



William F. Weld
Governor
Daniel S. Greenbaum
Commissioner

Commonwealth of Massachusetts
Executive Office of Environmental Affairs

**Department of
Environmental Protection**

RECEIVED BY
OFFICE OF CITY CLERK

1994 JAN 26 AM 9:54

CAMBRIDGE, MA.

January 21, 1994.

Peter Zuk, Project Director
Massachusetts Highway Department
One South Station
Boston, MA. 02110

RE: Waterways Application No. W93-2545/License No. 3644
Filled Tidelands Charles River, Cambridge, Middlesex County

Dear Mr. Zuk:

The Department of Environmental Protection has approved the enclosed referenced license authorizing you to perform certain activities pursuant to G.L. Chapter 91 and regulations 310 CMR 9.00.

Any unauthorized substantial change in use or substantial structural alteration of any structure or fill authorized by this license shall render it void.

Furthermore, this license must be recorded at the referenced Registry of Deeds within 60 days from the date of issuance. Work or change in use authorized by this license shall not commence until said license and plans are recorded and the Department has received written notification of the date, book, and page number of record. Please complete and return the enclosed Notification Form to this office. You are also required to notify the Department in writing of the date the authorized work or change in use is completed.

Sincerely yours,

John Simpson
Section Chief
Waterways Regulation Program

JAS/MZ/mz

cc: City Council of Cambridge
City of Cambridge Conservation Commission
Metropolitan District Commission

The Commonwealth of Massachusetts

No. 3644



Whereas, Massachusetts Highway Department

of -- Cambridge --, in the County of -- Middlesex -- and Commonwealth aforesaid, has applied to the Department of Environmental Protection for license to -- construct and maintain a water line -----

and has submitted plans of the same; and whereas due notice of said application, ~~and of the time and place fixed for a hearing thereon,~~ has been given, as required by law, to the -- Mayor and City Councils -- of the -- City of Cambridge; -----

NOW, said Department, having heard all parties desiring to be heard, and having fully considered said application, hereby, subject to the approval of the Governor, authorizes and licenses the said -----

-- Massachusetts Highway Department --, subject to the provisions of the ninety-first chapter of the General Laws, and of all laws which are or may be in force applicable thereto, to -- construct and maintain a water line -----

in filled tidelands of the waters of -- Charles River -- in the -- City -- of -- Cambridge -- and in accordance with the locations shown and details indicated on the accompanying DEP License Plan No. 3644, (10 sheets).

The structure hereby authorized shall be limited to the following use: to provide for the conveyance of water.

Fill and structures previously authorized by the following licenses shall be maintained in conformance with the terms and conditions of said authorizations: Department of Public Works License Nos. 968, 1079, 2683, 2719, 2720, 3386, and 4272, Department of Environmental Quality Engineering License No. 1742, and Department of Environmental Protection License No. 3302.

This Waterways License is made subject to the following special conditions:

1. The Department may approve, on an individual basis, modifications to construction activities, temporary structures, and fill within the area delineated as "Limits of Construction" on License Plan No. 3644, sheets 2 and 3 of 10. Such approval shall be in accordance with the following procedure:

a. the Licensee shall submit a written request describing the proposed activities accompanied by plans, for prior review and approval to the Department;

b. the Licensee shall concurrently provide copies of the request and plans to the Mayors and City Councils of the Cities of Boston and Cambridge, Conservation Commissions and the Massachusetts Coastal Zone Management Office for their review and comment. The Department will consider comments submitted within ten (10) days of the Department's receipt of the request.

2. The Licensee shall allow agents of the Department to enter the project site to conduct compliance inspections.

Notwithstanding the special conditions herein, this license is issued for an unlimited term.

Please see page 3, for additional conditions to this License.

Duplicate of said plan, number 3644 is on file in the office of said Department, and original of said plan accompanies this License, and is to be referred to as a part hereof.

