EcoTec, Inc.

ENVIRONMENTAL CONSULTING SERVICES
102 Grove Street
Worcester, MA 01605-2629
508-752-9666 – Fax: 508-752-9494

December 23, 2013

Acton Conservation Commission
Town Hall
472 Main Street
Acton, MA 01720

Re: Notice of Intent
Knox Trail, Acton
Applicant: Valley Sports, Inc.

Dear Commission Members:

Enclosed please find four (4) copies of a Notice of Intent (NOI), submitted on behalf of Valley Sports, Inc. filed under the Massachusetts Wetlands Protection Act and the Town of Acton Wetlands Protection Bylaw for the above referenced property. This filing comprises:

1. This cover letter;
2. The Notice of Intent forms with required attachments;
3. Photographs of the site;
4. Checks to cover the filing fees;
5. Wetland Resource Evaluation by EcoTec, Inc. dated December 9, 2013; and
6. Site Plan by Northeast Geoscience, Inc. dated October 25, 2013.

Please note that detailed engineered plans are being prepared and will be submitted to supplement the application as soon as they are available.

One (1) copy of the NOI filing has been submitted by certified mail, return receipt requested to the Central Regional Office of the Department of Environmental Protection and the Natural Heritage and Endangered Species Program. One complete copy of this filing has been submitted to the applicant and property owners. It should be noted that it EcoTec's understanding that the parcel located along Knox Trail, owned by the KT Realty Trust is currently being acquired by the Town of Acton due to the non-payment of taxes for many years. As such, this parcel is expected to be owned by the Town of Acton shortly. Nevertheless, as noted above a copy of the application has been provided to the current owner as required by the Act.

The proposed project consists of connecting the existing facility to an existing municipal water main located on Knox trail. This is necessary due to the water quality of the well water, which makes poor quality ice at the facility. Several alternatives were evaluated, including open trenching across the Assabet River, trenching to connect to the Town of Concord's municipal water, and the preferred directional drilling method. The wetland resource areas will be protected

during construction by installing and erosion control barrier of silt fencing, with the impact areas restored upon completion of the project. The project is proposed to be located within the Riverfront Area and alternatives were evaluated as follows:

Alternatives Analysis:

1. No Build: This alternative does not meet the project purpose and has been dismissed;

2. Connection to Concord's Municipal Water: This alternative was evaluated and would require a waterline to be trenched from the Valley Sports facility a few hundred feet east on Main Street of connect to Concord's municipal water system. This alternative would require a substantial amount of work within the Riverfront Area and would cost significantly more due to the length of trenching to reach the existing water line. Therefore, this alternative has been dismissed as a substantially equivalent economic alternative.

3. Open Trenching within the Assabet River: This alternative would require temporary coffer dams to be installed in the Assabet River with substantial dewatering activities to allow sections of the water line to be installed while allowing the flow in the river to continue during construction. Due to the costs associated with the de-watering activities along with the substantial disturbance that would be required to conduct the open trench installation, this alternative was dismissed.

4. Preferred Project (directional drilling):
   The preferred alternative includes excavating two temporary pits. One entry pit will be excavated in the existing parking lot and the exit pit will be located where the water connection will be made on the shoulder of Knox Trail. Then a directional drill will drill beneath the Assabet River to install a 4 inch HDPE water line sleeve to allow a 2 inch HDPE water line to be installed into the sleeve. This will allow the connection to be made without disturbing Bank, Bordering Vegetated Wetland (BVW), and Bordering Land Subject to Flooding (BLSF). Only two small areas for the entry and exit pits will be required and each will be restored upon completion of the water line installation. The entry pit will be restored by re-paving and the exit pit will be restored to the existing grades and loamed and seeded with an erosion control seed mixture.

The site is located within Estimated and Priority Habitat as mapped by the Natural Heritage and Endangered Species Program (NHESP). The project is located within existing paved parking lot and along the shoulder of the existing roadway. All connections will be made via directional drilling to eliminate impacts to the wetland resource areas between the entry and exit pits. Therefore, it is EcoTec's opinion that the project may be exempt under the MESA Regulations at 321CMR 10.14(5), which state:

> (10) installation, repair, replacement, and maintenance of utility lines (gas, water, sewer, phone, electrical) for which all associated work is within ten feet from the edge of existing paved roads, and the repair and maintenance of overhead utility lines (phone, electrical) for which all associated work is within ten feet from the edge of existing unpaved roads, provided, however, that unpaved utility access roads associated with exempt activities under 321 CMR 10.14(11) shall be addressed in and subject to the Division-approved operation and maintenance plan required thereunder;

However, because the applicant is seeking approval for this work to proceed as soon as possible, a check for $300 has been provided to ensure that the NHESP processes the application in the event that they feel that the project does not fall under this exemption. Therefore, a complete copy of this application has been submitted to the NHESP for confirmation of this exemption or approval if the Program determines that this exemption does not apply.

We look forward to meeting with the Commission regarding this project. If you have any questions, please feel free to contact me at any time.

Sincerely,

Scott M. Morrison
Senior Environmental Scientist

17/E/ActoKnoxTrailNOILetter

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

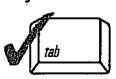
Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Acton
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):

Knox Trail	Acton	01720
a. Street Address	b. City/Town	c. Zip Code

Latitude and Longitude:

	d. Latitude	e. Longitude
J3	37 & 21-2	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

Carl	Gray
a. First Name	b. Last Name

Valley Sports, Inc.
c. Organization

2320 Main Street
d. Street Address

Concord	MA	01742
e. City/Town	f. State	g. Zip Code

		Assabetgirls@aol.com
h. Phone Number	i. Fax Number	j. Email Address

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

see attached	
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):

Scott	Morrison
a. First Name	b. Last Name

EcoTec, Inc.
c. Company

102 Grove Street
d. Street Address

Worcester	MA	01605
e. City/Town	f. State	g. Zip Code

508-752-9666 x 27	508-752-9494	smorrison@ecotecinc.com
h. Phone Number	i. Fax Number	j. Email address

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

110.00	42.50	67.50
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid

A. General Information (continued)

6. General Project Description:

The proposed project consists of connecting the existing facility to municipal water service, which will require a connection beneith the Assabet River. It is proposed to use directional drilling to make the connection, which will avoid wetland impacts to the River.

