



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1

5 Post Office Square, Suite 100

Boston, MA 02109-3912

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

NOV -5 2013

Mr. Richard J. High, President
John M. Corcoran & Company
100 Grandview Rd
Suite 203
Braintree, MA 02184

Dear Mr. High:

The U.S. Environmental Protection Agency ("EPA") has recently learned that you are proposing to construct an apartment complex at 170 Franklin Street, Stoneham, MA (Weiss Farm). It appears that this project may involve activities that require a permit from the Corps of Engineers due to the large extent of wetlands on the property. In order to avoid unnecessary federal enforcement action please contact the U.S. Army Corps of Engineers to make sure that any wetland delineation performed conforms to the federal Corps of Engineers standards, and that any necessary federal wetlands permits are in place prior to performing any work in wetlands or waterways on the site.

Permits are required under Section 404 of the Clean Water Act for discharges of dredged or fill material into all waters of the United States, including navigable waters, inland rivers, lakes, streams, and wetlands, as well as excavation/grading within these waters/wetlands. On the coastline our jurisdiction extends landward to the high tide line (HTL) (i.e., the highest predictable tide) or to the landward limit of any wetlands, whichever is more extensive. In interior waters our jurisdiction extends landward to the ordinary high water (OHW) mark or to the landward limit of any wetlands, whichever is more extensive.

Federal regulations define the term "wetlands" as "...those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions..." (Federal Register, November 13, 1986 33 CFR Part 328.3(b)). Wetlands generally include swamps, marshes, and bogs; however, forests and meadows that lack surface waters can also be wetlands.

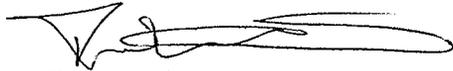
Please note that regulations pursuant to Section 404 of the federal Clean Water Act ("CWA") regulate the discharge of dredged or fill material into all waters of the United States, which are defined to include most wetlands. Dredged or fill material includes soil, gravel, sand, concrete, pavement, wood, tires, refuse, and other materials discharged into waters or wetlands. Most mechanized land clearing activities constitute discharges requiring a section 404 permit. The Corps is responsible for accepting applications for and issuing permits to perform these discharge activities, while the EPA reviews and comments to the Corps on the permit applications received. Both agencies share enforcement responsibilities under the CWA; please be aware that there are substantial administrative and judicial penalties for violation of the Act.

To ascertain whether a federal permit is necessary, please contact:

Karen K. Adams
Regulatory Division
U.S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, MA 01742-2751
(978)318-8338

Should you have any questions regarding this letter, please feel free to contact me at 617-918-1523.

Sincerely,



Raymond Putnam
Wetlands Enforcement Office
EPA New England

Cc:

Karen K. Adams, U.S. Army Corps of Engineers
Rachel Freed, MA Department of Environmental Protection
✓Catherine Rooney, Stoneham, MA Conservation Commission