



WETLANDS REGULATIONS PHASE III COMMUNITY ADVISORY BOARD MEETING #3

May 24, 2022

AGENDA

- **Welcome Back!**
- **Meeting Goals and Community Norms**
- **Progress Update**
- **Extended Riverfront Area**
- **Next Steps**



COMMUNITY ADVISORY BOARD MEETING #3

WELCOME BACK!

A scenic view of a pond with a wooden bridge, surrounded by tall grasses and trees under a blue sky. The text 'WELCOME BACK!' is overlaid in large white letters.

ICEBREAKER

- What outdoor activity are you most excited for this summer in Boston?



COMMUNITY ADVISORY BOARD MEETING #3

MEETING GOALS AND COMMUNITY NORMS

A scenic view of a pond with tall reeds in the foreground and a wooden bridge in the middle ground, under a clear blue sky. The text is overlaid on the top half of the image.

CAB MEETING #3 GOALS

1. **Share progress that has been made since CAB Meeting #2; and**
2. **Discuss the Extended Riverfront Area.**



COMMUNITY NORMS

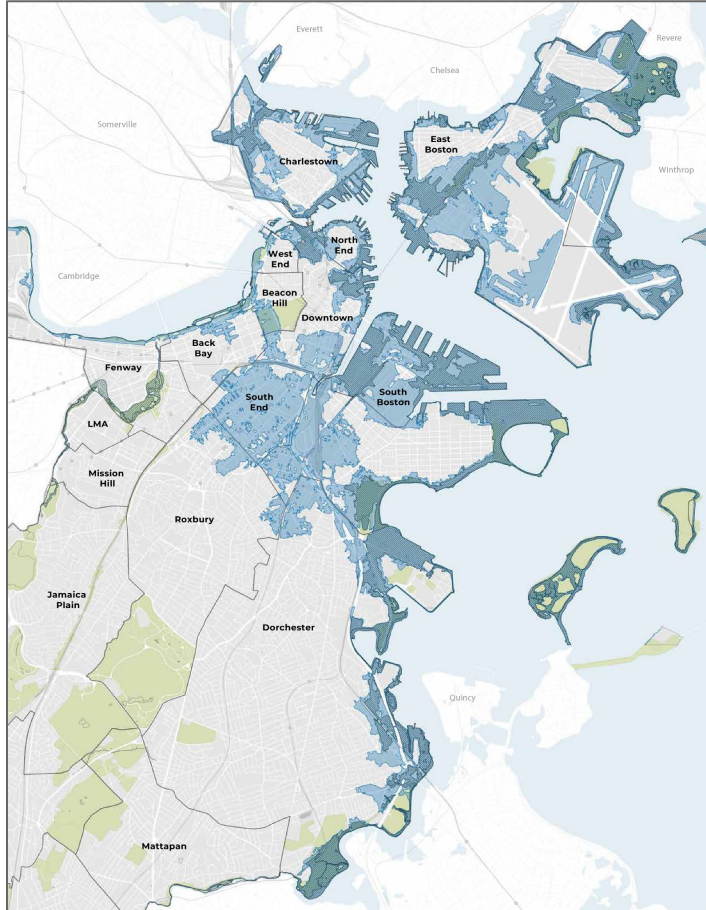
1. **Assume good intent of your fellow CAB members.** If a harmful comment is made, this is space where you can respectfully let that person know so we can all learn and move forward together.
2. **Your time is valuable.** We will always start and end on time.
3. **Stay engaged throughout the meeting.** In a virtual environment, this means keeping your video on, practicing active listening, and not multitasking.
4. **Step up** (if you're shy) **and step back** (if you're speaking a lot).
5. **If you don't understand something, ask for clarification.** We are all learning together and will benefit from your questions.
6. **Foster transparency while respecting privacy.** Any information shared outside of the space will be clearly stated and agreed upon by all members of the CAB. Any information shared within this space should always be done with that individual's consent.

COMMUNITY ADVISORY BOARD MEETING #3

**PROGRESS UPDATE:
WHAT HAVE WE BEEN UP TO?**

A scenic view of a lake with tall reeds in the foreground and a wooden pier extending into the water. The sky is blue with light clouds.

COASTAL FLOOD RESILIENCE OVERLAY DISTRICT



Article 25A Coastal Flood Resilience Overlay District (CFROD) was adopted into the Zoning Code in October 2021. This overlay works to protect persons and structures from the adverse effects of sea-level rise and storm surge associated with climate change.

The CFROD and zoning map (left) relate to areas of the City of Boston anticipated to be flooded with a 1% chance storm event in 2070 with 40-inches of sea-level rise. They formalize the implementation of the 2018 Coastal Flood Resilience Design Guidelines, and establish sea-level rise design flood elevations for new construction and retrofits in the 2070 floodplain.

Resilience Review is now conducted for all Article 80 projects to ensure compliance for projects in the floodplain.

To learn more:

[Coastal Flood Resilience Overlay District](#)

RELEASED HEAT RESILIENCE SOLUTIONS FOR BOSTON FINAL REPORT

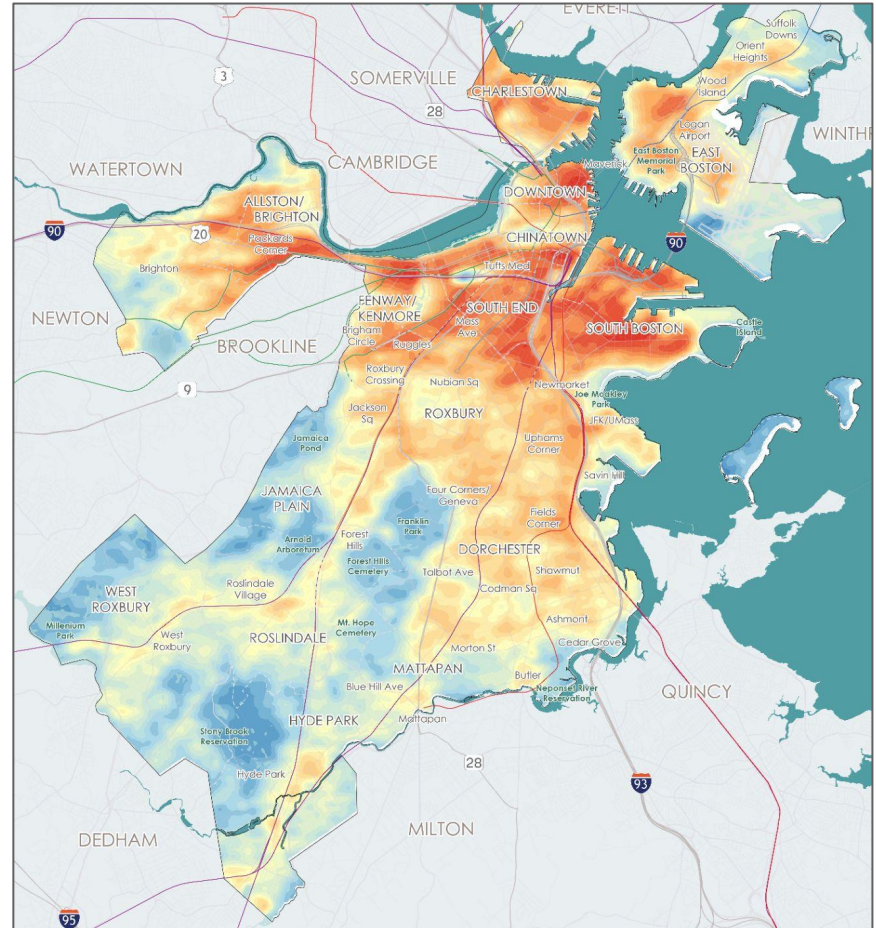


Boston Mayor Michelle Wu hosted an Earth Day Celebration Friday afternoon in Chinatown at the Auntie Kay and Uncle Frank Chin Park on the Rose Kennedy Greenway. Wu wrote her name in Chinese with chalk for Angela Jiang, 7 to see. Source: John Tlumacki, Boston Globe Staff