7a. Project Type Checklist:

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

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

1. ☐ Yes ☒ No If yes, describe which limited project applies to this project:

2. Limited Project

8. Property recorded at the Registry of Deeds for:

see attached ownership information
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.

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. ☐ Bank	1. linear feet	2. linear feet
b. ☐ Bordering Vegetated Wetland	1. square feet	2. square feet
c. ☐ Land Under Waterbodies and Waterways	1. square feet	2. square feet
	3. cubic yards dredged	

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. ☐ Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	4. cubic feet replaced
e. ☐ Isolated Land Subject to Flooding	1. square feet	
	2. cubic feet of flood storage lost	3. cubic feet replaced
f. ☒ Riverfront Area	Assabet River (1. Name of Waterway (if available))	

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: 40,000+/- 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.
200+/-	200 (restored upon completion)	0

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)

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

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. ☐ Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. ☐ Land Under the Ocean	1. square feet	
	2. cubic yards dredged	
c. ☐ Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. ☐ Coastal Beaches	1. square feet	2. cubic yards beach nourishment
e. ☐ Coastal Dunes	1. square feet	2. cubic yards dune nourishment

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

		Size of Proposed Alteration	Proposed Replacement (if any)
f. ☐	Coastal Banks	1. linear feet	
g. ☐	Rocky Intertidal Shores	1. square feet	
h. ☐	Salt Marshes	1. square feet	2. sq ft restoration, rehab., creation
i. ☐	Land Under Salt Ponds	1. square feet 2. cubic yards dredged	
j. ☐	Land Containing Shellfish	1. square feet	
k. ☐	Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above 1. cubic yards dredged	
l. ☐	Land Subject to Coastal Storm Flowage	1. square feet	

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

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

5. ☐ Project Involves Stream Crossings

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

C. Other Applicable Standards and Requirements

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/priority_habitat/online_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
100 Hartwell Street, Suite 230
West Boylston, MA 01583

Oct. 2008
b. Date of map

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

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.1.d, 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).*

1. c. Submit Supplemental Information for Endangered Species Review*

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

      (a) within wetland Resource Area: 0.005+/- (percentage/acreage)

      (b) outside Resource Area: 0 (percentage/acreage)

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

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

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

      (b) ☒ Photographs representative of the site

      (c) ☒ MESA filing fee (fee information available at: http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_fee_schedule.htm). 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

   d. OR Check One of the Following

   1. ☒ Project is exempt from MESA review.
      Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_exemptions.htm; 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

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see http://www.mass.gov/dfwele/dfw/nhesp/nhesp.htm, regulatory review tab). 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.

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

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

2. 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 or hand delivery of NOI to either:

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

Division of Marine Fisheries - Southeast Marine Fisheries Station
Attn: Environmental Reviewer
1213 Purchase Street – 3rd Floor
New Bedford, MA 02740-6694

North Shore - Hull to New Hampshire:

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

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.

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

a. ☐ Yes ☒ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.

b. ACEC

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

4. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?

a. ☐ Yes ☒ No

5. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?

a. ☐ Yes ☒ No

6. Is this project subject to provisions of the MassDEP Stormwater Management Standards?

a. ☐ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:

1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)

2. ☐ A portion of the site constitutes redevelopment

3. ☐ Proprietary BMPs are included in the Stormwater Management System.

b. ☐ No. Check why the project is exempt:

1. ☐ Single-family house

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

2. ☐ Emergency road repair

3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

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

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

1. ☒ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)

2. ☒ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.

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

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

Proposed Service Connection
a. Plan Title

Northeast Geoscience
b. Prepared By

c. Signed and Stamped by

9/25/13
d. Final Revision Date

1" = 50'
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:

6810	12-19-13
2. Municipal Check Number	3. Check date
6811	12-19-13
4. State Check Number	5. Check date
Valley Sports, Inc.	
6. Payor name on check: First Name	7. Payor name on check: Last Name

F. Signatures and Submittal Requirements

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

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

1. Signature of Applicant	2. Date 12/19/2013
3. Signature of Property Owner (if different)	4. Date
5. Signature of Representative (if any)	6. Date 12/19/2013

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.

Land Owner Information

Map J-3, Parcel 37

Valley Sports, Inc.
2320 Main Street
Concord, MA 01742
Legal Reference
Book 12841, Page 634

Map J-3, Parcel 21-2

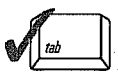
John McNulty & Roy Antonelli
KT Realty Trust
P.O. Box 737
Acton, MA 01720
Book 1223, Page 117

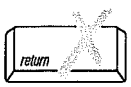
Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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:

Knox Trail	Acton
a. Street Address	b. City/Town
	42.50
c. Check number	d. Fee amount

2. Applicant Mailing Address:

Carl	Gray	
a. First Name	b. Last Name	
Valley Sports, Inc.		
c. Organization		
2320 Main Street		
d. Mailing Address		
Acton	MA	01720
e. City/Town	f. State	g. Zip Code
		Assabetgirls@aol.com
h. Phone Number	i. Fax Number	j. Email Address

3. Property Owner (if different):

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

B. Fees

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

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

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

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

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

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

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

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

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

NOI Wetland Fee Transmittal Form

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

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category I within Riverfornt Area	1.5	110.00	165.00

Step 5/Total Project Fee: 165.00

Step 6/Fee Payments:

Total Project Fee:	165.00 a. Total Fee from Step 5
State share of filing Fee:	70.00 b. 1/2 Total Fee **less** $12.50
City/Town share of filling Fee:	95.00 c. 1/2 Total Fee **plus** $12.50

