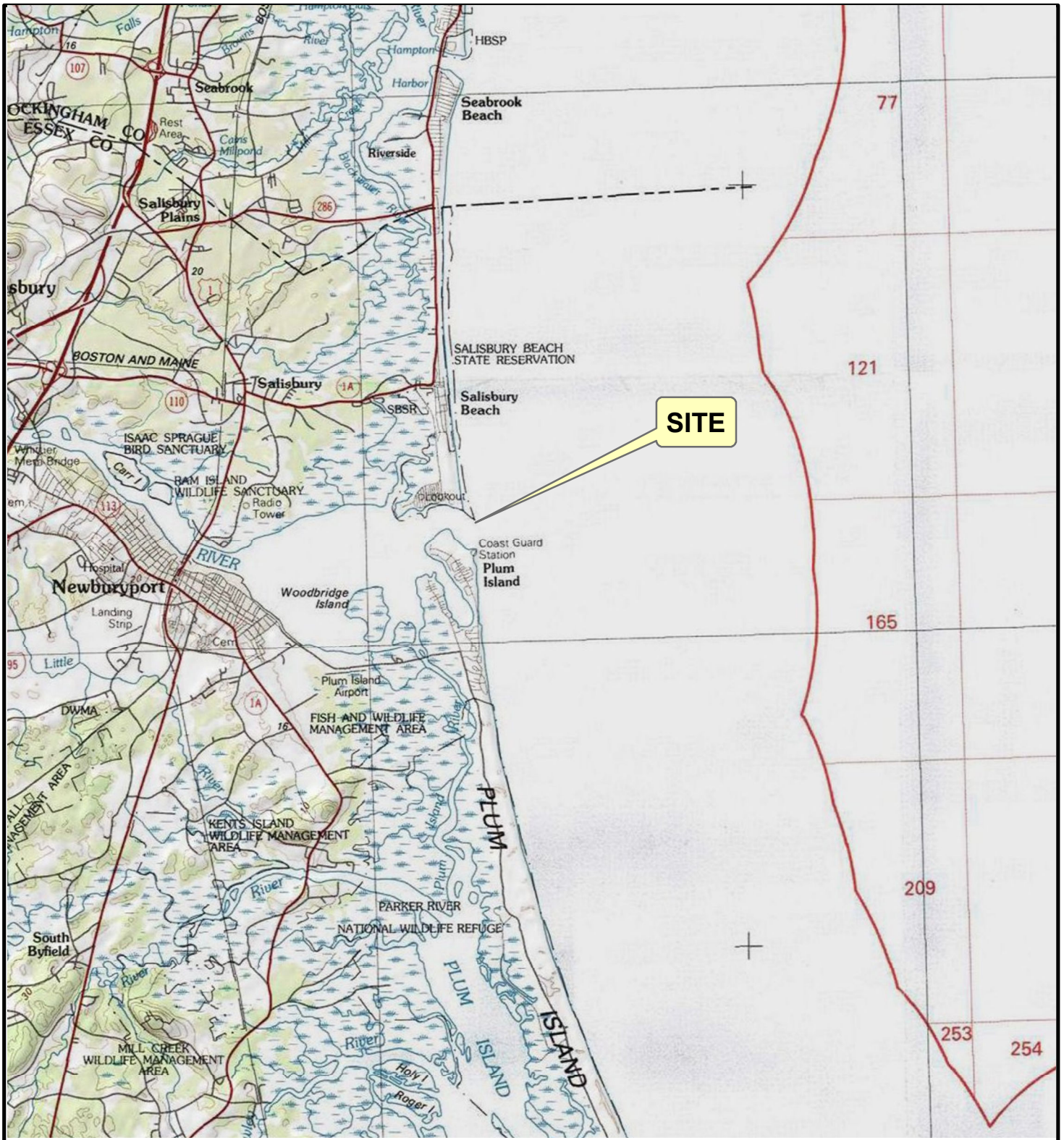
7.0 CONCLUSION

The proposed project is necessary to ensure safe travel of vessels in and out of the Merrimack River. The work would be conducted in unison with USACE’s scheduled FNP dredge. The project has been designed to minimize impacts to regulated resource areas.