To learn more:

[Heat Resilience Solutions for Boston Final Report](#)



[Heat Resilience Solutions for Boston Press Release](#)



CLIMATE READY BOSTON NEIGHBORHOOD ADAPTATION PLANNING




CLIMATE
READY
BOSTON




Climate Change and
Sea Level Rise Projections for Boston

The Boston Research Advisory Group Report

JUNE 1, 2016



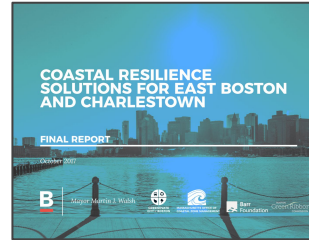
City of Boston
Mayor Martin J. Walsh



BOSTON
GreenRibbon
COMMISSION

CLIMATE READY BOSTON | CLIMATEREADY.BOSTON.GOV | #CLIMATEREADYBOSTON

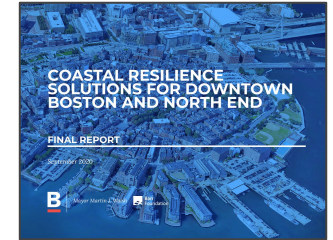
Since the 2016 Climate Ready Boston report was released, the City has developed Coastal Resilience Solutions plans for:



**East Boston
& Charlestown
Phase 1 (2017)**



**South Boston
(2018)**



**North End &
Downtown
(2020)**



**Dorchester
(2020)**

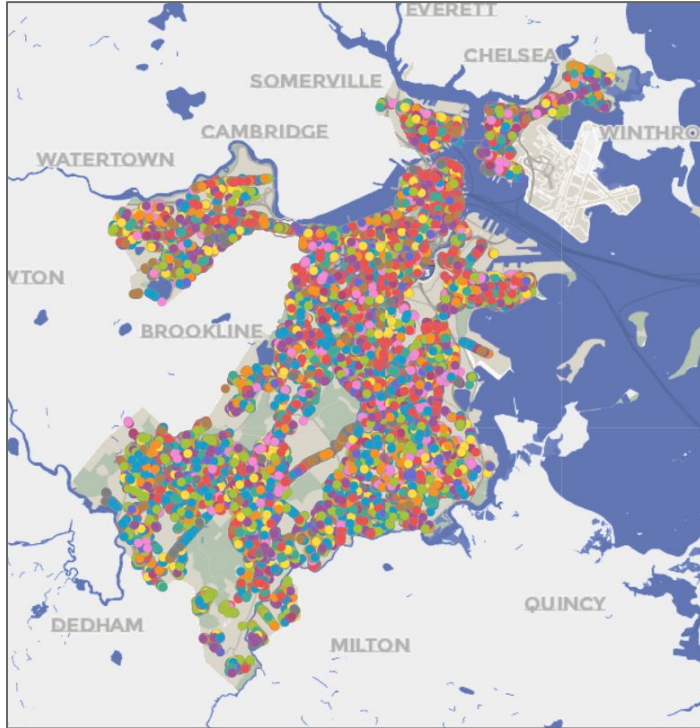


**East Boston
& Charlestown
Phase 2 (2022)**



To learn more: [Climate Ready Boston](https://www.climate-ready-boston.gov)

URBAN FOREST PLAN AND OPEN SPACE PLAN UPDATE

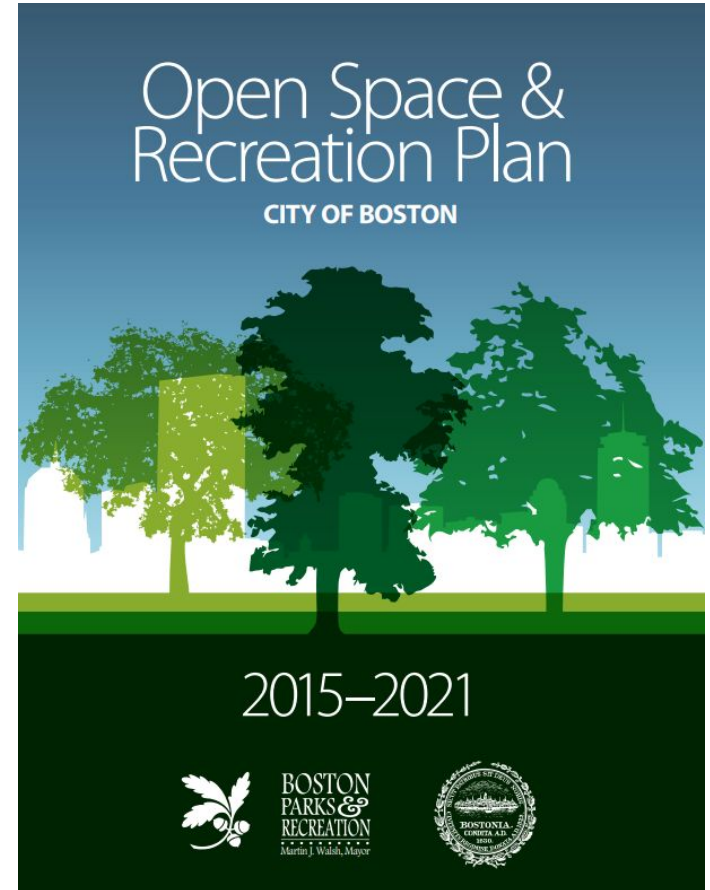


Through these ongoing efforts, we are planning for the protection and expansion of Boston's urban forest, parks, and open spaces.

To learn more:

[Urban Forest Plan](#)

[Updating the Seven-Year Open Space Plan](#)



PHASE III REGULATIONS DEVELOPMENT

The project team has advanced the technical components of the project:

- **Climate Adaptation and Resilience** - Standards, goals, and metrics regarding extreme heat, coastal flooding, stormwater flooding, and tree canopy are being considered to inform performance standards. We are evaluating recently completed plans and coordinating with ongoing projects to ensure that such performance standards are consistent across City departments, agencies, and commissions.
- **Inland Flood Resilience Zone and Coastal Flood Resilience Zone** - Each area has been mapped using the best available data and is being fine-tuned in an interactive mapping tool. We are determining how these will be regulated, when, and to what degree.
- **Environmental Justice** - The project team has conducted a careful review of the Massachusetts Environmental Policy Act (MEPA) Office's Public Involvement Protocol for Environmental Justice Populations and Protocol for Analysis of Project Impacts on Environmental Justice Populations (effective as of January 1, 2022) for all projects undergoing State environmental review processes. We are assessing procedural elements from these protocols that could be incorporated into the regulations and having internal policy discussions.
- **Extended Riverfront Area** - All known waterways across the City have been identified and mapped, and 25-foot increments out to the full 200 feet have been added to said waterways. We are using a set of initial criteria to evaluate where and how to consider extending the Riverfront Area.

PHASE II REGULATIONS ADOPTED BY CONSERVATION COMMISSION

Phase II of the regulations focused on wetland resources that are either:

- not protected under state law, or
- do not have any standards for projects to follow.

The goal was to create a set of performance standards that projects must follow to protect and preserve these resources.

Phase II created regulations for:

- isolated vegetated wetlands, which are wetlands that are not next to open water
- vernal pools and vernal pool habitat, which are small depressions that seasonally fill with water, and
- land subject to coastal storm flowage, which is the same as the 100-year floodplain.

The Commission adopted the Phase II regulations in February 2022. Community engagement and feedback from stakeholders were critical in developing these regulations.