STANDARD WATERWAYS LICENSE CONDITIONS

1. Acceptance of this Waterways License shall constitute an agreement by the Licensee to conform with all terms and conditions stated herein.
2. This License is granted upon the express condition that any and all other applicable authorizations necessitated due to the provisions hereof shall be secured by the Licensee prior to the commencement of any activity or use authorized pursuant to this License.
3. Any change in use or any substantial structural alteration of any structure or fill authorized herein shall require the issuance by the Department of a new Waterways License in accordance with the provisions and procedures established in Chapter 91 of the Massachusetts General Laws. Any unauthorized substantial change in use or unauthorized substantial structural alteration of any structure or fill authorized herein shall render this Waterways License void.
4. This Waterways License shall be revocable by the Department for noncompliance with the terms and conditions set forth herein. This license may be revoked after the Department has given written notice of the alleged noncompliance to the Licensee and those persons who have filed a written request for such notice with the Department and afforded them a reasonable opportunity to correct said noncompliance. Failure to correct said noncompliance after the issuance of a written notice by the Department shall render this Waterways License void and the Commonwealth may proceed to remove or cause removal of any structure or fill authorized herein at the expense of the Licensee, its successors and assigns as an unauthorized and unlawful structure and/or fill.
5. The structures and/or fill authorized herein shall be maintained in good repair and in accordance with the terms and conditions stated herein and the details indicated on the accompanying license plans.
6. Nothing in this Waterways License shall be construed as authorizing encroachment in, on or over property not owned or controlled by the Licensee, except with the written consent of the owner or owners thereof.
7. This Waterways License is granted subject to all applicable Federal, State, County, and Municipal laws, ordinances and regulations including but not limited to a valid final Order of Conditions issued pursuant to the Wetlands Protection Act, G.L. Chapter 131, s.40.
8. This Waterways License is granted upon the express condition that the use of the structures and/or fill authorized hereby shall be in strict conformance with all applicable requirements and authorizations of the DEP, Division of Water Pollution Control.
9. In accordance with the public easement that exists by law on private tidelands, the licensee shall allow the public to use and to pass freely upon the area of the subject property lying between the high and low water marks, for the purposes of fishing, fowling, navigation, and the natural derivatives thereof. No restriction on the exercise of such public rights within the intertidal area shall be imposed unless otherwise expressly provided in this license.
10. Unless otherwise expressly provided by this license, the licensee shall not limit the hours of availability of any areas of the subject property designated for public passage, nor place any gates, fences, or other structures on such areas in a manner that would impede or discourage the free flow of pedestrian movement thereon.

~~The amount of tidewater displaced by the work hereby authorized has been ascertained by said Department, and compensation thereof has been made by the said -- Massachusetts Highway Department -- by paying into the treasury of the Commonwealth -- two dollars and zero cents (\$2.00) -- for each cubic yard so displaced, being the amount hereby assessed by said Department. (\$0.00)~~

Nothing in this License shall be so construed as to impair the legal rights of any person.

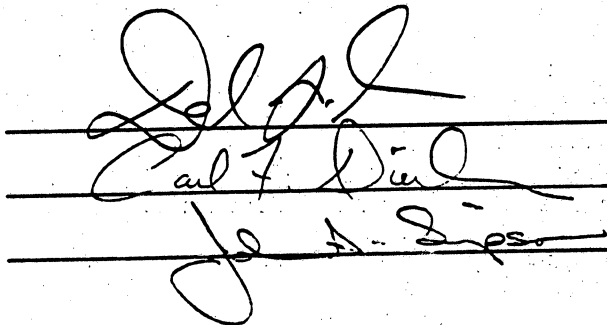
This License shall be void unless the same and the accompanying plan are recorded within 60 days from the date hereof, in the Registry of Deeds for the County of -- Middlesex -----

IN WITNESS WHEREAS, said Department of Environmental Protection have hereunto set their hands this *twenty-first* day of *January* in the year nineteen hundred and *ninety-four*..