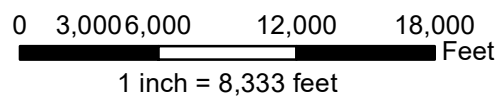
Figure 1


© 2022 - GZA GeoEnvironmental, Inc., J:\175500\18.0175549.00 - Newburyport North Jetty Dredge\Work\01_Permitting\01_NOI_Salisbury\Attachments\Locus Figure IMG.mxd, 3/31/2022, 12:39:40 PM, Isabel Gleckner



SOURCE : IN SPRING 2019, MASSGIS PARTNERED WITH THE U.S. GEOLOGICAL SURVEY FOR STATEWIDE, 15 CM RESOLUTION, 16-BIT, 4-BAND (RGB-IR) DIGITAL ORTHOPHOTOS. IMAGERY WAS COLLECTED BETWEEN MARCH 24 AND APRIL 25, 2019.

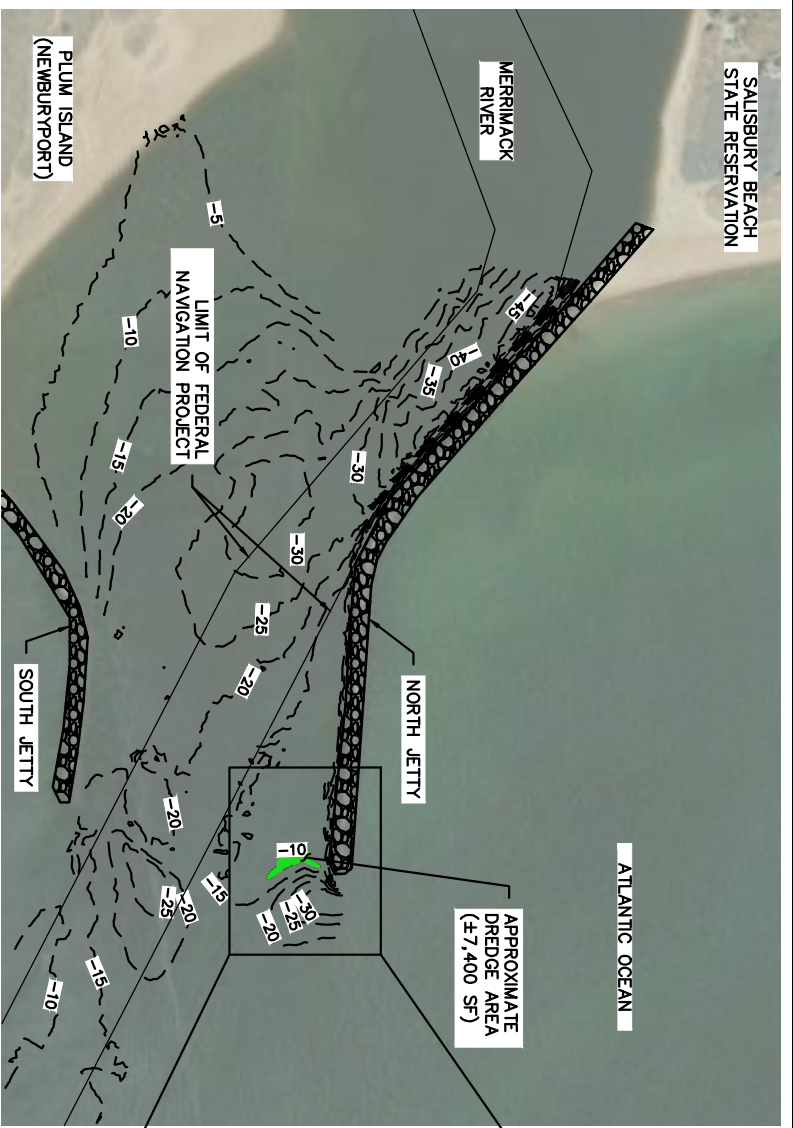
Data Supplied by :