C. Submittal Requirements

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

Department of Environmental Protection
Box 4062
Boston, MA 02211

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

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

VALLEY SPORTS INC.
2320 MAIN ST. RT. 62
CONCORD, MA 01742

EXPLANATION	AMOUNT
Wetlands Protection Act FEE	

6810

5-7017-2110

OUNT $95.00

DOLLARS

DATE	TO THE ORDER OF	CHECK NUMBER	CHECK AMOUNT
9.13	Town of Acton	6810	$ 95.00

DESCRIPTION

Citizens Bank

[redacted]

MP

VALLEY SPORTS INC.
2320 MAIN ST. RT. 62
CONCORD, MA 01742

EXPLANATION	AMOUNT
Wetlands Protection Act Fee	

6811

5-7017-2110

OUNT $70.00

DOLLARS

DATE	TO THE ORDER OF	CHECK NUMBER	CHECK AMOUNT
9.13	Commonwealth of Massachusetts	6811	$ 70.00

DESCRIPTION

Citizens Bank

[redacted]

MP

VALLEY SPORTS INC.
2320 MAIN ST. RT. 62
CONCORD, MA 01742

EXPLANATION	AMOUNT
Bylaw Fee	

6813

5-7017-2110

UNT $33.00

DOLLARS

ATE	TO THE ORDER OF	CHECK NUMBER	CHECK AMOUNT
9.13	Town of Acton	6813	$ 33.00

DESCRIPTION

Citizens Bank

[redacted]

MP

VALLEY SPORTS INC.
2320 MAIN ST. RT. 62
CONCORD, MA 01742

EXPLANATION	AMOUNT
Massachusetts Endangered Species Act Fee	

6812

5-7017-2110

UNT $300.00

DOLLARS

TE	TO THE ORDER OF	CHECK NUMBER	CHECK AMOUNT
9.13	Comm of Mass - NHESP	6812	$ 300.00

DESCRIPTION

Citizens Bank

[redacted]

MP

Notification of Abutters Under the
Massachusetts Wetlands Protection Act and the Town of Acton Wetlands Bylaw

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

A. The name of the applicant is Valley Sports, Inc..

B. The applicant has filed a Notice of Intent with the Conservation Commission for the municipality of Acton seeking approval to connect to the municipal water main located within an area Subject to Protection Under the Wetlands Protection Act (General Laws Chapter 131, Section 40) and the Town of Acton Wetlands Bylaw.

C. The address where the planned activity will take place Knox Trail, Acton.

D. Copies of the Notice of Intent may be examined and obtained by making an appointment at EcoTec, Inc., 102 Grove Street, Worcester, MA, during regular business hours.

For more information call EcoTec (Scott Morrison) at (508) 752-9666 x27 to make an appointment to review the filing materials. This is the applicant's representative.

E. The public hearing is scheduled for January 15th, 2014 at 7:30 at the Acton Town Hall, 472 Main Street, Room 204, Acton MA, 01720

F. Additional information regarding the date, time and place of the public hearing may be obtained from EcoTec, Inc., by calling this telephone number (508) 752-9666 during regular business hours.

NOTE: Notice of the public hearing, including the date, time and place will be published at least five (5) days in advance in the Beacon or other local newspaper.

NOTE: Notice of the public hearing, including the date, time and place will be posted in the City or Town Hall not less than forty-eight (48) hours in advance.

NOTE: You also may contact your local Conservation Commission or the nearest Department of Environmental Protection Regional Office for more information about this application or the Wetlands Protection Act. To contact DEP, call:

Central Region: 508-792-7650

Town of Acton
472 Main Street
Acton, MA 01720
Telephone (978) 929-6621
Fax (978) 929-6340

Brian McMullen
Principal Assessor

Locus: **590 MASS AVE** 33-3 KNOX TRL
Parcel ID: **F2A-110** J3-21-2

Parcel ID	Location	Owner	Co-Owner	Mailing Address	City
J3-21	82 POWDER MILL RD REAR	ACTON WATER DISTRICT	WEST + SOUTH WATER SUPPLY	PO BOX 953	ACTON, MA 1720
J3-34-5	16 KNOX TRL-28	ASSABET SAND LLC		16 KNOX TRL-28	ACTON, MA 1720
J3-34-8	82 POWDER MILL RD	ATLANTIC ACTON RLTY LTD	C/O ATLANTIC MGMT	205 NEWBURY STREET	FRAMINGHAM, MA 1701
J3-37	112 POWDER MILL RD	VALLEY SPORTS INC		2320 MAIN STREET	CONCORD, MA 1742
J4-7	29 KNOX TRL	CONCORD-ACTON SQUASH CLUB		PO BOX 1363	CONCORD, MA 1742
J3-21-2	3-33 KNOX TRL	MCNULTY JOHN + ANTONELLI ROY	KT REALTY TRUST	PO BOX 736	ACTON, MA 1720
J4-7	29 KNOX TRL	CONCORD-ACTON SQUASH CLUB		PO BOX 1363	CONCORD, MA 1742

The owner of sharing a common boundary or corner with the site of the proposed activity (100 feet) in any direction, including land located directly across a street, way, creek, river, stream, brook or canal. The above are as they appear on the most recent applicable taxes.

David Derosier 19-Nov-13

Acton Assessors Office

Town of Concord
Board of Assessors
24 Court Lane
P.O. Box 535
Concord, Massachusetts 01742-0535
Tel: (978) 318-3070
Fax: (978) 369-4760

ABUTTERS LIST

PROPERTY : 2320 Main St.
Concord, MA 01742

MAP: B11

PARCEL: 2324-2

As per Massachusetts General Laws Chapter 131, Section 40 whereas the "abutters" included shall be:

> Any person filing a notice of intention with a conservation commission shall at the same time give written notification thereof, by delivery in hand or certified mail, return receipt requested, to all abutters within one hundred feet of the property line of the land where the activity is proposed, at the mailing addresses shown on the most recent applicable tax list of the assessors, including, but not limited to, owners of land directly opposite said proposed activity on any public or private street or way, and in another municipality or across a body of water.

