

COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Metropolitan Boston – Northeast Regional Office

JANE SWIFT  
Governor

BOB DURAND  
Secretary

LAUREN A. LISS  
Commissioner

DEP File # 322-0532

RE: NOTIFICATION OF WETLANDS PROTECTION ACT FILE NUMBER WAYLAND  
DATE: 07/23/2002 (city/town)

The Department of Environmental Protection has received a Notice of Intent filed in accordance with the Wetlands Protection Act (M.G.L. c. 131, §40):

Applicant: RAYTHEON CO. Owner: Wayland Business Center  
Address: 1001 BOSTON POST RD Address: c/o Congress Group Ventures  
MARLBOROUGH MA, 01752- Cambridge, MA\_02142

LOCUS: 430 BOSTON POST ROAD

**IF CHECKED, THE FOLLOWING ITEM(S) APPLY TO THIS NOTICE OF INTENT:**

A.  This project has been assigned the following file # : 322-0532  
Although a file # is being issued, please note the following:

**ISSUANCE OF A FILE NUMBER INDICATES ONLY COMPLETENESS OF SUBMITTAL, NOT APPROVAL OF APPLICATION**

B.  No file # will be assigned to this project until the following missing information is sent to this office, to meet the minimum submittal requirements in accordance with the Wetlands Protection Regulations at 310 CMR 10.00:

1.  \_\_\_ copy(s) of a completed Notice of Intent (Form 3 or Form 4 of Sect. 10.99, whichever is applicable) and a copy of the Fee Transmittal Form, with a copy of the check for the State's share of the Notice of Intent filing fee.
2.  \_\_\_ copy(s) of plans, calculations, and other documentation necessary to completely describe the proposed work and mitigation measures to protect resource areas.
3.  \_\_\_ copy(s) of an 8.5" X 11" section of the USGS map of the area.
4.  \_\_\_ copy(s) of plans showing compliance with Title 5 of the State Environmental Code, 310 CMR 15.00.
5.  Proof that a copy of your Notice of Intent has been mailed or hand delivered to the Natural Heritage and Endangered Species Program.

**COMMENTS:**

(see page 2 for additional information)

C.  **Other Regulatory Jurisdiction**

1.  Application has been forwarded to Waterways Regulatory Program to determine if a Chapter 91 License is required.
2.  Applicant is advised to forward a copy of the Notice of Intent to the Corps of Engineers for review (call 1-800-362-4367 for information).

D.  **401 Water Quality Certification**

The project described in your Notice of Intent requires a 401 Water Quality Certification from the Department of Environmental Protection and may require submittal of a 401 application form. See below for further details:

1.  **Based upon the information submitted in and with your Notice of Intent a separate 401 Water Quality Certification application form is not required.** The Department has reviewed the plans submitted by the applicant and finds that there is reasonable assurance that the project or activity will be conducted in a manner that will not violate the Massachusetts Surface Water Quality Standards, provided that:
  - a) the applicant receives and complies with a Final Order of Conditions from the local conservation commission or the Department;
  - b) The Order of Conditions does not cause the loss of more than 5,000sq.ft. of bordering vegetated wetlands and land under water and/or the dredging of more than 100 cubic yards of land under water;
  - c) any loss of vegetated wetlands has been mitigated with a minimum replication of 1:1; and is not part of a subdivision; does not cause the loss of any Wetlands designated as
  - d) The project is not exempt from the M.G.L. c. 131, §40-the Wetlands Protection Act; Outstanding Resource Waters; and does not cause the loss of any salt marsh.

Therefore, provided that the above conditions are satisfied, the Final Order of Conditions will serve as the Water Quality Certification for this project. This does not relieve the applicant of the duty to comply with any other statutes or regulations.

2.  Before the activity described in the Notice of Intent can commence, you must obtain a Water Quality Certification form from this Regional Office. **Please complete the enclosed 401 Water Quality Certification application form and file it with this Regional Office for review.**

3.  Your project involves dredging of greater than 100 cubic yards of material or requires a permit from the Federal Energy Regulatory Commission for work in "waters of the Commonwealth." Therefore, your proposed project is subject to 314 CMR 9.00 and requires a Water Quality Certification. **Please complete the enclosed 401 Water Quality Certification application form and file it with the Department of Environmental Protection, Waterways Program, and One Winter Street, Boston, MA 02108.** Contact the Division of Waterways program at 617-292-5655 if you have and questions.

For more information please contact: Mr. DEREK STANDISH at 978- 661-7600.

Cc: X Conservation Commission

Owner:

DEP- Water Pollution Control

Other:

U.S. Army Corps of Engineers

Coastal Zone Management

Representative:

Environmental Resource Management

399 Boylston St, 6th Fl

Boston Ma 02116