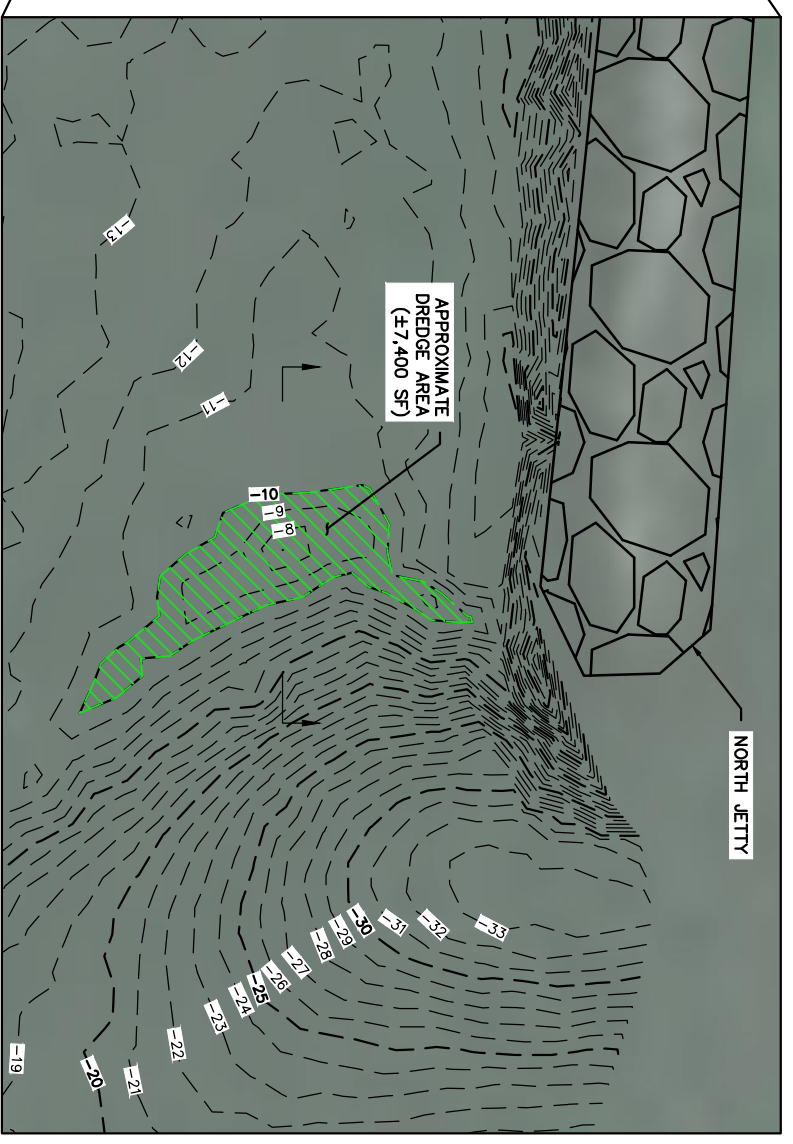
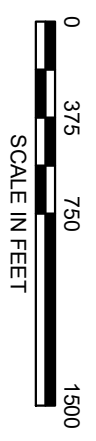
	PROJ. MGR.: DS DESIGNED BY: IMG REVIEWED BY: OPERATOR: DATE: 3/31/2022	<h1>LOCUS MAP</h1>	JOB NO. 18.0175549.00
	<h2>NEWBURYPORT NORTH JETTY DREDGE</h2>		FIGURE NO. <h1>1</h1>