Commissioner

Acting Director

Section Chief



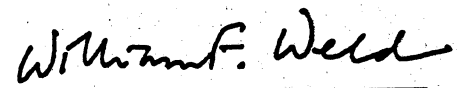
Department of
Environmental
Protection

THE COMMONWEALTH OF MASSACHUSETTS

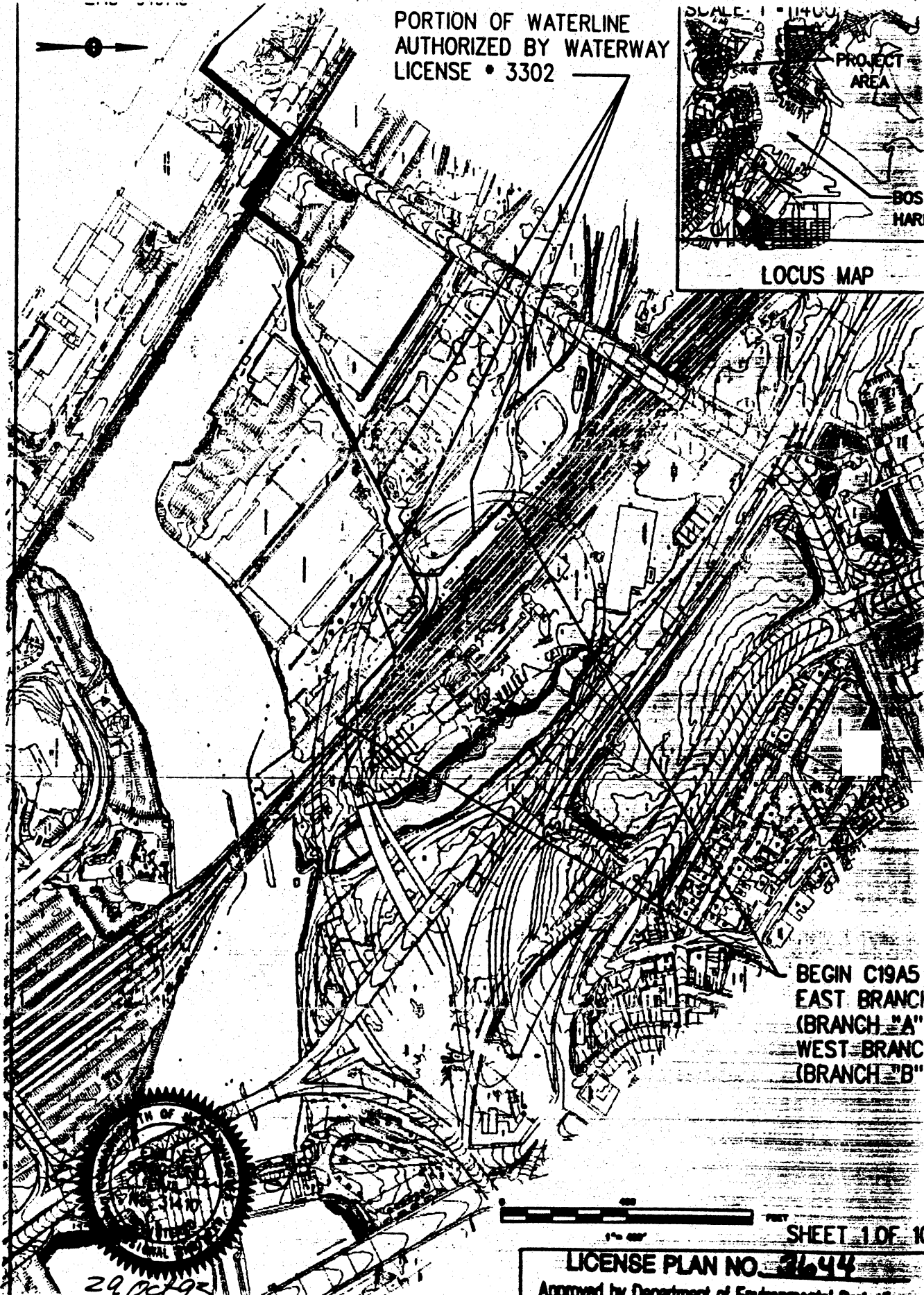
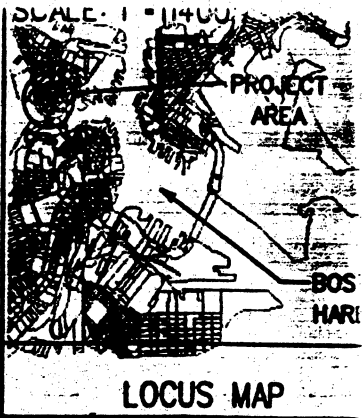
This license is approved in consideration of the payment into the treasury of the Commonwealth by the said -- Massachusetts Highway Department -- the further sum of -- zero dollars and zero cents (\$0.00) ----- the amount determined by the Governor as a just and equitable charge for rights and privileges hereby granted in the land of the Commonwealth.

BOSTON,

Approved by the Governor.


Governor

PORTION OF WATERLINE
AUTHORIZED BY WATERWAY
LICENSE • 3302



BEGIN C19A5
EAST BRANCH
(BRANCH "A")
WEST BRANCH
(BRANCH "B")

PLANS ACCOMPANYING PETITION OF THE
MASSACHUSETTS HIGHWAY DEPARTMENT
TO CONSTRUCT AND MAINTAIN WATERLINE
TO TEMPORARY LOOP RAMPS IN THE
CITY OF CAMBRIDGE

29 OCT 93

LICENSE PLAN NO. 2644
Approved by Department of Environmental Protection
of Massachusetts
[Signature]
COMMISSIONER
DIVISION DIRECTOR
SECTION CHIEF
JAN 21 1994
DATE