To learn more:

[Read the Phase II Regulations](#)

[Developing Wetlands Regulations](#)

GENERAL CONSERVATION COMMISSION OPERATIONS IN 2022

Hearings

Total Hearings - 11

- 10 regular hearings
- 1 special hearing on Phase II regulations
- 36.5 hours

Total Filings received (as of 5/20/2022) - 67

- Notices of Intent - 41
- Requests for Determination of Applicability - 10
- Amendment Requests - 4
- Extension Requests - 2
- Certificates of Compliance - 10

Non-filings actions (as of 5/20/2022) - 2

- Enforcement Orders - 1
- Emergency Certifications - 1

Urban Wilds

Urban Wilds Regulations and Signage

- Developed regulations for Commission-owned Urban Wilds properties
- Designed uniform signs in multiple languages for Commission-owned properties, in the process of procuring physical signs

Mattahunt Woods Ecological Restoration Project

- Procured design services for Mattahunt Woods restoration project

General Urban Wilds Maintenance

- Site visits
- Contracting tree work, property surveys, and other maintenance

COMMUNITY ADVISORY BOARD MEETING #3

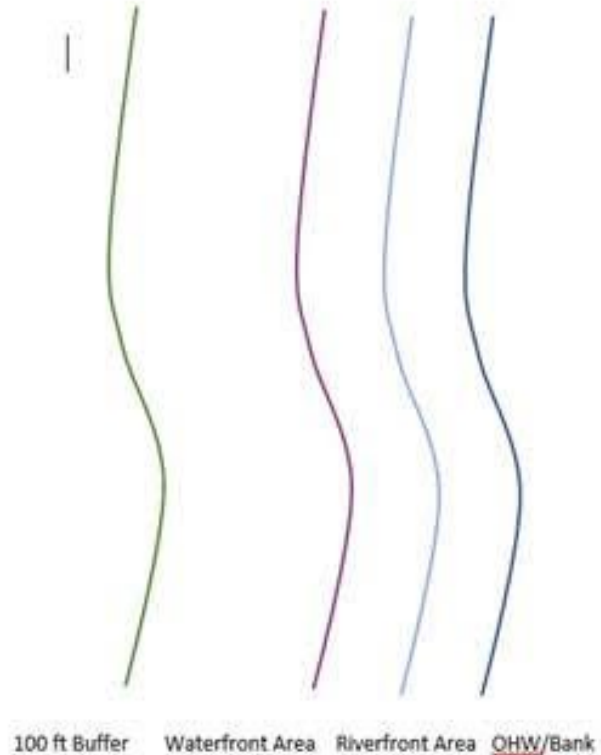
EXTENDED RIVERFRONT AREA

A scenic view of a riverfront area. In the foreground, there are tall, thin grasses. A wooden bridge spans across a body of water in the middle ground. The background features a line of trees and a clear blue sky.