The Board of Assessors hereby certifies that the attached list contains the record owners as of January 1, 2013, and recorded on the current tax rolls. In addition, the Board certifies that the list includes owners, as per recorded deeds as received up to September 30, 2013.

Board of Assessors

11/15/13
Date

Abutters List for Parcel# 2324-2, 2320 Main St., using a distance of 100 ft.:

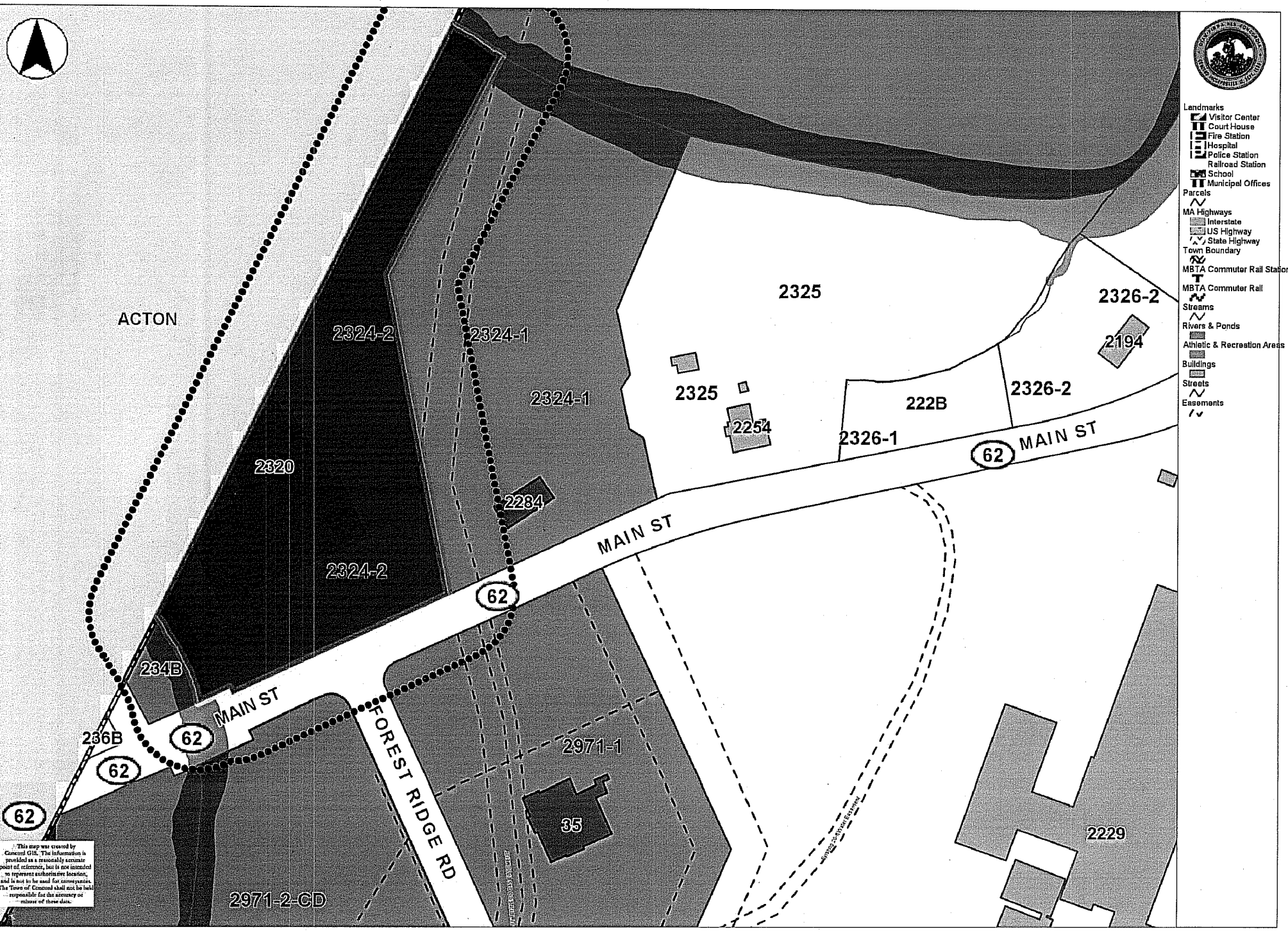
Parcel	Parcel Location	Name & Billing Address as of January 1, 2013	Name & Billing Address as of September 30, 2013
2324-2	2320 Main St	Valley Sports Inc 2320 Main St Concord, MA 01742	
2322	214Y Main St	W R Grace & Co Attn: Tax Department 62 Whittemore Ave Cambridge, MA 02140	
2323	234B Main St	TD Bank C/O Lease & Tax Administration 380 Wellington St 12th Fl London, ON N6A4S4	
2324-1	2284 Main St	Paul D D'Ambrosio Tr Medical Realty Trust 774 Barretts Mill Rd Concord, MA 01742	
2971-1	35 Forest Ridge Rd	Atlas Holdings LLC Tr Atlas Forest Realty Trust 160 Gould St - Suite 122 Needham, MA 01494	
2971-278-100	78-100 Forest Ridge Rd	John Ross Minty Jr Tr Minty Realty Trust 78 Forest Ridge Rd #100 Concord, MA 01742	
2971-278-101	78-101 Forest Ridge Rd	Concord Housing Authority 115 Stow St Concord, MA 01742	
2971-278-102	78-102 Forest Ridge Rd	Virginia L Swanson Tr Virginia L Swanson Revocable Trust 78 Forest Ridge Rd 102 Concord, MA 01742	
2971-278-103	78-103 Forest Ridge Rd	Patricia LeClair 78 Forest Ridge Rd #103 Concord, MA 01742	

Abutters List for Parcel# 2324-2, 2320 Main St., using a distance of 100 ft.:

Parcel	Parcel Location	Name & Billing Address as of January 1, 2013	Name & Billing Address as of September 30, 2013
2971-278-104	78-104 Forest Ridge Rd	Teresa A Ho 78 Forest Ridge Rd #104 Concord, MA 01742	
2971-278-105	78-105 Forest Ridge Rd	Agnes Pallozzi 78 Forest Ridge Rd #105 Concord, MA 01742	
2971-278-200	78-200 Forest Ridge Rd	Lois S Luberti 78 Forest Ridge Rd #200 Concord, MA 01742	
2971-278-201	78-201 Forest Ridge Rd	Genevra Valvo 87 Stow St Concord, MA 01742	
2971-278-202	78-202 Forest Ridge Rd	George C Logan 78 Forest Ridge Rd #202 Concord, MA 01742	
2971-278-203	78-203 Forest Ridge Rd	Dianne E Velardocchia 78 Forest Ridge Rd #203 Concord, MA 01742	
2971-278-204	78-204 Forest Ridge Rd	Yossef Shabtai 78 Forest Ridge Rd #204 Concord, MA 01742	
2971-278-205	78-205 Forest Ridge Rd	Stephanie Antonuccio 78 Forest Ridge Rd #205 Concord, MA 01742	
2971-278-300	78-300 Forest Ridge Rd	Cheryl A Stakutis Tr Cheryl A Stakutis Living Trust 78 Forest Ridge Rd #300 Concord, MA 01742	
2971-278-301	78-301 Forest Ridge Rd	Kevin P Hurley Tr C/O Kelley J Panetta Tr 279 Cambridge Tpk Lincoln, MA 01773	

Abutters List for Parcel# 2324-2, 2320 Main St., using a distance of 100 ft.:

Parcel	Parcel Location	Name & Billing Address as of January 1, 2013	Name & Billing Address as of September 30, 2013
2971-278-302	78-302 Forest Ridge Rd	Keith T & Lynne Darcy 27 Horseshoe Hill Rd W Pound Ridge, NY 10576	
2971-278-303	78-303 Forest Ridge Rd	Joseph Palumbo 18 Zandler Way Stow, MA 01775	
2971-278-304	78-304 Forest Ridge Rd	Geoffrey A Gardiner Jr PO Box 589 Springtown, PA 18081	
2971-278-305	305 Forest Ridge Rd	Maria Julia Brunette 78 Forest Ridge Rd #305 Concord, MA 01742	
2971-2-96	96 Forest Ridge Rd	Camp Thoreau Inc 275 Forest Ridge Rd Concord, MA 01742	
2972	233X Main St	Town Of Concord PO Box 535 Concord, MA 01742	



Printed on 11/14/2013 at 01:37 PM

2320 Main St

EcoTec, Inc.

ENVIRONMENTAL CONSULTING SERVICES
102 Grove Street
Worcester, MA 01605-2629
508-752-9666 – Fax: 508-752-9494

December 9, 2013

Carl Gray
Valley Sports
2320 Main Street
Concord, MA 01742

RE: Wetland Resource Evaluation, Knox Trail, Acton Massachusetts

Dear Mr. Gray:

On November 14, 2013, EcoTec, Inc. inspected the above-referenced property for the presence of wetland resources as defined by: (1) the Massachusetts Wetlands Protection Act (M.G.L. Ch. 131, § 40; the "Act") and its implementing regulations (310 CMR 10.00 *et seq.*; the "Regulations"); (2) the U.S. Clean Water Act (i.e., Section 404 and 401 wetlands); and (3) the Town of Acton Wetlands Protection Bylaw. Scott Morrison, RPSS conducted the inspection.

The subject site consists of a portion of the Valley Sports property in the vicinity of a proposed water line connection between the northwestern corner of the ice rink facility and Knox trail. The upland portions of the site consist of the existing ice rink building, parking lot, and fringe of forest along the eastern and western sides of the Assabet River. Plant species observed include northern red oak (*Quercus rubra*), white oak (*Quercus alba*), red maple (*Acer rubrum*), sugar maple (*Acer saccharum*), and white ash (*Fraxinus americana*) trees and/or saplings; poison ivy (*Toxicodendron radicans*), oriental bitter-sweet (*Celastrus orbiculata*) and grape (*Vitis sp.*) climbing woody vines; highbush blueberry (*Vaccinium corymbosum*), bramble (*Rubus sp.*), honeysuckle (*Lonicera sp.*), multiflora rose (*Rosa multiflora*) shrubs; and Japanese knotweed (*Polygonum cuspidatum*), teaberry (*Gaultheria procumbens*), partridge-berry (*Mitchella repens*), wild-lily-of-the-valley (*Maianthemum canadense*) ground cover. The wetland resources observed on the site are described below.

Methodology

The site was inspected, and areas suspected to qualify as wetland resources were identified. The boundary of Bordering Vegetated Wetlands was delineated in the field in accordance with the definition set forth in the regulations at 310 CMR 10.55(2)(c). Section 10.55(2)(c) states that "The boundary of Bordering Vegetated Wetlands is the line within which 50% or more of the vegetational community consists of wetland indicator plants and saturated or inundated conditions exist." The methodology used to delineate Bordering Vegetated Wetlands is further described in: (1) the BVW Policy "*BVW: Bordering Vegetated Wetlands Delineation Criteria and Methodology*," issued March 1, 1995; and (2) "*Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act: A Handbook*," produced by the

Massachusetts Department of Environmental Protection, dated March 1995. The plant taxonomy used in this report is based on the *National List of Plant Species that Occur in Wetlands: Massachusetts* (Fish and Wildlife Service, U.S. Department of the Interior, 1988). Federal wetlands were presumed to have boundaries conterminous with the delineated Bordering Vegetated Wetlands. One set of DEP Bordering Vegetated Wetland Delineation Field Data Forms completed for observation plots located in the wetlands and uplands near flag B-6 is attached. The table below provides the Flag Numbers, Flag Type, and Wetland Types and Locations for the delineated wetland resources.