SHEET 1 OF 10

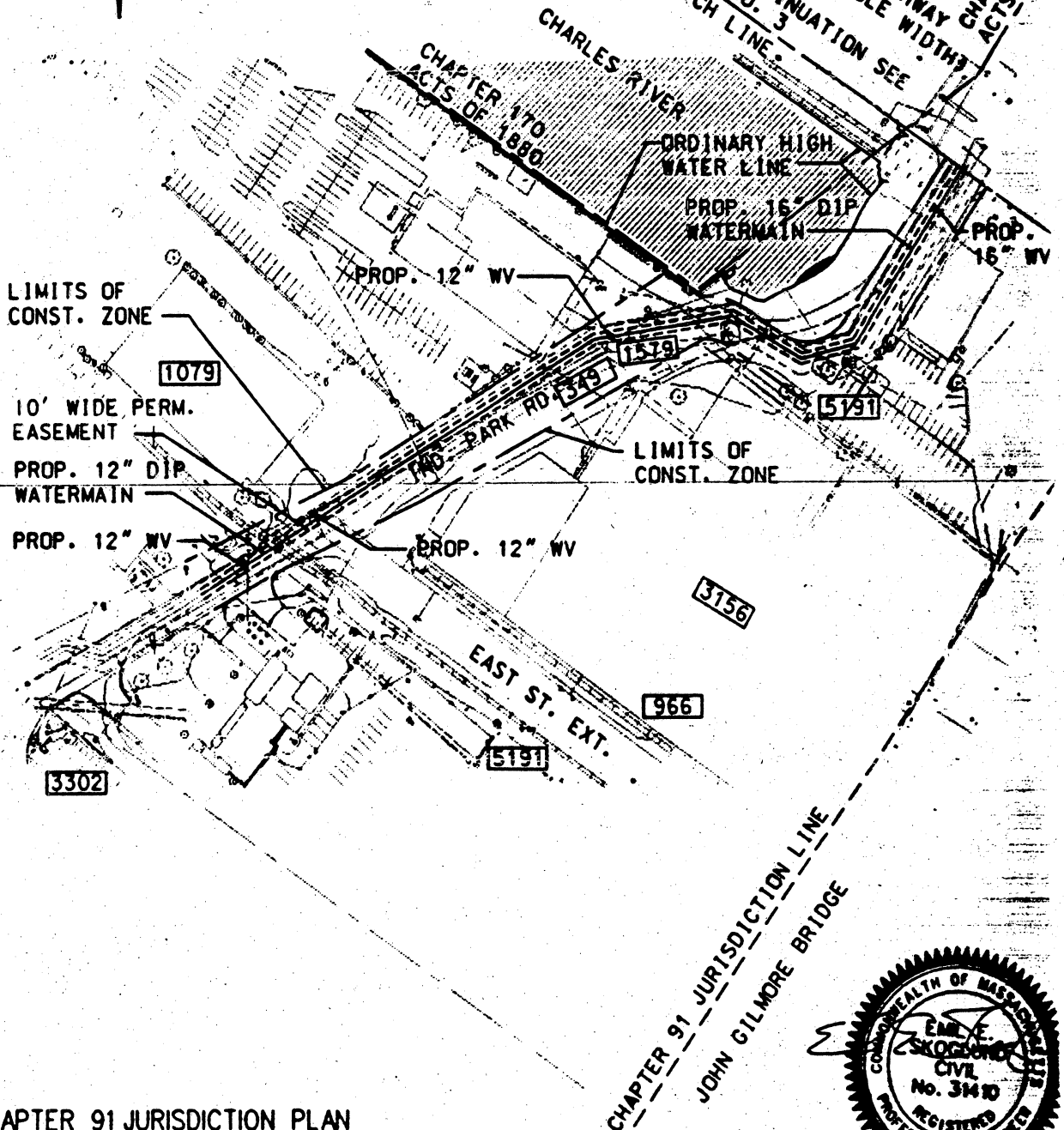
LICENSE PLAN NO. 3644

Approved by Department of Environmental Protection

Date: **JAN 21 1994**

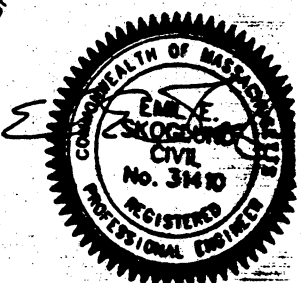
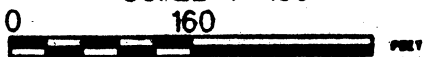