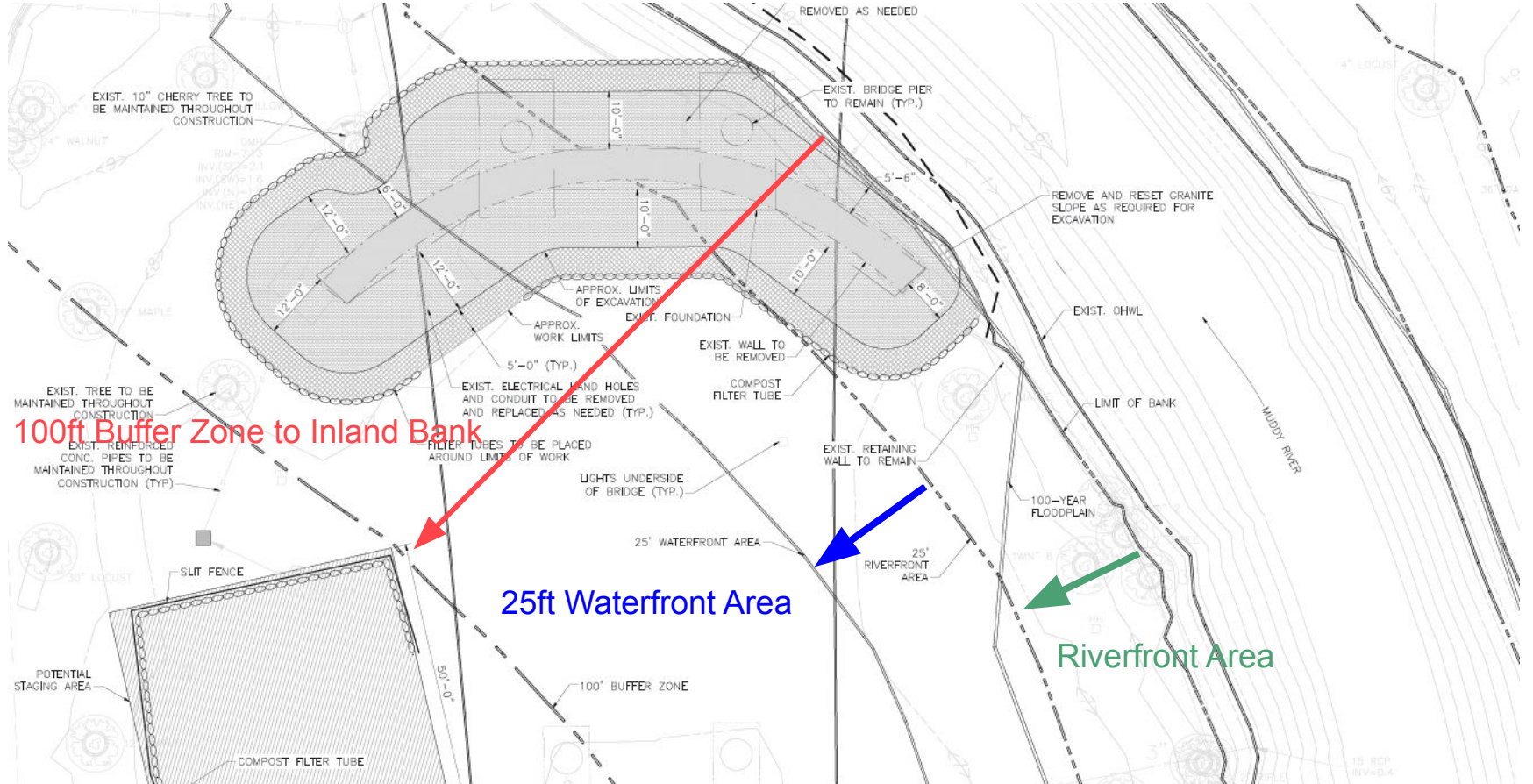
EXTENDED RIVERFRONT AREA

Existing Riverfront Area

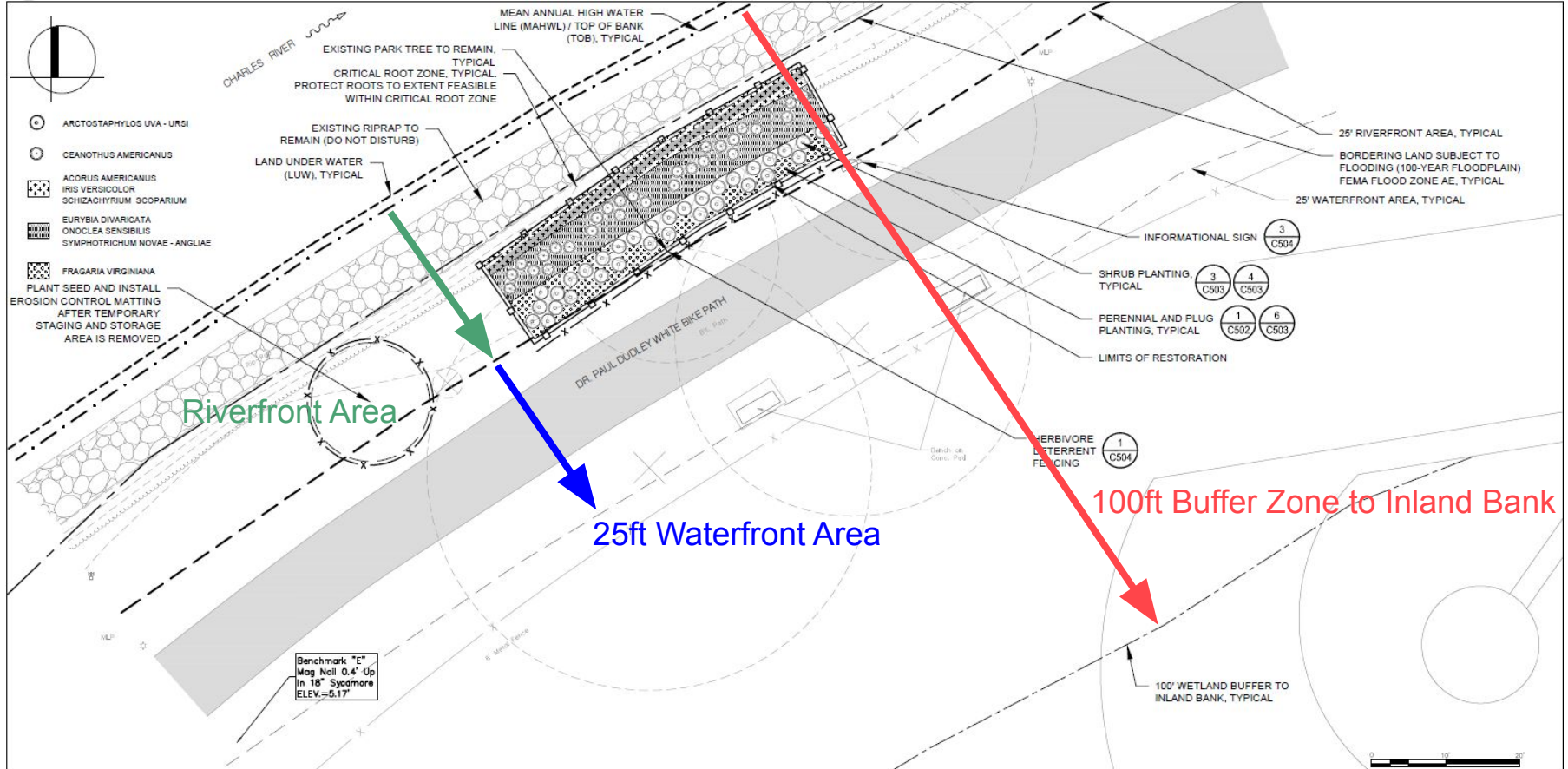
- In 1996, the Massachusetts Legislature passed the Massachusetts Rivers Protection Act, adding the Riverfront Area as a wetland resource area.
- In most municipalities, the Riverfront Area is 200 feet from the mean annual high water line except in **Boston**, Brockton, Cambridge, Chelsea, Everett, Fall River, Lawrence, Lowell, Malden, New Bedford, Somerville, Springfield, Winthrop and Worcester, where it is 25 feet.
- The Ordinance also created the Waterfront Area, which extends an additional 25 feet from the edge of the Riverfront Area.