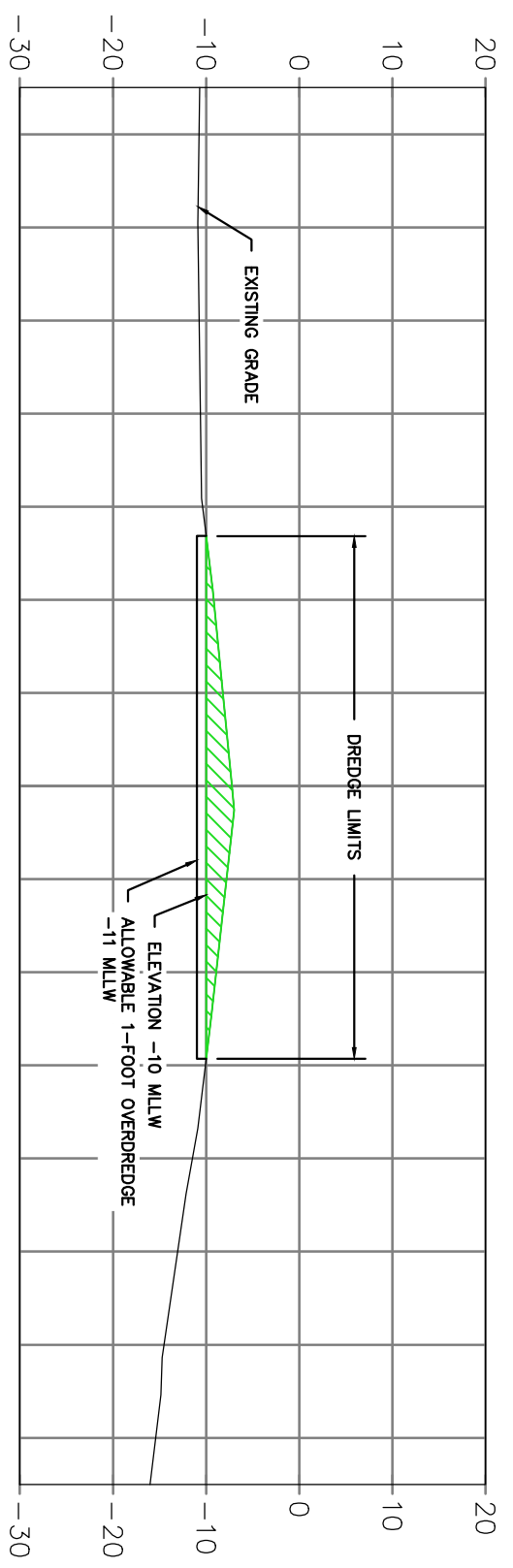
Appendix A – Permit Plans



MERRIMACK RIVER NORTH JETTY DREDGE FOOTPRINT
 SCALE: 1" = 750'



MERRIMACK RIVER NORTH JETTY DREDGE FOOTPRINT
 SCALE: 1" = 100'



MERRIMACK RIVER NORTH JETTY DREDGE SECTION
 SCALE: 1" = 20'



**FOR PERMITTING
 NOT FOR CONSTRUCTION**

THE ENTIRETY OF THE PROPOSED WORK IS WITHIN THE LAND UNDER THE SEA RESOURCE AREA

- NOTES:**
- ELEVATIONS REFER TO MEAN LOWER LOW WATER DATUM (MLLW).
 - CONTOUR AND ELEVATION DATA FROM USACE HYDROGRAPHIC SURVEYS PERFORMED IN FEBRUARY AND MARCH 2022. SURVEY DATA PROVIDED TO GZA GEOENVIRONMENTAL, INC. BY THE USACE.
 - DREDGE FOOTPRINT SHOWN ON THIS FIGURE IS BASED ON A DREDGE DEPTH OF ELEVATION -10 MLLW. AN ALLOWABLE 1-FOOT OVERREDGE HAS BEEN INCLUDED WITHIN THE FOOTPRINT SHOWN.
 - DREDGE VOLUME TO ELEVATION -10 MLLW = ±230 CUBIC YARDS. OVERREDGE VOLUME OF 1-FOOT OVER ±7,400 SQUARE FEET = ±275 CUBIC YARDS. TOTAL DREDGE VOLUME = ±505 CUBIC YARDS.

NO.	ISSUE/DESCRIPTION	BY	DATE

**PROPOSED NORTH JETTY/
 MERRIMACK RIVER DREDGING PROJECT**

PROPOSED DREDGE FOOTPRINT

PREPARED BY:	DAS	REVIEWED BY:	ABB	CHECKED BY:	DAS	FIGURE
DESIGNED BY:	DAS	DRAWN BY:	JJZ	SCALE:	AS SHOWN	1
DATE:	APRIL 2022	PROJECT NO.:	18.0175549.00	REVISION NO.:		SHEET NO. 1 OF 1



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CITY OF NEWBURYPORT
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 NEWBURYPORT, MA