MSGR O'BRIEN HIGHWAY CHAPTER 170
(PUBLIC-VARIABLE WIDTH)
FOR CONTINUATION SEE
DWG. NO. 3
MATCH LINE



CHAPTER 91 JURISDICTION PLAN
AND LICENSE HISTORY
CANA TEMPORARY
LOOP RAMPS

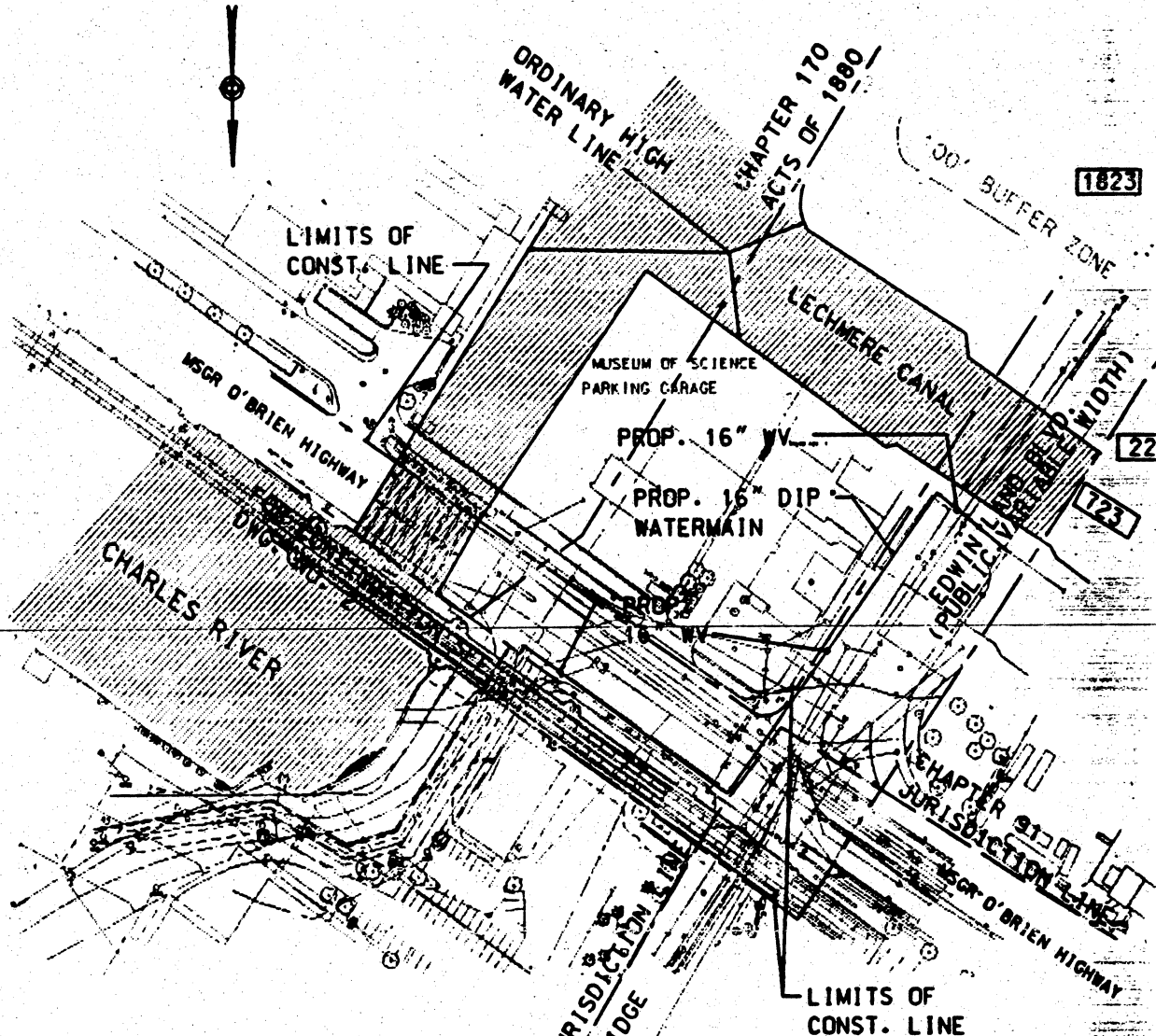
SCALE: 1"=160'



29 Oct 93

SHEET
2 OF 10

29 OCT 93

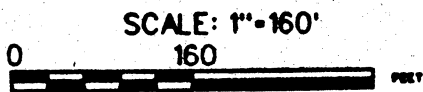


LICENSE PLAN NO. 3644
 Approved by Department of Environmental Protection
 Date: **JAN 21 1994**

CHAPTER 91 JURISDICTION PLAN
 AND LICENSE HISTORY
 CANA TEMPORARY
 LOOP RAMPS



29 Oct 93



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SHEET
 3 OF 30

LICENSE •227 (HARBOR AND LAND COMMISSION)
C.236 ACTS OF 1872
APPROVED 7/8/1892.
AUTHORIZATION FOR JAMES WOODBURY, SOLOMON WOODS AND
FRED POPE TO BUILD SEAWALLS, BULKHEADS AND FILL SOLID FLATS
LAYING IN THE CHARLES RIVER BETWEEN BROAD CANAL AND CRAGGY BRIDGE.

LICENSE •1823 (HARBOR AND LAND COMMISSION)
APPROVED 8/20/1896
AUTHORIZATION FOR CITY OF CAMBRIDGE TO BUILD SEAWALLS AND FILL
SOLID IN THE CHARLES RIVER ALONG THE HARBOR LINE BETWEEN
BENNEY ST. AND DOCK NEAR BRIDGE ST.

