

**FILING INFORMATION FOR NOTICE OF INTENT (WPA Form 3)  
Massachusetts Wetlands Protection Act, G.L. c 131, s 40  
and  
Town of Acton Wetlands Protection Bylaw, Chapter F**

**ABBREVIATED NOTICE OF INTENT (WPA Form 4)  
Massachusetts Wetlands Protection Act, G.L. c 131, § 40**

A NOTICE OF INTENT (WPA Form 3) (state and local) must be filed for any work located in any of the wetlands resource areas listed below and as defined in the Rules and Regulations promulgated by the Department of Environmental Engineering (Effective November 1, 1987):

- a. Any bank, freshwater wetland, marsh or swamp which borders on any creak, river, stream, pond or lake
- b. Land under any of the water bodies listed above
- c. Bordering land subject to flooding (HUD Flood Hazard Areas)
- d. Isolated land subject to flooding
- e. Vernal pool
- f. Buffer zone

AN ABBREVIATED NOTICE OF INTENT (WPA FORM 4) is available to simplify filing requirements for projects which are likely to result in limited impacts on the resource areas defined above.

These forms may be used when:

- a. The proposed work is within the Buffer Zone (if the filing of a Notice of Intent is required) or is within Land Subject to Flooding, as defined in Part III, Section 10.57(2) of the Regulations; and
- b. The proposed work will alter less than 1000 square feet of the surface area within the Buffer Zone or Land Subject to Flooding; and
- c. Neither a Department of the Army permit nor a Division of Waterways license is required.

The wetlands defined above have been delineated for the Town of Acton on the Town Atlas (scale 1"=1200') which is available at the Conservation and Engineering Offices, Town Hall, 472 Main Street, Acton, Massachusetts and on the Town GIS, (<http://host.appgeo.com/ActonMA/>).

The following Guidelines were established (December 1984) to simplify filing procedures:

1. The Conservation Commission must hold a hearing within 21 days of receipt of the application. Please contact the office prior to filing for meeting a meeting date and time. Conservation meetings are generally held on the first and third Wednesdays of each month; therefore, applications must be filed by noon, 14 days prior to either meeting to allow for publication of the meeting notice and public review.
2. All applications to the Town of Acton (four hard copies and one electronic) shall include:
  - a. Notice of Intent (Form 3)  
OR
  - b. Abbreviated Notice of Intent (Form 4)
  - c. A map or plot plan which shall include:

**FORM 3** Instructions

- Location of existing structures
- Proposed work (structures or grading)
- Wetlands boundaries
- 100' buffer zone boundaries, and the 50' natural vegetative and 75' no-build setbacks
- Flood plain boundaries
- Erosion control measures to be used during and after construction
- Existing and proposed topography where necessary

3. All structures within the buffer zone shall be staked for identification by the Commission on a site inspection prior to the hearing.
4. The applicant shall notify the Town Clerk and the owner of the property.
5. The applicant shall send one copy of the Notice of Intent (Form 3) or Abbreviated Notice of Intent (Form 4) and two copies of the plans to the D.E.P. Central Regional Office<sup>1</sup>.
6. All abutters shall be notified by certified mail, or have signed documentation that abutters have been notified. Applicants must attain a certified Abutters list from the Assessors Office. Abutters are owners of land sharing a common boundary or corner with the site of the proposed activity in any direction, including land located directly across a street, way, creek, river stream, brook, or canal AND within 100' of property boundary line (as noted under the Wetlands Protection Act). Notification to abutters shall include the:
  - Location of project
  - Date, time and place of hearing (call Conservation Office for date & time prior to filing)
  - Type of project
7. A newspaper advertisement stating date, time, and place of the hearing shall be placed by the Commission at the applicant's expense.
8. A filing fee as determined in 801 CMR 4.02 (310), 50-percent of the fee in excess of \$25 made payable to the Commonwealth of Massachusetts and sent to the D.E.P. lock box<sup>2</sup>, and the remainder of the fee (along with an additional local filing fee) made payable to the Town of Acton, due at time of submission. The local filing is 50% of the State fee, as defined in the Town of Acton Bylaw Rules and Regulations.

<sup>1</sup> Department of Environmental Protection  
Central Regional Office  
8 New Bond Street  
Worcester, MA 01606

<sup>2</sup> D.E.P (lock box re: fees)  
PO Box4062  
Boston, MA 02211

**NOTIFICATION TO ABUTTERS  
UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT  
AND THE TOWN OF ACTON WETLANDS BYLAW**

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In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40 and the Town of Acton Bylaws, you are hereby notified of the following:

The Applicant: \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_

has filed a Notice of Intent with the Acton Conservation Commission seeking permission to remove, fill, dredge or alter an Area Subject to Protection under the Wetlands Protection Act.