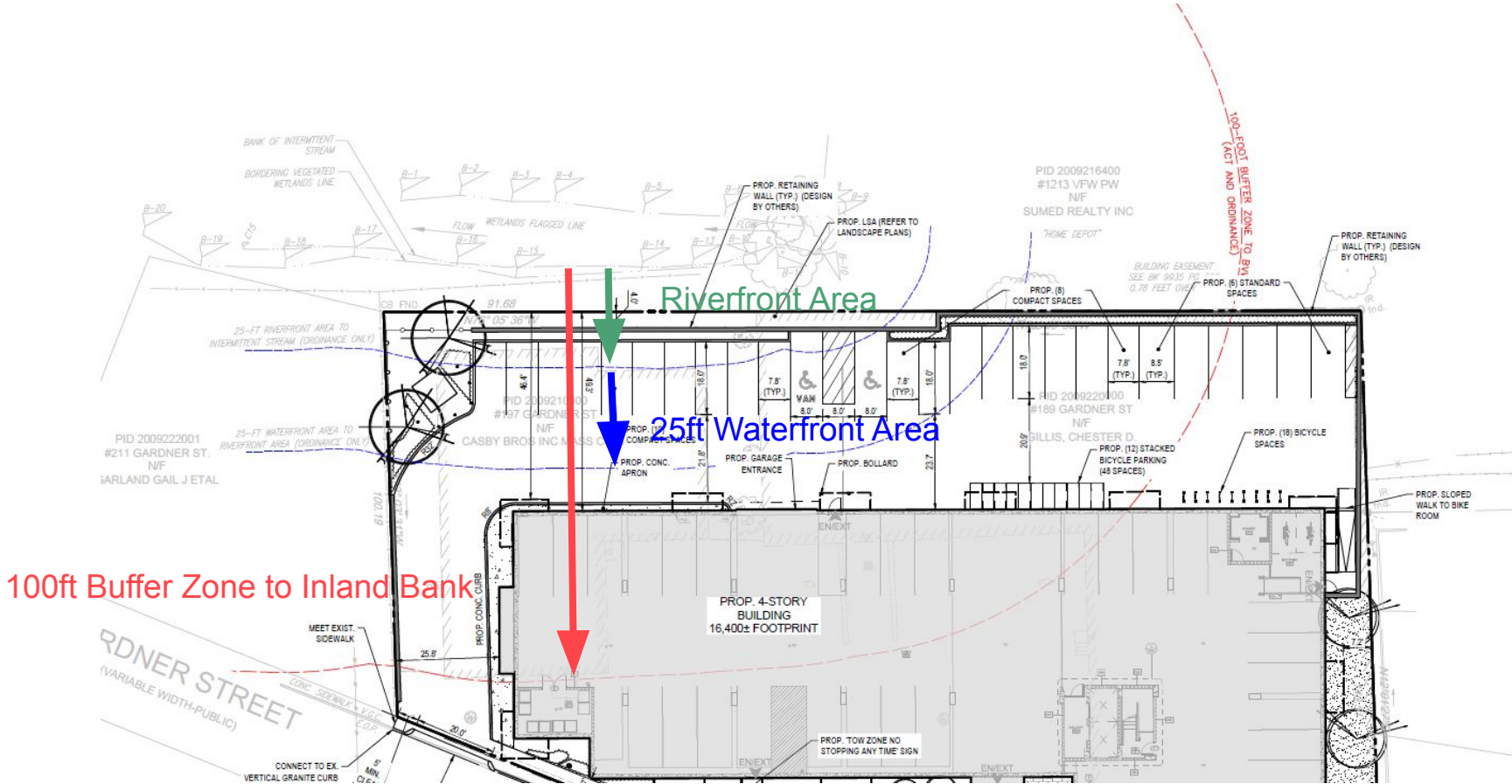
EXTENDED RIVERFRONT AREA



EXTENDED RIVERFRONT AREA



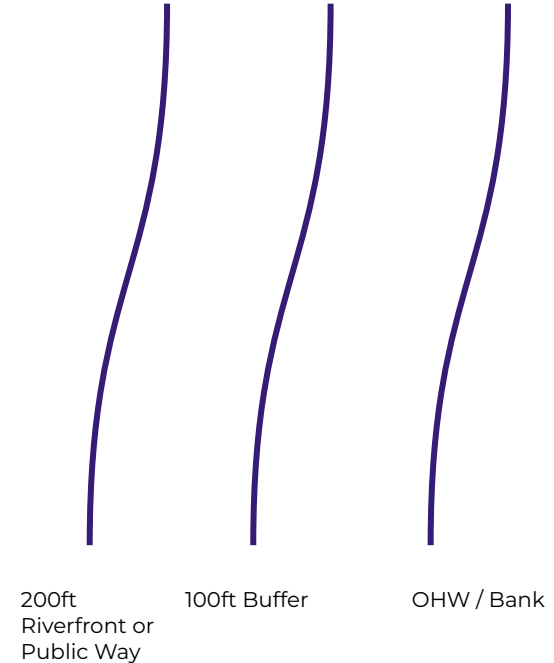
EXTENDED RIVERFRONT AREA



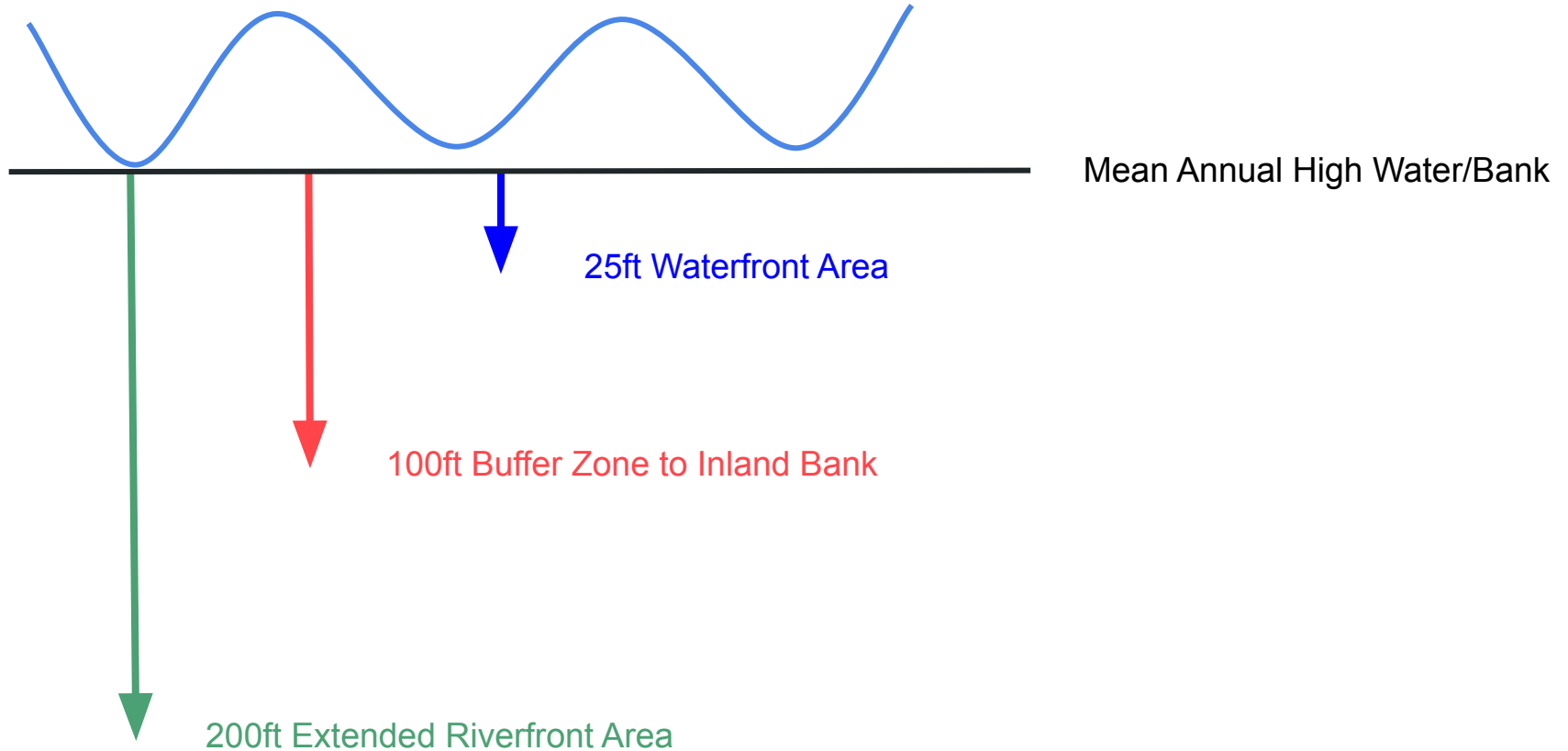
EXTENDED RIVERFRONT AREA

The Ordinance states: “The Commission may separately designate areas of the city, where in its discretion and by a preponderance of evidence that such areas are significant for the protection of the Resource Area Values protected by the Ordinance, the riverfront area can be extended up to a distance of 200 feet.”

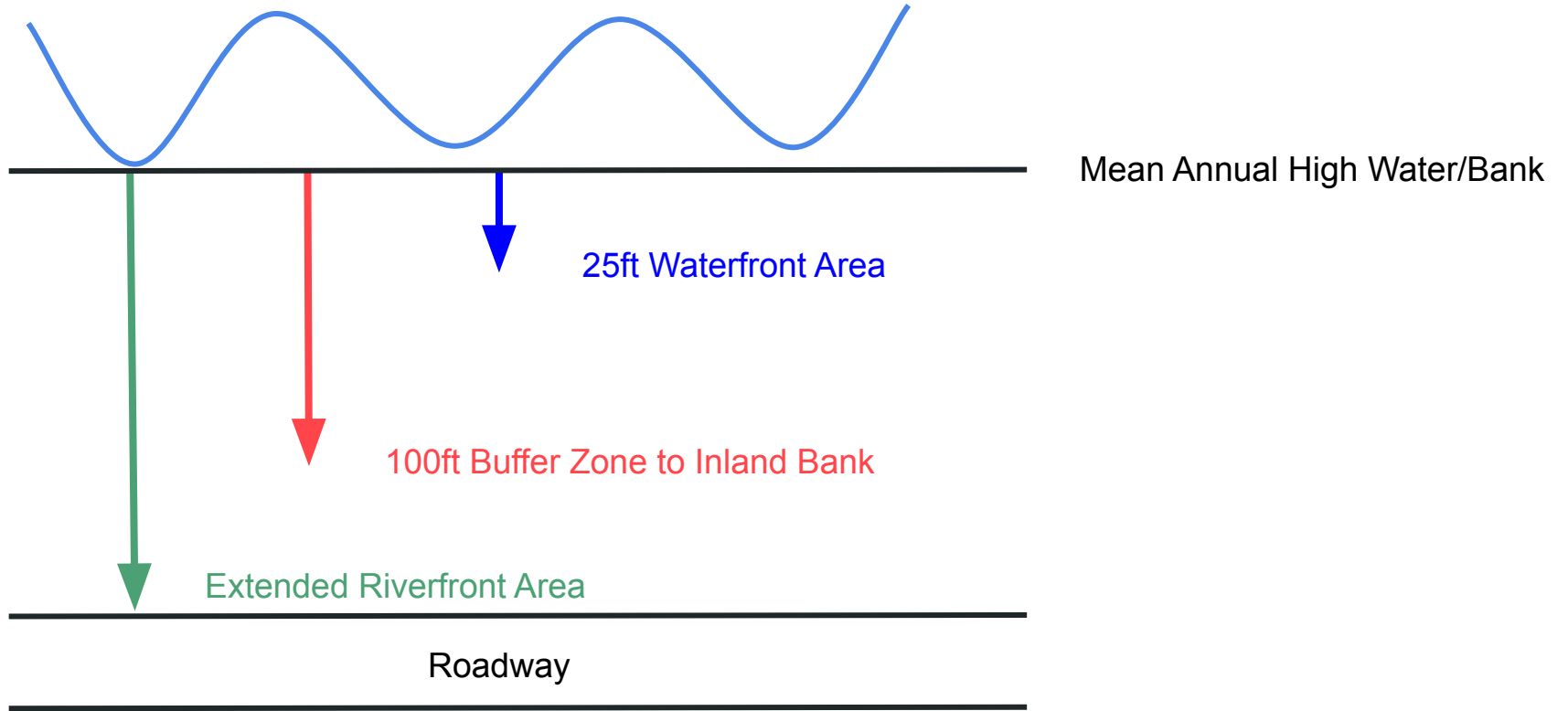
Current Proposal: Extend the Riverfront Area the full 200 feet or to the first public way.