LICENSE •723 (DEQE)
APPROVED 5/19/1981
AUTHORIZATION FOR CITY OF CAMBRIDGE TO RECONSTRUCT AND ENLARGE
LECHMERE CANAL

LICENSE •5191 (DPW)
APPROVED 1967
AUTHORIZATION TO MAINTAIN EXISTING SOLID FILL

LICENSE •966 (HARBOR AND LAND COMMISSION)
APPROVED 1886
AUTHORIZATION FOR PILE SUPPORTED STRUCTURE AND SOLID FILL

LICENSE •1079 (DPW)
APPROVED 1929
AUTHORIZATION FOR PLACING FILL MATERIAL
BUILD AND MAINTAIN A SEAWALL AND TO FILL SOLID

LICENSE •1579 (HARBOR AND LAND COMMISSION)
APPROVED 1893
AUTHORIZATION FOR PILE STRUCTURE

LICENSE •349 (HARBOR AND LAND COMMISSION)
APPROVED 1876
AUTHORIZATION FOR PILE STRUCTURE

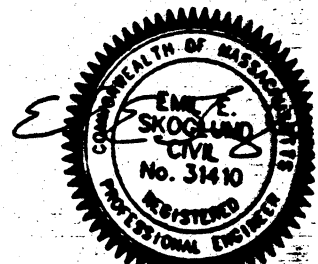
LICENSE •3156 (DEP)
APPROVED 12/30/1992
AUTHORIZATION TO MAINTAIN EXISTING FILL

LICENSE •3302 (DEP)
APPROVED 5/18/1993
CANA TEMPORARY LOOP RAMPS

LICENSE HISTORY
CANA TEMPORARY LOOP RAMPS

29 OCT 93

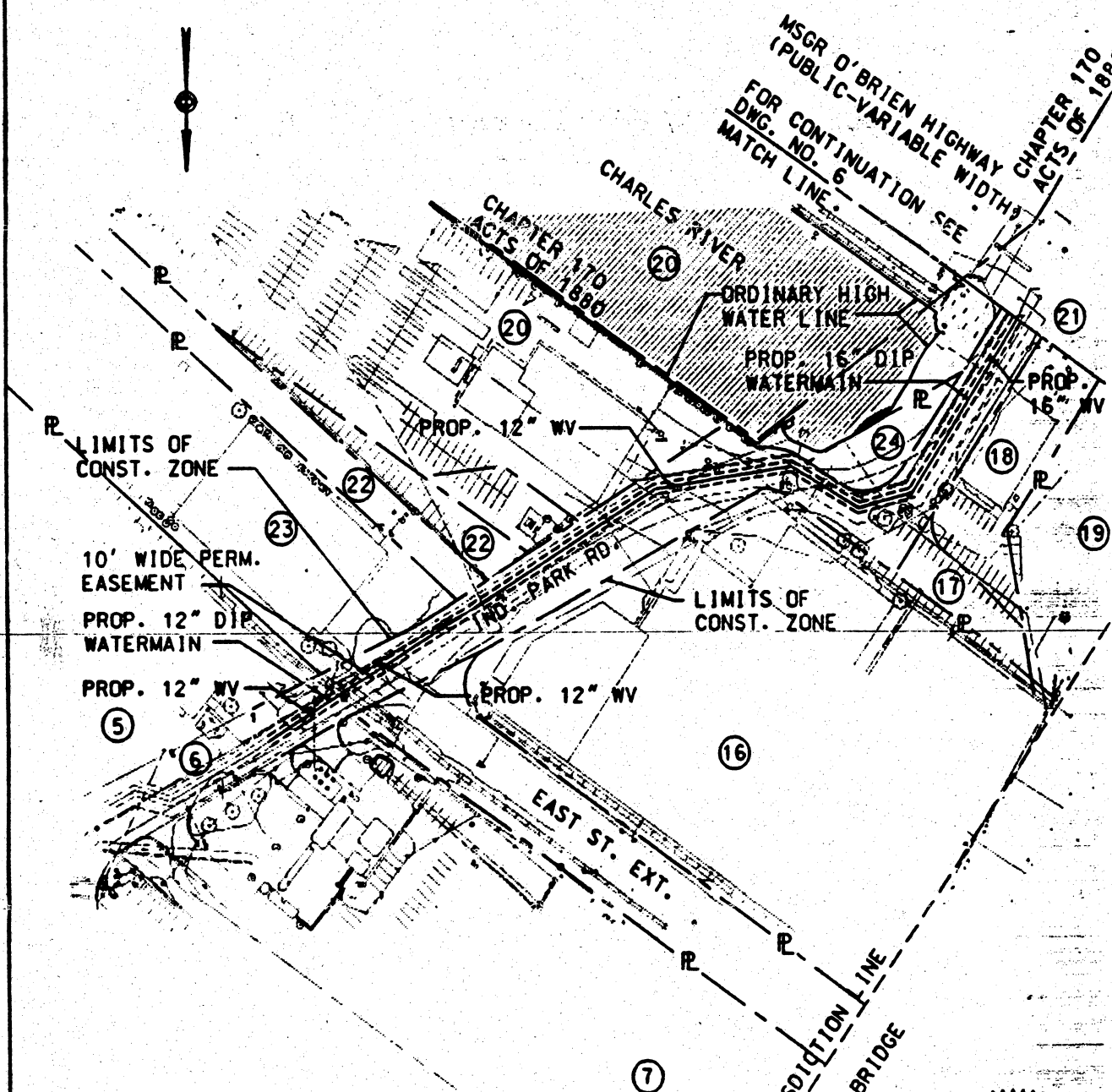
LICENSE PLAN NO. 3644
Approved by Department of Environmental Protection
Date: **JAN 21 1994**



29 OCT 93

SHEET
4 OF 10

NOTE:
 ORDINARY HIGH WATER
 SURFACE ELEVATION = 3.5

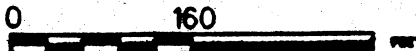


LICENSE PLAN NO. 3644

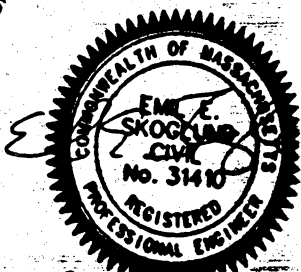
Approved by Department of Environmental Protection
 Date: **JAN 21 1994**