Appendix B – Abutter Information



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www.gza.com

MEMORANDUM

To: Salisbury Conservation Commission

From: David A. Smith

Date: April 21, 2022

File No: 18.0175549.00

Re: Abutter Notifications for Projects Occurring Only in Land Under Ocean

Attachments: MassDEP Document – “Ask the Office of the Permit Ombudsman” Issue Summary: Dredging Abutter Notification
Merrimack Valley Planning Commission GIS Viewer Print

The proposed project described in this Notice of Intent application consists of the dredging of approximately 505 cubic yards of material over an area of approximately 7,400 square feet. This proposed dredge footprint is completely within the Land Under the Ocean resource area. For projects that occur entirely within the Land Under the Ocean resource area, abutters within 100 feet of the project site are required to be notified. Attached to this memorandum is an official document from the Permit Ombudsman from the Massachusetts Department of Environmental Protection. As shown in the below printout from the Merrimack Valley Planning Commission GIS Online Viewer, the proposed dredge area (green circle) is located approximately 1,900 feet from the nearest property. As such, there are no properties within 100 feet of the proposed dredging work area and therefore no abutters are required to be notified.



Figure 1: Dredging Work Area, MVPC Online GIS Viewer



Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Matthew A. Beaton
Secretary

Martin Suuberg
Commissioner

“Ask the Office of the Permit Ombudsman” Issue Summary: Dredging Abutter Notification

MassDEP’s Office of Permit and Regulatory Ombudsman serves as a Point of Contact for raising issues about permitting or questions about how law, policy, and regulations are being applied across the agency. This summary provides information about an issue raised to the Office and should not be considered legal or consulting advice. Project proponents should consult the regulations and appropriate MassDEP Regional Office on how this information may apply to their specific projects.

Issue: Identification of Official Abutters for Notification of Long, Linear Dredging Projects

Inquiry: MassDEP was contacted by an applicant preparing a public notice to Abutters for an over 1,000-foot-long, linear coastal dredging project, as part of the Waterways licensing process. The applicant had identified Abutter notification guidelines applying to projects in both the Waterways regulations and the Wetlands regulations. The Waterways regulations address notification for dredging projects in Chapter 91 jurisdictional areas, which this project was within, however the Wetlands regulations address notification for Abutters of projects “conducted solely within land under water bodies or waterways” and also address Abutter notification for “a Linear-shaped Project greater than 1,000 feet in length”, 310 CMR 10.05(4)(a). The specific reference to long, linear projects in the Wetlands regulations (and its noted absence in Waterways regulations), along with the regulatory classification of Massachusetts coastal waterways as a subcategory of the Areas Subject to Protection under the Wetlands Regulations (310 CMR 10.02(1)), made it unclear to the applicant which set of regulations applied to this project. The applicant therefore contacted MassDEP to seek guidance.

Regulatory Background:

As the applicant who contacted MassDEP indicated, the Wetlands regulations include a provision specifically governing Abutter notification for “Linear-shaped Projects” of over 1,000 feet in length.¹ This

¹ The Wetland regulations Linear-shaped Projects specify that notification should go to the subset of Abutters (as defined in 310 CMR 10.04) whose property boundaries *also* fall within 1,000 feet of the Project Site (according to 310 CMR 10.05(4)(a)). “Project Site” is defined as “the area within the Project Locus that comprises the limit of work for activities.” (310 CMR 10.04)

section is, however, specifically for use in identifying Abutters for pipeline, electricity, power line and public way projects, which typically take on these dimensions, see 310 CMR 10.04, "Linear-shaped Projects". The Wetlands regulations also include a section specifically governing Abutter notification for work solely within Land under Water Bodies or Waterways. Projects such as that proposed by the applicant (coastal dredging) that will take place under water need only notify Abutters whose lot is within 100 feet of the Project Site (the area within the Project Locus that comprises the limit of work for activities) (310 CMR 10.05(4)(a)).