Applicant's Representative: \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_

The address of the property where the activity is proposed \_\_\_\_\_

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Town Atlas Plate/Map \_\_\_\_\_ Parcel/Lot \_\_\_\_\_

Project Description: \_\_\_\_\_

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Copies of the Notice of Intent may be examined at the Conservation Office, Acton Town Hall, 472 Main Street, Acton between the hours of 9:00A.M. and 4:30P.M. Monday through Friday, They may also be accessed through the public document viewing application, <http://doc.acton-ma.gov/dsweb/View/Collection-1305>. For more information please call the Conservation Office at 978-929-6634.

A Public Hearing will be held at the Acton Town Hall, 472 Main Street, on Wednesday,  
\_\_\_\_\_ at \_\_\_\_\_ P.M.  
(date)

The notice of the public hearing will be published at least five (5) days in advance in the Acton edition of the *Beacon* newspaper or *Metrowest Daily News*.

NOTE: You may also contact your local conservation commission or the nearest Department of Environmental Protection Regional Office\* for the information about this application or, the Wetlands Protection Act. Acton is in the Central Region. To contact DEP, call:

**\*DEP Central Region: 508-792-7650  
8 New Bond Street, Worcester, MA  
01606**

# AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act

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

I, \_\_\_\_\_, hereby certify under the pains and penalties of perjury that on \_\_\_\_\_ I gave notification to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the DEP Guide to Abutter Notification dated April 5, 1994, in connection with the following matter:

A Notice of Intent filed under the Massachusetts Wetlands Protection Act by \_\_\_\_\_ with the Acton Conservation Commission on \_\_\_\_\_ for property located at \_\_\_\_\_  
*date* *project location*  
Acton.

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

Name \_\_\_\_\_ Date \_\_\_\_\_



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

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**Instructions for Completing Application**  
**WPA Form 3 – Notice of Intent**

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

**Purpose of the Notice of Intent (NOI)**

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

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

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

To complete this form, the applicant should refer to the wetlands regulations (310 CMR 10.00), which can be obtained from the Department's web site: <http://www.mass.gov/eea/agencies/massdep/water/regulations/310-cmr-10-00-wetlands-protection-act-regulations.html>. Regulations are available for viewing at public libraries and county law libraries across the state, as well as at the Department's Regional Service Centers (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/> for locations of regional offices and the communities they serve). Regulations also are available for sale from the State House Bookstore in Boston (617-727-2834) and State House Bookstore West in Springfield (413-784-1378).

**Requirements for Professional Services**



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection – Wetlands & Waterways

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### **Instructions and Supporting Materials**

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

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



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### Completing WPA Form 3

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

### Instructions to Section A: General Information

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

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

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

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

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

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

### Instructions to Section B: Buffer Zone and Resource Area Impacts

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

Item 1. Buffer Zone Only. The **boundary of the buffer zone** is determined by measuring 100 feet horizontally from the outer (landward) boundaries of bordering vegetated wetland, inland or coastal bank, coastal or barrier beach, rocky intertidal shore, salt marsh, and/or coastal dune. See Instructions in Section B, below, to determine



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the outer boundaries of these resource areas. If you check the Buffer Zone Only box in this section (indicating that the project is entirely in the Buffer Zone), skip the remainder of Section B of the Notice of Intent (Buffer Zone and Resource Area Impacts), and go directly to Section C of the Notice of Intent.

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

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

Once you have identified the resource areas and located the components of the proposed project in each such area, you must indicate on the Notice of Intent the size of the proposed alterations (and proposed replacement areas) in each resource area. **Replacement area standards**, if any, are included in the performance standards for each resource area, discussed in the paragraph below. See also the Department’s “*Massachusetts Inland Wetland Replication Guidelines*”, March 2002 (available on MassDEP website at: <http://www.mass.gov/eea/docs/dep/water/laws/i-thru-z/replicat.pdf>).