Flag Numbers	Flag Type	Wetland Types and Locations
Start A1 to A5 Stop	Blue Flags	Boundary of Bordering Vegetated Wetlands located along the eastern side of the Assabet River.
Start B1 to B8 Stop	Blue Flags	Boundary of Bordering Vegetated Wetlands located along the western side of the Assabet River.
Start R1 to R10 Stop	Red Flags	Mean Annual High-water Line (MAHWL) of the Assabet River (east side).
Start RA1 to RA8 Stop	Red Flags	Mean Annual High-water Line (MAHWL) of the Assabet River (west side).

Findings

Wetland A and B (i.e., flags A1 to A5 and B1 to B8) consists of a fringe of forested swamp located in the along the eastern and western edges of the Assabet River that is associated with a perennial stream. Plant species observed include red maple (*Acer rubrum*), gray birch (*Betula populifolia*), swamp tupelo (*Nyssa sylvatica*), and American elm (*Ulmus americana*) trees and/or saplings; poison ivy (*Toxicodendron radicans*) climbing woody vines; highbush blueberry (*Vaccinium corymbosum*), common winterberry (*Ilex verticillata*), arrow-wood (*Viburnum dentatum*), withe-rod (*Viburnum cassinoides*), swamp rose (*Rosa palustris*), speckled alder (*Alnus rugosa*), silky dogwood (*Cornus amomum*), glossy buckthorn (*Rhamnus frangula*), and American elderberry (*Sambucus canadensis*) shrubs; and bristly blackberry (*Rubus hispidus*), cinnamon fern (*Osmunda cinnamomea*), royal fern (*Osmunda regalis*), and sensitive fern (*Onoclea sensibilis*) ground cover. Evidence of wetland hydrology, including hydric soils, high groundwater, saturated soils, evidence of flooding, and drainage patterns, was observed within the delineated wetland. This vegetated wetland borders a perennial stream; accordingly, the vegetated wetlands would be regulated as Bordering Vegetated Wetlands and the perennial stream would be regulated as Bank and Land Under Water Bodies and Waterways under the Act. A 100-foot Buffer Zone extends horizontally outward from the edge of Bordering Vegetated Wetlands under the Act.

Bordering Land Subject to Flooding is an area that floods due to a rise in floodwaters from a bordering waterway or water body. Where flood studies have been completed, the boundary of Bordering Land Subject to Flooding is based upon flood profile data prepared by the National Flood Insurance Program. Section 10.57(2)(a)3. states that "The boundary of Bordering Land Subject to Flooding is the estimated maximum lateral extent of flood water which will theoretically result from the statistical 100-year frequency storm." The project engineer should

evaluate the most recent National Flood Insurance Program flood profile data to determine if Bordering Land Subject to Flooding occurs on the site. Bordering Land Subject to Flooding would occur in areas where the 100-year flood elevation is located outside of or upgradient of the delineated Bordering Vegetated Wetlands boundary. Bordering Land Subject to Flooding does not have a Buffer Zone under the Act and Bylaw.

The Massachusetts Rivers Protection Act amended the Act to establish an additional wetland resource area: Riverfront Area. Based upon a review of the current USGS Map (i.e., Maynard Quadrangle, dated 1987, attached), the Assabet River is located in the western portion of the site. The entire length and the width to the mean annual high-water line of the twenty-three major rivers, including the Assabet River, are considered part of the river under the Massachusetts Wetlands Protection Act regulations. Riverfront Area would extend 200 feet horizontally upgradient from the mean annual high-water line of the river. Section 10.58(2)(a)2. states that the "Mean annual high-water line of a river is the line that is apparent from visible markings or changes in the character of soils or vegetation due to prolonged presence of water and that distinguishes between predominantly aquatic and predominantly terrestrial land. Field indicators of bankfull conditions shall be used to determine the mean annual high-water line. Bankfull field indicators include but are not limited to: changes in slope, changes in vegetation, stain lines, top of pointbars, changes in bank materials, or bank undercuts." Section 10.58(2)(a)2.a. states that "In most rivers, the first observable break in slope is coincident with bankfull conditions and the mean annual high-water line." The mean annual high-water line of the stream was delineated in the field with flags R1 to R10 and RA1 to RA8 based upon the above-referenced regulation. Furthermore, based upon a review of the current USGS Map and observations made during the site inspection, there are no other mapped or unmapped streams located within 200 feet of the site. Accordingly, except as noted above, Riverfront Area would not occur on the site. Riverfront Area does not have a Buffer Zone under the Act, but may overlap other wetland resources and their Buffer Zones.

The Regulations require that no project may be permitted that will have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures set forth at 310 CMR 10.59. Based upon a review of the *Massachusetts Natural Heritage Atlas*, 13th edition, Priority Habitats and Estimated Habitats, Maynard Quadrangle, valid from October 1, 2008, there are no Certified Vernal Pools on or in the immediate vicinity of the site. However, the site is located within an Estimated Habitat and a Priority Habitat. A copy of this map is attached. The Regulations at 310 CMR 10.59 state that projects proposed within an Estimated Habitat as indicated on the most recent map published by the Natural Heritage and Endangered Species Program require a fully completed copy of any required Notice of Intent filed under the Act and Regulations (including all plans, reports, and other required materials) to be submitted to the Natural Heritage and Endangered Species Program no later than the date of filing with the issuing authority. In addition, in July 2005, the Massachusetts Endangered Species Act (M.G.L. Ch. 131A; "MESA") regulations (321 CMR 10.00 *et seq.*; the "MESA Regulations") were revised to provide formal review procedures for projects and activities proposed within a Priority Habitat. For nonexempt projects or activities proposed within a Priority Habitat, an additional

filing beyond that required under 310 CMR 10.59 for a project proposed within an Estimated Habitat, or a consolidated filing that meets the requirements under 321 CMR 10.20 and 310 CMR 10.59, must be made with the Natural Heritage and Endangered Species Program to allow the project or activity to be reviewed under MESA or under MESA and the Act, respectively.