Because dredging occurs in "land under water bodies or waterways," which is a resource area protected under the Wetlands Protection Regulations, any dredge permit applicant is also required to file a Notice of Intent (NOI) with the local Conservation Commission(s) to obtain an Order of Conditions (OOC) to perform the work. Concurrent with the filing of the NOI, the applicant must provide notification of the project to all Abutters in accordance with the Wetlands regulations (310 CMR 10.05). An applicant submitting an NOI for a dredge project is also subject to Waterways (310 CMR 9.00) and 401 Water Quality Certification (314 CMR 9.00) regulations and therefore must also submit separate applications for each or submit an application for a Combined License/Permit for Waterways and Water Quality Certification (BRP WW 26). As a convenience, the applicant may choose to provide joint public and Abutter notice for both the Wetlands NOI and the BRP WW 26. In this case, because the Abutter notification requirements in the Wetlands regulations are the most conservative ("conservative" here meaning that it would require notification to the most properties), those are the requirements that should govern this joint Abutter notification. If an applicant is proposing work solely under water, e.g. only dredge work, notification is pursuant to the provisions for "work solely within Land under Water Bodies or Waterways." Abutters under this provision of the Wetlands regulations are defined as those whose lot is within 100 feet of the Project Site (310 CMR 10.04 and 10.05(4)).²

Those applicants wishing to provide *separate* notification for the BRP WW 26 form and the Wetlands NOI should identify Abutters for each notification according to the applicable set of regulations. These regulations are 310 CMR 9.02 for the BRP WW 26, and 310 CMR 10.05(4) for the Wetlands NOI and notify each set of Abutters accordingly. In this case, Abutters for the Wetlands NOI would be defined as described in the paragraph above. Abutters for the BRP WW 26 would be defined as those owners "of land which shares, along the water's edge, a common boundary or corner with a project site, as well as the owner of land which lies within 50 feet across a water body from such site (310 CMR 9.02)."³

Resolution: The Office of the Ombudsman discussed the applicant's inquiry with managers in MassDEP's Waterways program. Dredge permit applications are currently processed only in the Boston office (for the Northeast, Central and Western regions) and in the Lakeville office (for the Southeast region) so the procedures of these two offices were reviewed. Through this review, it was confirmed that MassDEP staff were consistently applying the appropriate regulations for Abutter notification: the Wetlands regulations for joint notification for the BRP WW 26 and the Wetlands NOI and, for separate

² The Wetlands regulations define "Project Site" as "the area within the Project Locus that comprises the limit of work for activities" (310 CMR 10.04).

³ In the Waterways regulations, "Project Site" is defined as "the area... in which a project will occur and which is subject to the geographic jurisdiction of the Department, as specified in 310 CMR 9.04." This regulation therefore specifies that Abutter notification should go to those whose property boundaries (which in waterways fall at the mean low water line and in non-tidal rivers fall at the string of the river) are shared with, or lie within 50 feet across a water body of, the project work area.

notification, the Waterways regulations for the BRP WW 26 and the Wetlands regulations for the Wetlands NOI.

The Department acknowledges that the specific reference to linear-shaped projects of over 1,000 feet in length in the Wetlands regulations could be confusing to those proposing long-linear dredge projects that fit these dimensions. Readers should note that the definition of "Linear-shaped Project" in 310 CMR 10.04 is limited to utilities and public ways. The Department will continue to monitor for additional related calls to evaluate if more guidance on this matter is warranted.



Appendix C– Wetlands Fee Transmittal Forms



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:

<u>North Jetty, Merrimack River Entrance</u>	<u>Salisbury</u>
a. Street Address	b. City/Town
<u>NA</u>	<u>NA</u>
c. Check number	d. Fee amount

2. Applicant Mailing Address:

<u>Paul</u>	<u>Hogg</u>	
a. First Name	b. Last Name	
<u>City of Newburyport</u>		
c. Organization		
<u>60 Pleasant Street</u>		
d. Mailing Address		
<u>Newburyport</u>	<u>MA</u>	<u>01950</u>
e. City/Town	f. State	g. Zip Code
<u>(978)-465-4400</u>		
h. Phone Number	i. Fax Number	j. Email Address

3. Property Owner (if different):

<u></u>	<u></u>	
a. First Name	b. Last Name	
<u></u>		
c. Organization		
<u></u>		
d. Mailing Address		
<u></u>	<u></u>	<u></u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
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).



GZA GeoEnvironmental, Inc.