PROPERTY PLAN
 PROPOSED WATERMAIN FOR FIRE PROTECTION
 CANA TEMPORARY
 LOOP RAMPS

SCALE: 1"=160'

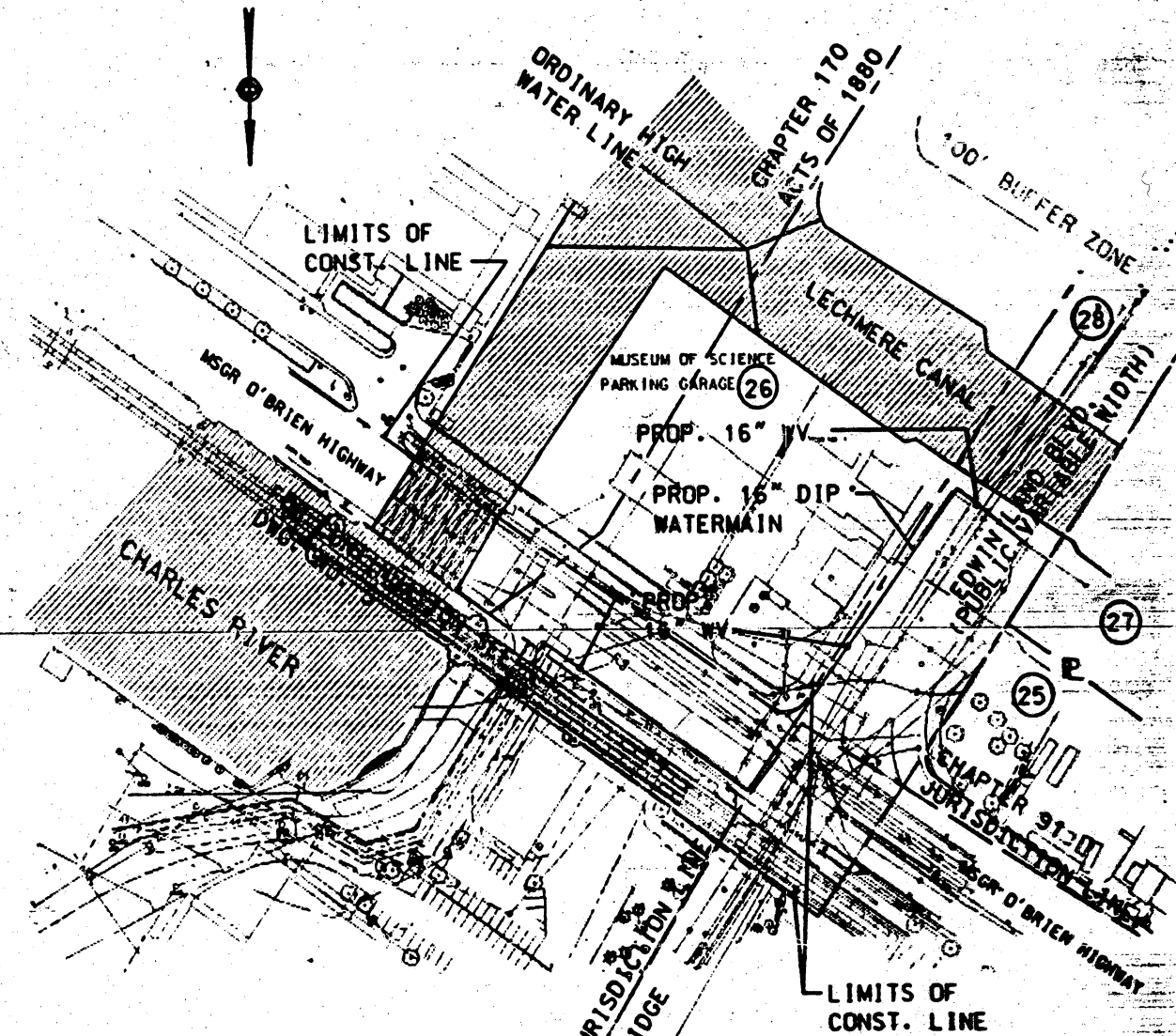


29 OCT 93



29 Oct 93

SHEET
 5 OF 10



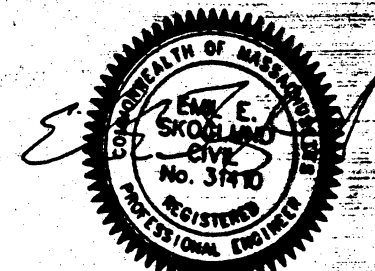
LICENSE PLAN NO. 3644

Approved by Department of Environmental Protection

Date: **JAN 21 1994**

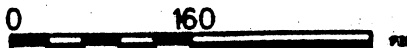
PROPERTY PLAN
 PROPOSED WATERMAIN FOR FIRE PROTECTION
 CANA TEMPORARY
 LOOP RAMPS

CHAPTER 91 JURISDICTION
 JOHN GILMORE BRIDGE



29 OCT 93

SCALE: 1"=160'