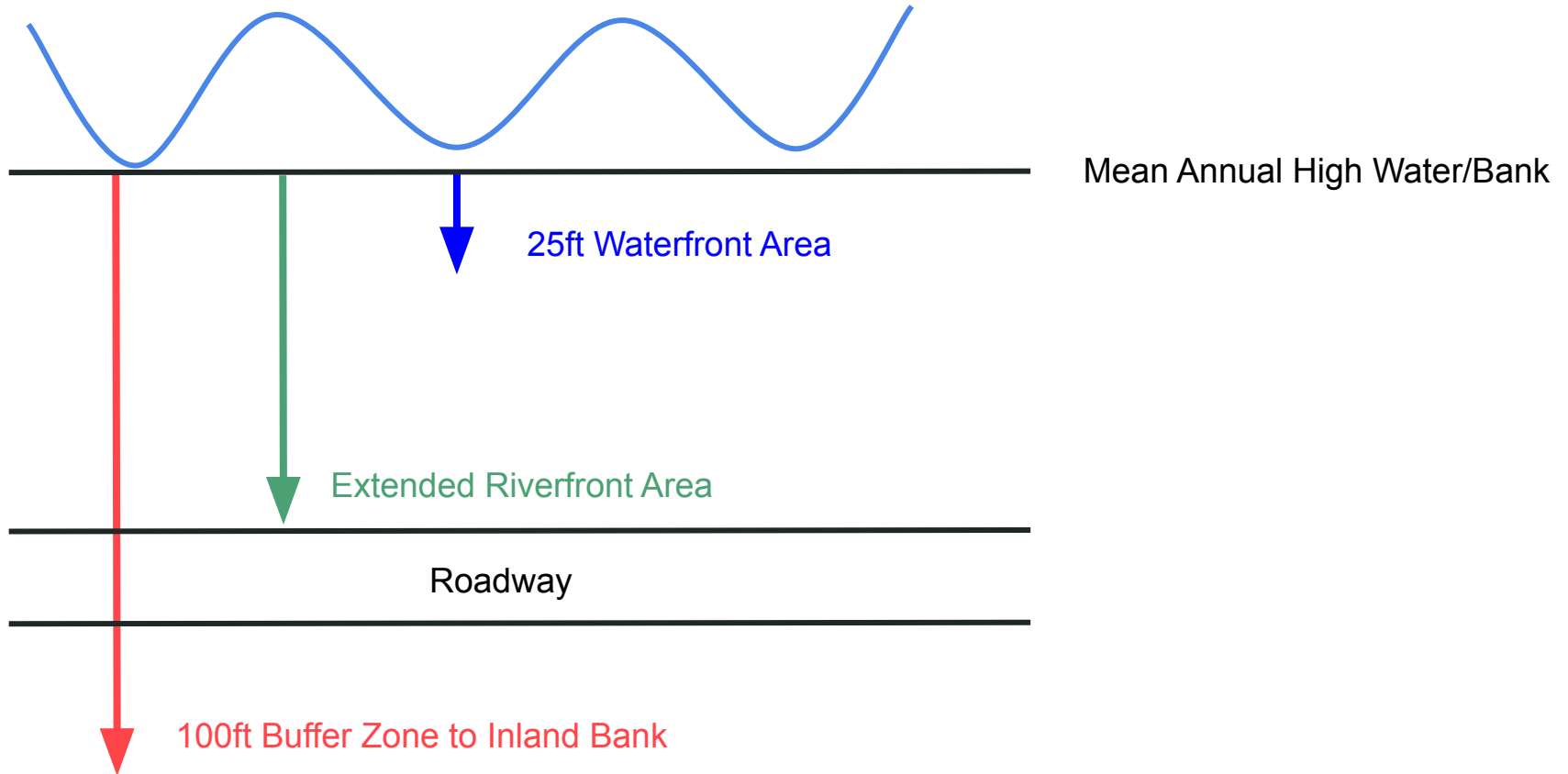
EXTENDED RIVERFRONT AREA - SITUATION 1



EXTENDED RIVERFRONT AREA - SITUATION 2



EXTENDED RIVERFRONT AREA - SITUATION 3



EXTENDED RIVERFRONT AREA

Under the Wetlands Protection Act, the Riverfront Area Performance Standards vary depending on whether there exists any degraded areas.

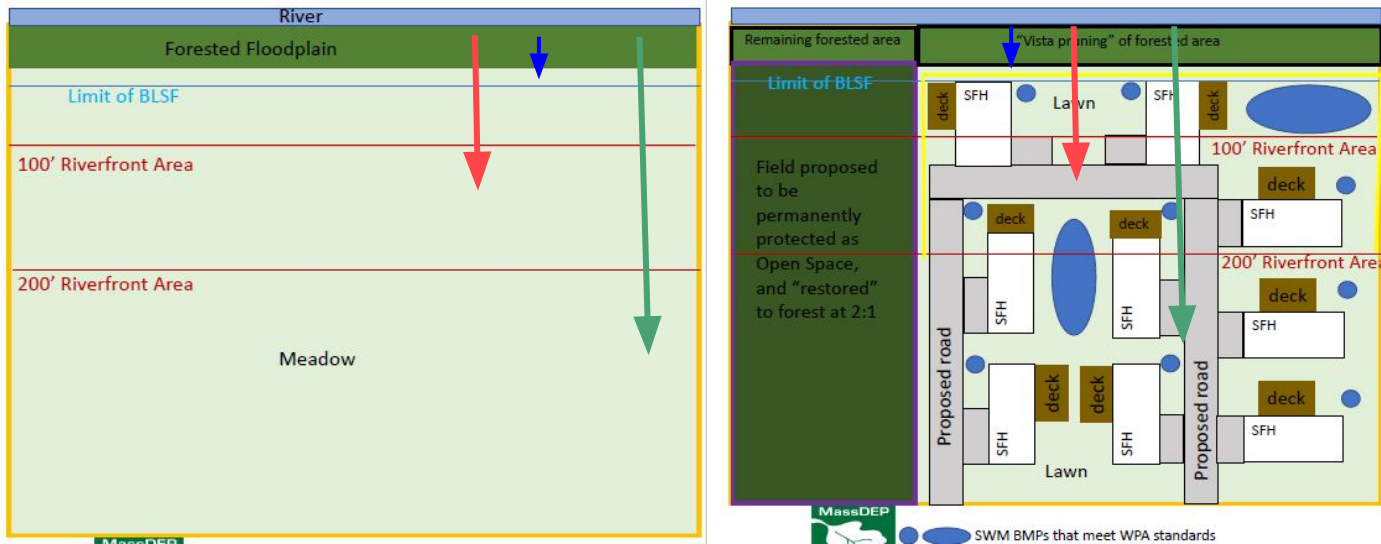
For non-degraded Riverfront Area:

- When work in Riverfront Area will be in currently undeveloped Riverfront Area, or
- When redevelopment work in Riverfront Area will be in previously disturbed Riverfront Area, but no part of Riverfront Area is “degraded” (e.g., area is lawn, meadow/pasture, agricultural field, etc.)
- Degraded = “impervious surfaces from existing structures or pavement, absence of topsoil, junkyards, or abandoned dumping grounds which occurred before 8/7/96.”