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

- **Performance standards for inland resource areas**, including the Riverfront Area (which can be either inland or coastal) are described in the Wetland regulations, subsection 3: “General Performance Standards” for each resource area covered under 310 CMR 10.54 - 58. Among other performance standards, an **alternatives analysis is** required for all projects involving bordering vegetated wetlands as well as those in the Riverfront Areas. Detailed requirements for the evaluation of alternatives to proposed work in Riverfront Areas and bordering vegetated wetlands are described at 310 CMR 10.58(4) and 310 CMR 10.55(4), respectively.
- **Performance standards for coastal resource areas** (excluding Riverfront Area) are described in various subsections within 310 CMR 10.25 – 10.35.





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- **Limited Projects** are categories of activities specified in the regulations at 310 CMR 10.24(7) and 10.53(3) – (6), which can proceed at the discretion of the issuing authority without fully meeting the resource area performance standards. **Performance standards for limited projects** are described in the regulations at 310 CMR 10.24(7) and 10.53(3)-(6). An **alternatives analysis** performance standard is required for most limited projects.

### Instructions to Section C. Other Applicable Standards and Requirements-

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

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

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

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

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

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

Item 2. Coastal Projects. The **mean high water line** in coastal areas is described in the regulatory definitions at 310 CMR 10.23. The definition of **anadromous/catadromous “fish runs”** is found at 310 CMR 10.35(2). If the proposed work is located in either such area, the applicant must send the Massachusetts Division of Marine Fisheries (South Shore (Cohasset to Rhode Island, and the Cape & Islands): Division of Marine Fisheries - Southeast Marine Fisheries Station, Attn: Environmental Reviewer, 1213 Purchase Street – 3rd Floor, New Bedford, MA 02740-6694 or North Shore (Hull to New Hampshire): Division of Marine Fisheries - North Shore



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Office, Attn: Environmental Reviewer, 30 Emerson Avenue, Gloucester, MA 01930 ) a copy of the Notice of Intent by certified mail or priority mail (or otherwise sent in a manner that guarantees delivery within two days) no later than the date of the filing of the Notice of Intent with the Conservation Commission and the Department. Evidence of mailing to the Division of Marine Fisheries (such as certified mail receipt or certificate of mailing for priority mail) must be submitted to the Conservation Commission and the Department's Regional Office along with the Notice of Intent.

Item 3. Areas of Critical Environmental Concern. If the project is proposed in one of the communities listed in the last page of these Instructions (also listed at the Department's web site: <http://www.mass.gov/eea/docs/dep/water/approvals/year-thru-alpha/06-thru-d/aceclist.pdf>), the project may be located in an Area of Critical Environmental Concern (ACEC). To confirm whether the project location is in an ACEC, contact the Conservation Commission or the MA Department of Conservation & Recreation (formerly the Department of Environmental Management) ACEC Program at:

251 Causeway St., Suite 600

Boston, MA 02114

617.626.1394

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

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

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



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

### Instructions to Section D: Additional Information

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

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

#### *Sheet Size*

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

#### *Scale*

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

#### *Title Block*

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

Item 3. Resource Area Delineation Methodology: Attach documentation of the methodology used to delineate the Bordering Vegetated Wetlands (BVW) boundary (e.g. BVW Field Data Form, Final Order of Resource Area



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Delineation or other delineation method) as well as methods used to delineate any other resource areas proposed for alteration.

### **Instructions to Section E: Fees**

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

In summary, the total filing fee for a Notice of Intent that involves more than one activity is determined by adding the fees for each proposed activity. When work is proposed in the Riverfront Area, as well as another resource area or their Buffer Zones, add 50% to the fee for each activity in the Riverfront Area. For activities exclusively within the Riverfront Area, and not within other resource areas or their Buffer Zones, the fee is determined by adding the amounts for each proposed activity. The city/town share of the fee is the first \$25, plus half of the remaining total fee. The state share is half the total fee in excess of \$25.

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

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

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

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



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Instructions for Completing the NOI Wetland Fee Transmittal Form

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

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

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

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

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

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

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

### Category Activities and Fees



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

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

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

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

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

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

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

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



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

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

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



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### **Instructions to Section F: Signatures and Submittal Requirements**