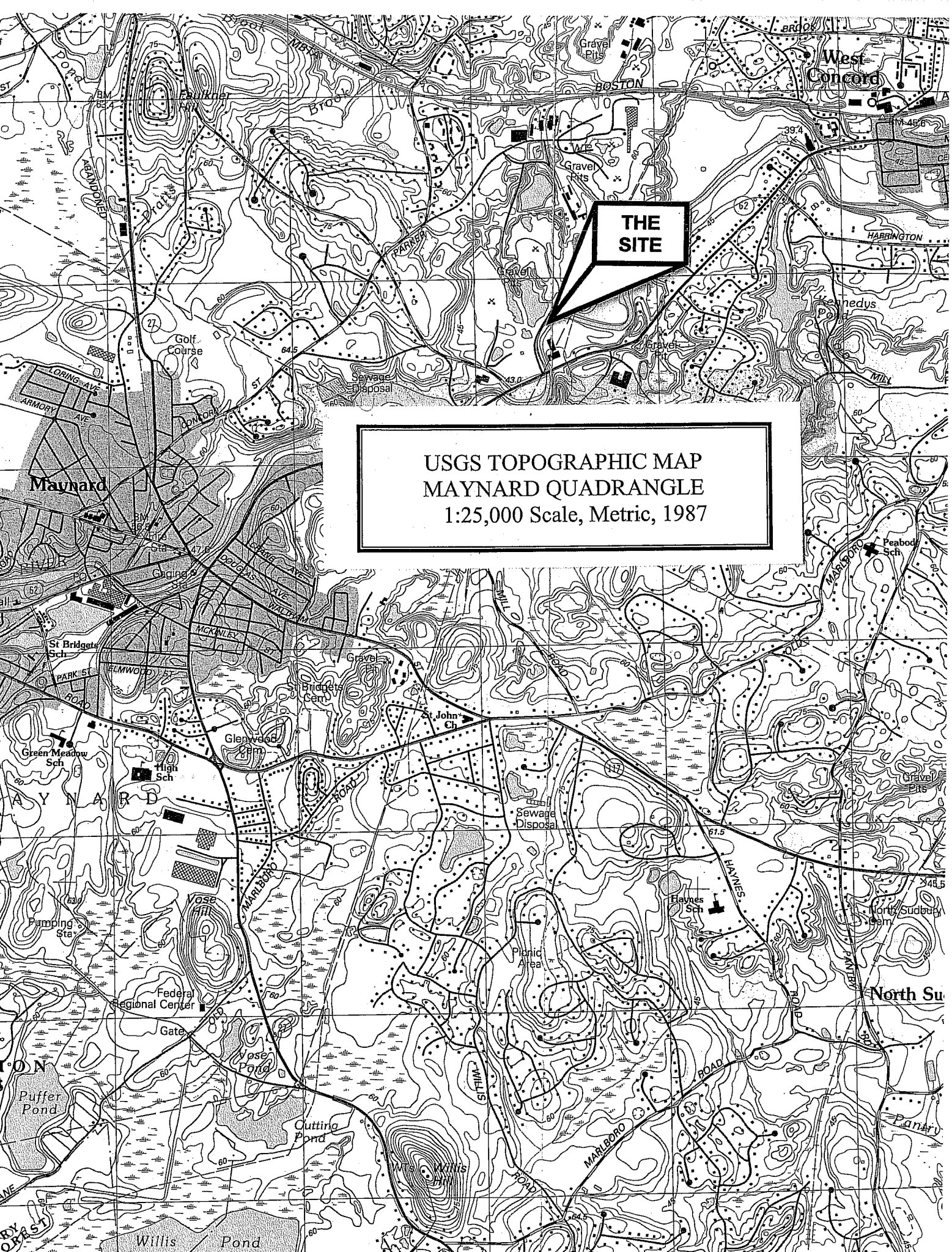
The reader should be aware that the regulatory authority for determining wetland jurisdiction rests with local, state, and federal authorities. A brief description of my experience and qualifications is attached. If you have any questions, please feel free to contact me at any time.

Cordially,
ECOTEC, INC.

Scott M. Morrison, RPSS
Senior Environmental Scientist

Attachments (5, 7 pages)

17/w/ActoKnoxTrailReport


THE SITE
USGS TOPOGRAPHIC MAP
MAYNARD QUADRANGLE
1:25,000 Scale, Metric, 1987
West Concord
Maynard
Golf Course
Sewage Disposal
Gravel Pits
Kennedys Pond
Peabody Sch
St Bridgets Sch
St Bridgets Cem
St John Ch
Glenwood Cem
Green Meadow Sch
High Sch
Haynes Sch
North Sudbury Cem
Pumping Sta
Vose Hill
Federal Regional Center
Gate
Vose Pond
Puffer Pond
Cutting Pond
Willis Hill
Willis Pond
Picnic Area
North Su
Faulkner Hill
Pratts
Brook
BOSTON
PARKER
HARRINGTON
LORING AVE
ARMORY AVE
CONCORD
DOUGLAS AVE
WALTHAM
MCKINLEY
ELMWOOD
PARK ST
ROAD
MARLBORO
MILL
HAYNES
WILLIS
PANTRY
ABANDONED
MARLBORO ROAD
OLD MARLBORO ROAD
Pantry

Priority Habitats and Estimated Habitats - Effective October 1, 2008

Priority Habitats for use with the MA Endangered Species Act Regulations (321 CMR 10)
Estimated Habitats for use with the MA Wetlands Protection Act Regulations (310 CMR 10)

Produced by the Natural Heritage & Endangered Species Program website: www.nhesp.org

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Priority Habitat of Rare Species

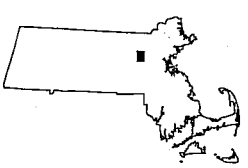
Priority Habitat of Rare Species and also Estimated Habitat of Rare Wildlife