Riverfront Area Performance Standards

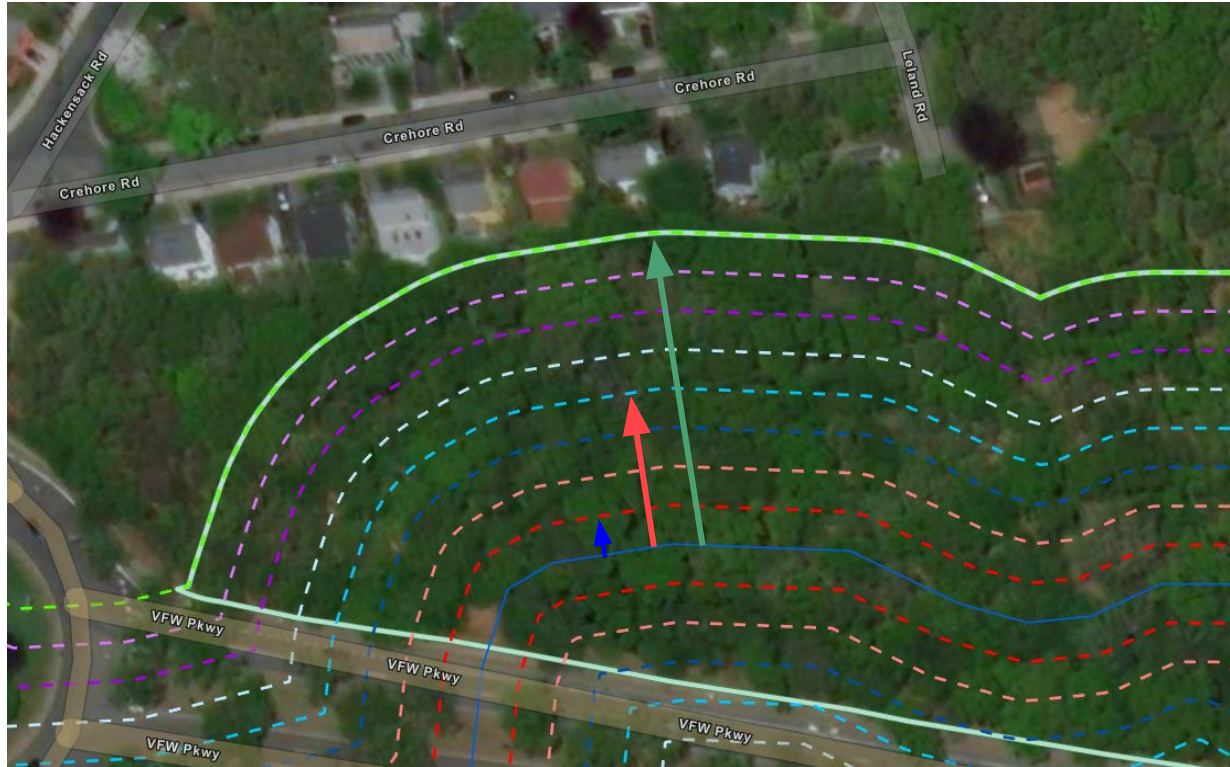
- Standards for all other resources must be met
- Projects must not impact rare or endangered species
- There must be no “practicable and substantially equivalent economic alternative” to the proposed project with less adverse effects on the interests of the WPA. (Alternatives Analysis)
- No Significant Adverse Impact

EXTENDED RIVERFRONT AREA - EXAMPLE 1



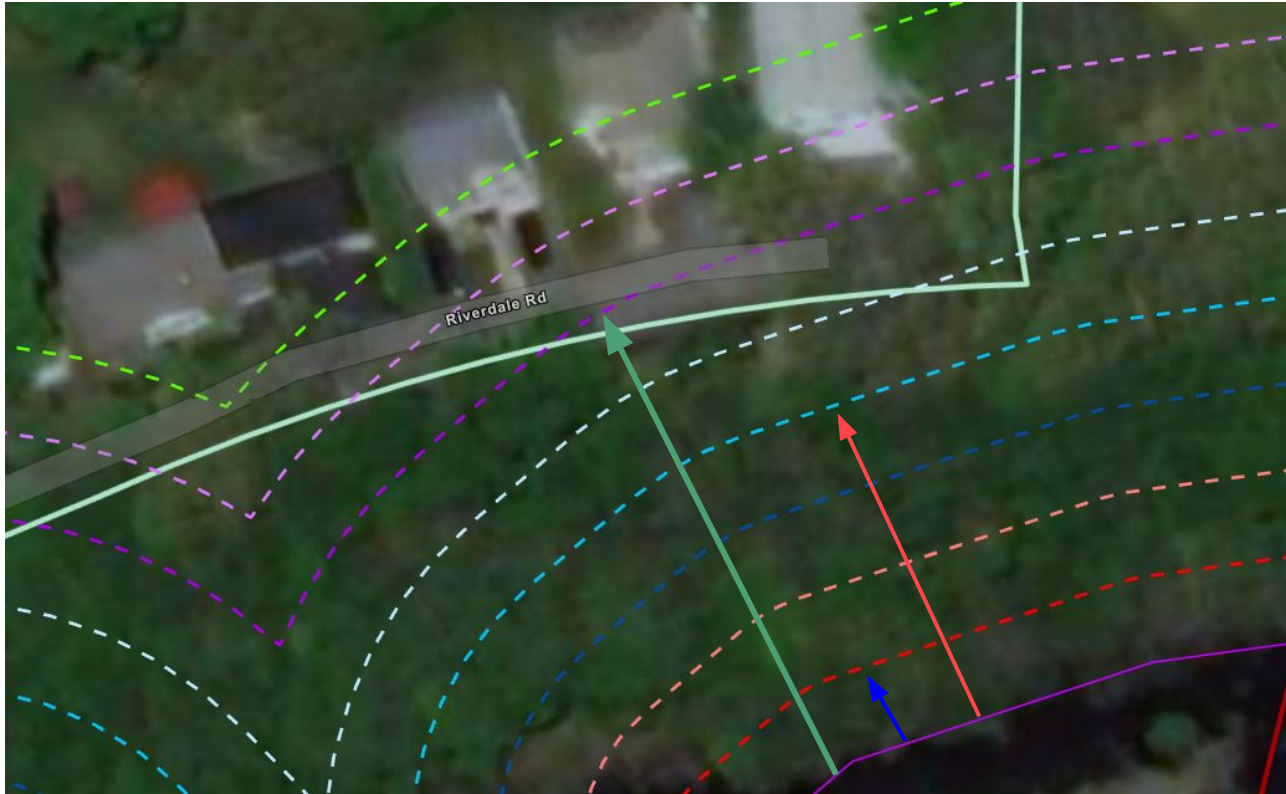
- Is there a “practicable and substantially equivalent alternative”?
- <10% of RA altered?
- Minimum 100' wide area of undisturbed vegetation along the river?
- If no 100' wide area of undisturbed vegetation in riverfront, is existing vegetative cover preserved/extended to the max. extent feasible?
- Stormwater per DEP’s SWM Policy?
- No impairment of capacity of the RA to provide important wildlife habitat functions?
- No impairment of GW or SW quality?

EXTENDED RIVERFRONT AREA - EXAMPLE 2



- What might a homeowner want to do?
- Would that work require a permit?
- What if a developer buys the property and wants to redevelop it?
- What might be allowed or not allowed?

EXTENDED RIVERFRONT AREA - EXAMPLE 3



- What might a homeowner want to do?
- Would that work require a permit?
- What if a developer buys the property and wants to redevelop it?
- What might be allowed or not allowed?