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

### **Mail transmittal forms and MassDEP payments, payable to:**

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

### ***Mail NOI packet to the following:***

**DEP Central Region  
Wetlands Division  
8 New Bond Street  
Worcester, MA 01606**





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**TOWNS WITH ACECs WITHIN THEIR BOUNDARIES**

| <b>Town</b> | <b>ACEC NAME</b>                 |            |                                    |
|-------------|----------------------------------|------------|------------------------------------|
|             |                                  | Egremont   | Karner Brook Watershed             |
| Ashby       | Squannassit                      | Essex      | Parker River/Essex Bay             |
| Ayer        | Petapawag and Squannassit        | Falmouth   | Waquoit Bay                        |
| Barnstable  | Sandy Neck/Barnstable Harbor     | Foxborough | Canoe River Aquifer                |
| Bolton      | Central Nashua River Valley      | Gloucester | Parker River/Essex Bay             |
| Boston      | Rumney Marshes                   | Groton     | Petapawag and Squannassit          |
|             | Fowl Meadow and Ponkapoag Bog    | Grafton    | Miscoe-Warren-Whitehall Watersheds |
|             | Neponset River Estuary           | Harvard    | Central Nashua River Valley        |
| Bourne      | Pocasset River                   |            | Squannassit                        |
|             | Herring River Watershed          | Harwich    | Pleasant Bay                       |
|             | Bourne Back River                | Hingham    | Weir River, Weymouth Back River    |
| Braintree   | Cranberry Brook Watershed        | Hinsdale   | Hinsdale Flats Watershed           |
| Brewster    | Pleasant Bay, Inner Cape Cod Bay | Holbrook   | Cranberry Brook Watershed          |
| Bridgewater | Hockomock Swamp                  | Hopkinton  | Westborough Cedar Swamp            |
| Canton      | Fowl Meadow and Ponkapoag Bog    |            | Miscoe-Warren-Whitehall Watersheds |
| Chatham     | Pleasant Bay                     | Hull       | Weir River                         |
| Cohasset    | Weir River                       | Ipswich    | Parker River/Essex Bay             |
| Dalton      | Hinsdale Flats Watershed         | Lancaster  | Central Nashua River Valley        |
| Dedham      | Fowl Meadow and Ponkapoag Bog    |            | Squannassit                        |
| Dunstable   | Petapawag                        | Lee        | Kampoosa Bog Drainage Basin        |
| Eastham     | Inner Cape Cod Bay               | Leominster | Central Nashua River Valley        |
|             | Wellfleet Harbor                 |            |                                    |
| Easton      | Canoe River Aquifer              |            |                                    |
|             | Hockomock Swamp                  |            |                                    |



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

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| <b>Town</b>   | <b>ACEC NAME</b>                 |               |                                      |
|---------------|----------------------------------|---------------|--------------------------------------|
|               |                                  | Raynham       | Hockomock Swamp                      |
| Lunenburg     | Squannassit                      | Revere        | Rumney Marshes                       |
| Lynn          | Rumney Marshes                   | Rowley        | Parker River/Essex Bay               |
| Mansfield     | Canoe River Aquifer              | Sandwich      | Sandy Neck/Barnstable Harbor         |
| Mashpee       | Waquoit Bay                      | Saugus        | Rumney Marshes, Golden Hills         |
| Melrose       | Golden Hills                     | Sharon        | Canoe River Aquifer                  |
| Milton        | Fowl Meadow and Ponkapoag Bog    |               | Fowl Meadow and Ponkapoag Bog        |
|               | Neponset River Estuary           | Sheffield     | Schenob Brook                        |
| Mt Washington | Karner Brook Watershed,          | Shirley       | Squannassit                          |
|               | Schenob Brook                    | Stockbridge   | Kampoosa Bog Drainage Basin          |
| Newbury       | Parker River/Essex Bay           | Taunton       | Hockomock Swamp, Canoe River Aquifer |
| Norton        | Hockomock Swamp                  | Townsend      | Squannassit                          |
|               | Canoe River Aquifer              | Truro         | Wellfleet Harbor                     |
| Norwood       | Fowl Meadow and Ponkapoag Bog    | Tyngsborough  | Petapawag                            |
| Orleans       | Inner Cape Cod Bay, Pleasant Bay | Upton         | Miscoe-Warren-Whitehall Watersheds   |
| Pepperell     | Petapawag and Squannassit        | Wakefield     | Golden Hills                         |
| Peru          | Hinsdale Flats Watershed         | Washington    | Hinsdale Flats Watershed             |
| Plymouth      | Herring River Watershed,         | Wellfleet     | Wellfleet Harbor                     |
|               | Ellisville Harbor                | W Bridgewater | Hockomock Swamp                      |
| Quincy        | Neponset River Estuary           | Westborough   | Westborough Cedar Swamp              |
| Randolph      | Fowl Meadow and Ponkapoag Bog    | Westwood      | Fowl Meadow and Ponkapoag Bog        |
|               |                                  | Weymouth      | Weymouth Back River                  |
|               |                                  | Winthrop      | Rumney Marshes                       |