* Certified Vernal Pool (as of July 31, 2008)

N

0 0.5 1 2 Miles

Maynard Quad



DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: Prepared by: **EcoTec, Inc.** Project location: **Acton, Knox Trail** DEP File # :

Check all that apply:

- ☐ Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- ☑ Vegetation and other indications of hydrology used to delineate BVW boundary: fill out Sections I and II
- ☐ Method other than dominance test used (attach additional information)

Section I. Vegetation

Observation Plot Number: **Upland** Transect Number: **B-6** Date of Delineation: **11/14/13**

A. Sample Layer and Plant Species (by common/scientific name)			B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category *
Tree	**red maple**	***Acer rubrum***	**30%**	**37.5%**	**yes**	**FAC***
	white ask	***Fraxinus americana***	**30%**	**37.5%**	**yes**	**FACU**
	american elm	***Ulmus americana***	**20%**	**25%**	**yes**	**FACW-***
Sapling	**american elm**	***Ulmus americana***	**10%**	**50%**	**yes**	**FACW-***
	white ask	***Fraxinus americana***	**10%**	**50%**	**yes**	**FACU**
Vone	**oriental bittersweet**	***Celastrus orbiculata***	**40%**	**100%**	**yes**	**UPL**
Shrub	**tartarian honeysuckle**	***Lonicera tatarica***	**20%**	**40%**	**yes**	**FACU**
	glossy buckthorn	***Rhamnus frangula***	**30%**	**60%**	**yes**	**FAC***
Ground Cover	**japanese knotweed**	***Polygonum cuspidatum***	**20%**	**50%**	**yes**	**FACU-**
	oriental bittersweet	***Celastrus orbiculata***	**20%**	**50%**	**yes**	**UPL**

*Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c. 131, s. 40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusions:

Number of dominant wetland indicator plants: **4** Number of dominant non-wetland indicator plants: **6**

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? **no**

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent.

Acton, Know Trail- Upland

Section II. Indicators of Hydrology

1. Soil Survey

Is there a published soil survey for this site? -

title/date: -
map number: -
soil type mapped: -
hydric soil inclusions: -

Are field observations consistent with soil survey? -

Remarks: -

2. Soil Description

Horizon	Depth (inches)	Matrix Color	Mottle Color
A	0-10	10YR 3/2	
Bw	10-12	10YR 4/4	

Remarks: **fine sandy loam**

3. Other:

Conclusion: Is soil Hydric? **no**

Other Indications of Hydrology: (check all that apply and describe)

- ☐ Site inundated: _____
- ☐ Depth to free water in observation hole: _____
- ☐ Depth to soil saturation in observation hole: _____
- ☐ Water marks: _____
- ☐ Drift lines: _____
- ☐ Sediment deposits: _____
- ☐ Drainage patterns in BVW: _____
- ☐ Oxidized rhizospheres: _____
- ☐ Water-stained leaves: _____
- ☐ Recorded data (stream, lake, or tidal gauge; aerial photo; other): _____
- ☐ Other: _____

Vegetation and Hydrology Conclusion	yes	no
Number of wetland indicator plants ≥ number of non-wetland indicator plants	☐	☑
Wetland hydrology present:		
hydric soil present	☐	☑
other indicators of hydrology present	☐	☑
Sample location is in a BVW	☐	☑

Submit this form with the Request for Determination of Applicability or Notice of Intent.

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: Prepared by: EcoTec, Inc. Project location: Acton, Knox Trail DEP File # :

Check all that apply:

- ☐ Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- ☑ Vegetation and other indications of hydrology used to delineate BVW boundary: fill out Sections I and II
- ☐ Method other than dominance test used (attach additional information)

Section I. Vegetation

Observation Plot Number: Wetland Transect Number: B-6 Date of Delineation: 11/14/13

A. Sample Layer and Plant Species (by common/scientific name)			B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category *
Tree	red maple	*Acer rubrum*	40%	100%	yes	FAC*
Sapling	none					
Shrub	glossy buckthorn	*Rhamnus frangula*	60%	75%	yes	FAC*
	silky dogwood	*Cornus amomum*	20%	25%	yes	FACW*
Ground Cover	soft rush	*Juncus effusis*	20%	25%	yes	FACW+*
	japanese knotweed	*Polygonum cuspidatum*	40%	50%	yes	FACU-
	royal fern	*Osmunda regalis*	20%	25%	yes	OBL*

*Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c. 131, s. 40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusions:

Number of dominant wetland indicator plants: 5 Number of dominant non-wetland indicator plants: 1

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? yes

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent.

Section II. Indicators of Hydrology

1. Soil Survey

Is there a published soil survey for this site? -

title/date: -
map number: -
soil type mapped: -
hydric soil inclusions: -

Are field observations consistent with soil survey? -

Remarks: -

2. Soil Description

Horizon	Depth (inches)	Matrix Color	Mottle Color
O	0-14		
A	14-18	10YR 2/1	

Remarks: **mucky loam**

3. Other:

Conclusion: Is soil Hydric? **yes**

Other Indications of Hydrology: (check all that apply and describe)

- ☐ Site inundated: _____
- ☑ Depth to free water in observation hole: **6 inches**
- ☑ Depth to soil saturation in observation hole: **2 inches**
- ☐ Water marks: _____
- ☐ Drift lines: _____
- ☑ Sediment deposits: _____
- ☐ Drainage patterns in BVW: _____
- ☐ Oxidized rhizospheres: _____
- ☑ Water-stained leaves: _____
- ☐ Recorded data (stream, lake, or tidal gauge; aerial photo; other): _____
- ☐ Other: _____

Vegetation and Hydrology Conclusion

	yes	no
Number of wetland indicator plants ≥ number of non-wetland indicator plants	☑	☐
Wetland hydrology present:		
hydric soil present	☑	☐
other indicators of hydrology present	☑	☐
Sample location is in a BVW	☑	☐

Submit this form with the Request for Determination of Applicability or Notice of Intent.