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**From:** Haney, Rebecca (ENV) [mailto:Rebecca.Haney@state.ma.us]  
**Sent:** Tuesday, January 23, 2007 3:03 PM  
**To:** Clark, Michael  
**Cc:** Burtner, Jason (ENV)  
**Subject:** Herring Brook Meadow

Mike,

CZM offers the following comments on the proposed Herring Brook Meadow project:

Conservation Commissions should be aware that although there are no performance standards provided under the Regulations for Land Subject to Coastal Storm Flowage, this resource area should always be delineated on project plans. Through the provision of Section 10.24(1), even with no presumption identified in the Preamble, Conservation Commissions and DEP can and should protect Land Subject to Coastal Storm Flowage if it is determined significant to the interests of storm damage prevention and flood control. Therefore, for the purposes of the Wetlands Protection Act, projects must be evaluated to meet standards to protect these interests.

Based on our initial review of the Notice of Intent filed with the Conservation Commission, Environmental Setting and Stormwater Flood Analysis & Mitigation Report dated October 10, 2006, and the Proposed Open Space & MA Wetlands Protection Act Compliance Measures report dated October 11, 2006, CZM believes that additional information is needed to assess the potential impacts of the proposed project on the function of the floodplain at this site. In order for CZM to fully evaluate the proposed project, we request that the following information be provided:

- Delineation of the flood zones, as mapped by FEMA on the project plans. Guidance regarding the recommended methods for delineating V and A zones is available in an article on CZM's website at: <http://www.mass.gov/czm/coastlines/2002/c26.htm>
- Topography of a larger area is needed to assess how the project may effect adjacent properties: the current plans do not extend far enough to the east to capture the limiting factors that appear to govern how the site floods. CZM requests that the plans be revised to extend at least as far east as Figure 2 in the Notice of Intent.

If you have any questions, please contact Jason or myself.

Rebecca

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Rebecca Haney  
Coastal Geologist & Hazards Coordinator  
MA Office of Coastal Zone Management  
251 Causeway Street, Suite 800  
Boston, MA 02114  
phone: 617 626-1228, FAX: 617 626-1240

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