EXTENDED RIVERFRONT AREA

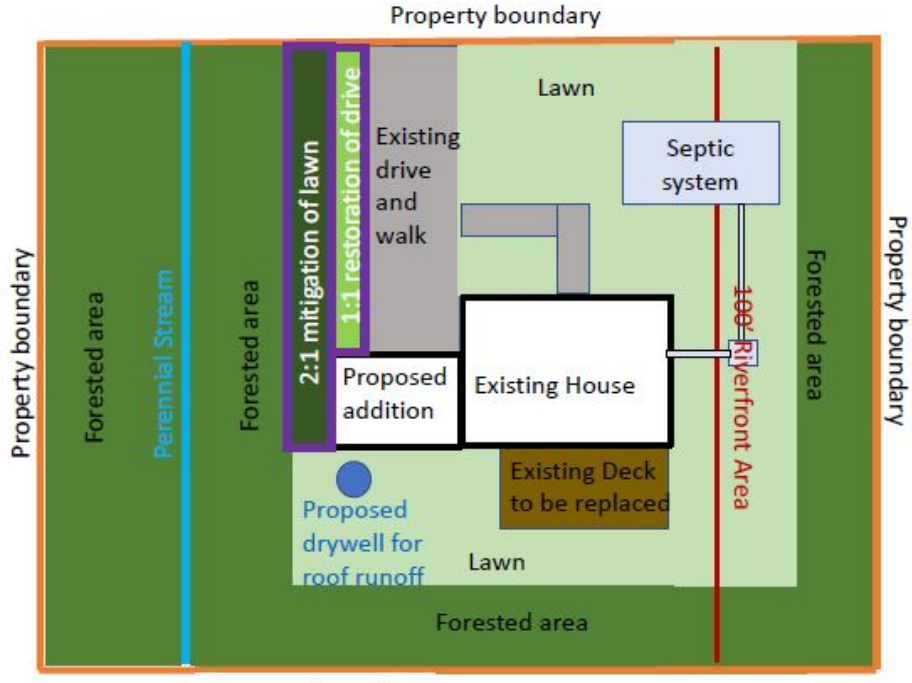
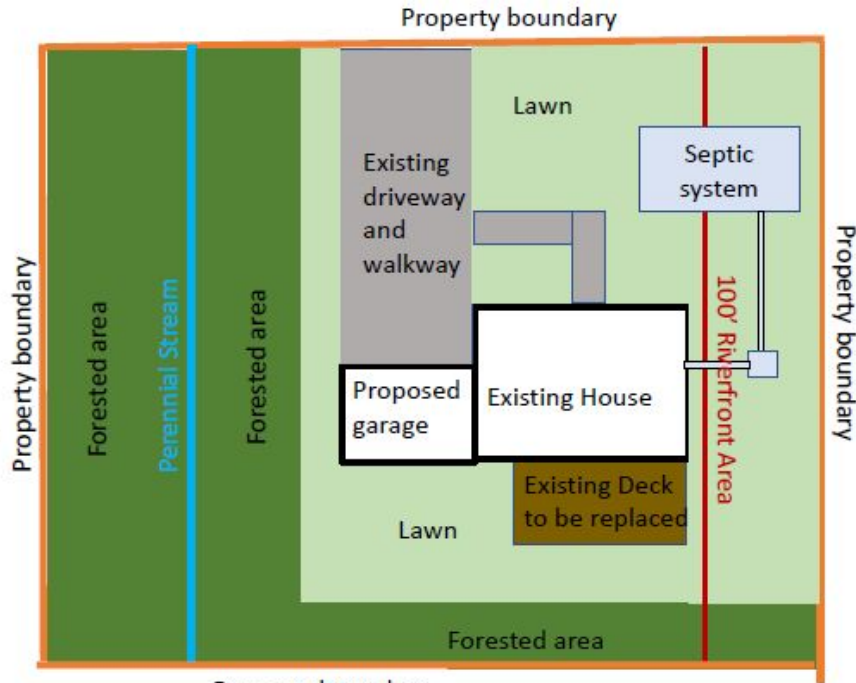
For degraded Riverfront Area, the Redevelopment Performance Standards would apply:

- Issuing authority may allow work to redevelop a previously developed Riverfront Area, provided the proposed work improves existing conditions.
- “Redevelopment” = replacement, rehabilitation or expansion of existing structures, improvement of existing roads, or reuse of degraded or previously developed Riverfront Areas.
- Degraded = “impervious surfaces from existing structures or pavement, absence of topsoil, junkyards, or abandoned dumping grounds which occurred before 8/7/96.”

Riverfront Area Redevelopment Performance Standards

- proposed work shall result in an improvement over existing conditions of the capacity of the riverfront area to protect the eight interests of the WPA;
- Stormwater management is provided;
- Proposed work shall not be located closer to the river than existing conditions or 100', whichever is less, except in accordance with 310 CMR 10.58(5)(f) or (g).
- work, including expansion of existing structures, shall be located outside the riverfront area or toward the riverfront area boundary, except in accordance with 310 CMR 10.58(5)(f) or (g).
- The area of proposed work shall not exceed the amount of degraded area
- Restoration or mitigation required (onsite or off site depending)

EXTENDED RIVERFRONT AREA - EXAMPLE 1



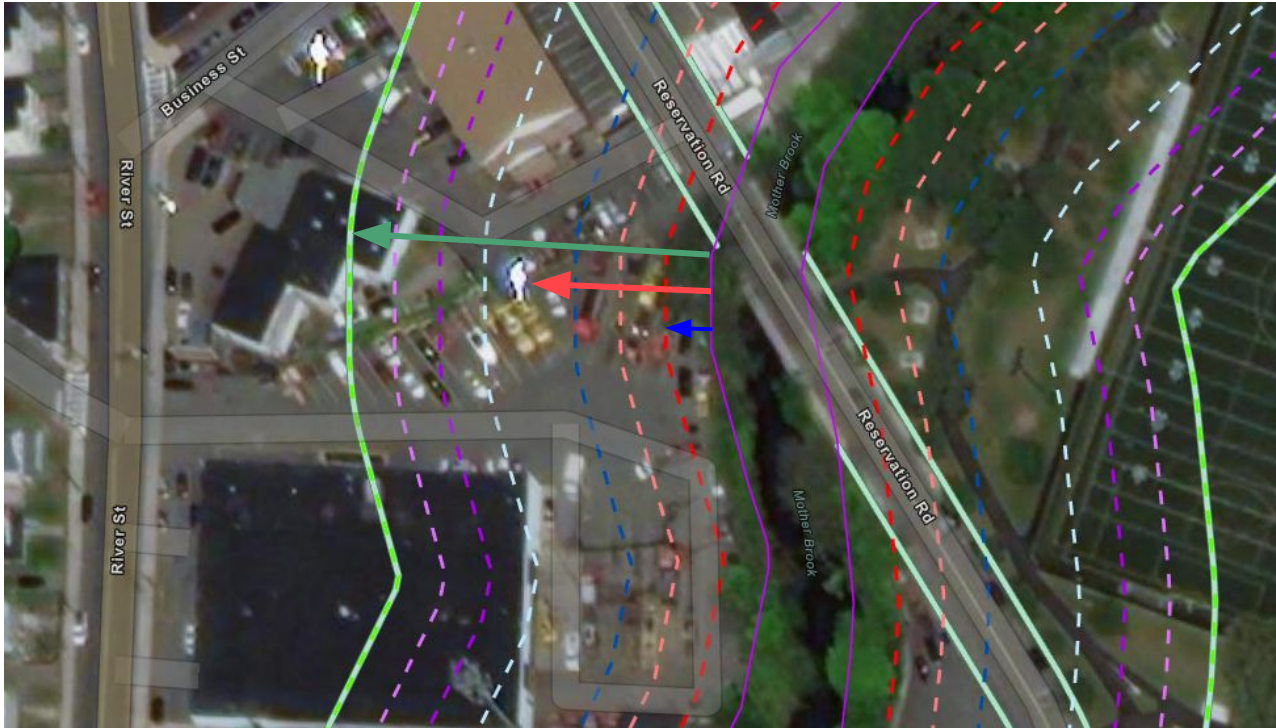
- Improvement over existing conditions of the capacity of the RA to protect WPA interests?
- Stormwater management?
- work not located closer to the river than existing conditions?
- work, including expansion of existing structures, located outside RA or toward the RA boundary and away from the river?
- work does not exceed degraded area (up to 10% allowed)?
- Are there alternatives?

EXTENDED RIVERFRONT AREA - EXAMPLE 2



- What might a homeowner want to do?
- Would that work require a permit?
- What if a developer buys the property and wants to redevelop it?
- What might be allowed or not allowed?
- What would an improvement look like?

EXTENDED RIVERFRONT AREA - EXAMPLE 3



- What might a homeowner want to do?
- Would that work require a permit?
- What if a developer buys the property and wants to redevelop it?
- What might be allowed or not allowed?
- What would an improvement look like?

QUESTIONS FOR YOU!

- How can we make this content easier to understand?
- What questions do you have?
- Is there other information or context that is needed?
- Does this level of regulation seem reasonable?

COMMUNITY ADVISORY BOARD MEETING #3

NEXT STEPS

A scenic view of a pond with a wooden bridge, surrounded by tall reeds and trees under a blue sky. The text 'NEXT STEPS' is overlaid on the left side of the image.

NEXT STEPS

- **CAB MEETING #3 Post-Meeting Survey** → To be shared via email
- **CAB MEETING #4** → Stay tuned for scheduling
- **PUBLIC LISTENING SESSION** → Stay tuned for scheduling
- **Any final thoughts or questions?**

A blue-tinted photograph of a forest path. The path is dirt and leads into a dense forest of tall, thin trees. The ground is covered in leaves and fallen branches. The text "THANK YOU!" is overlaid in white, bold, sans-serif font in the center of the image.

THANK YOU!