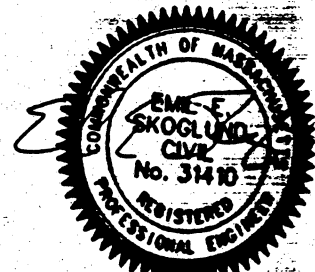


29 OCT 93

SHEET
 6 OF 1

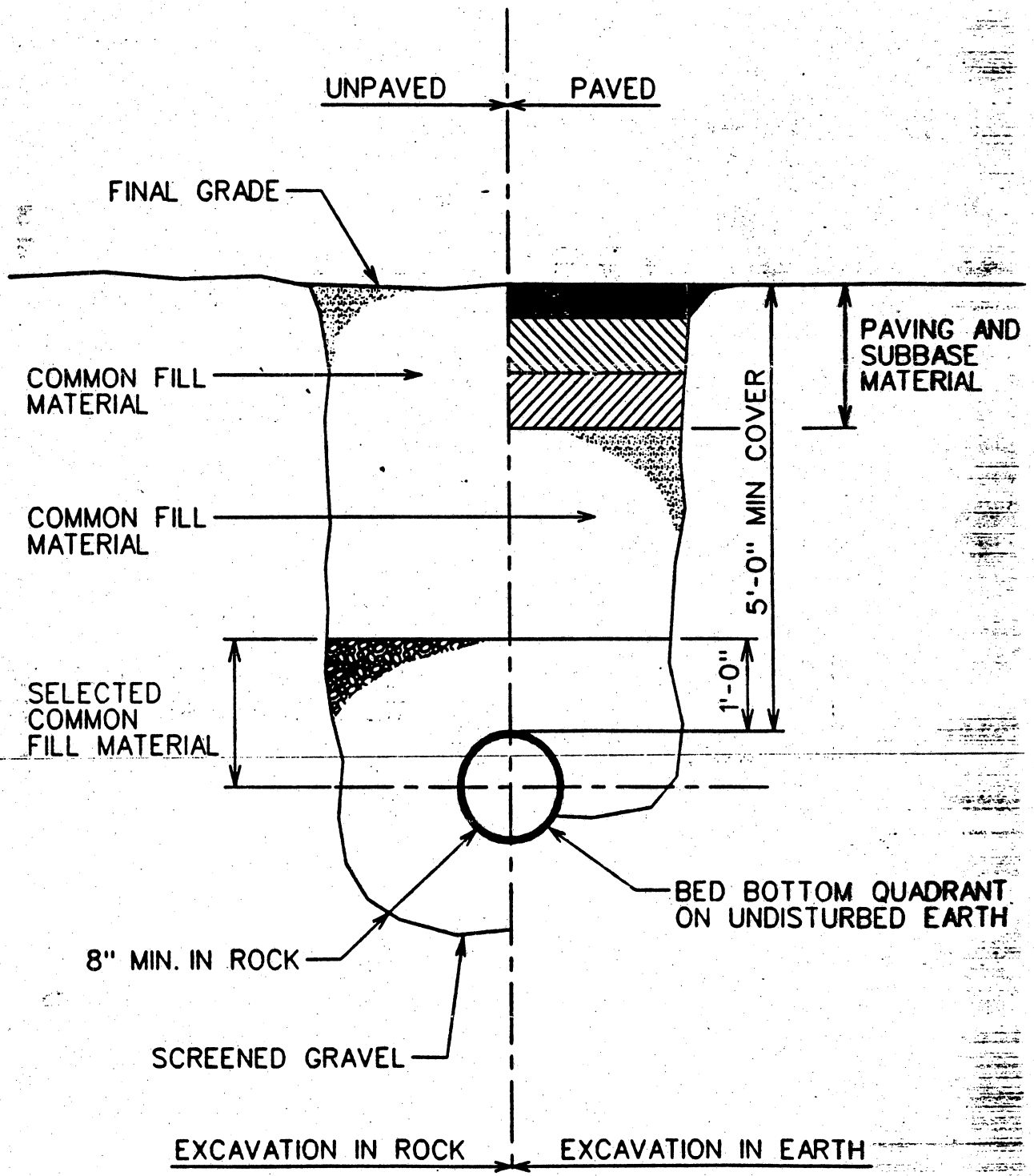
PARCEL ID		OWNER
5	N/F	BOSTON AND MAINE CORPORATION GUILFORD TRANSPORTATION INDUSTRIES, INC. 7 EXECUTIVE PARK DRIVE MERRIMAC, NH 03054
6	N/F	MASSACHUSETTS BAY TRANSPORTATION AUTHORITY REAL ESTATE MANAGEMENT DEPARTMENT 10 PARK PLAZA ROOM 5750 BOSTON, MA 02216
16	N/F	NORTH FEDERAL PROPERTIES LIMITED PARTNERSHIP
7,17,19,21,24,26,28	N/F	COMMONWEALTH OF MASSACHUSETTS METROPOITAN DISTRICT COMMISSION RIGHT OF WAY SECTION 20 SOMERSET ST. BOSTON, MA. 02108
18	N/F	EDWARD F. CARYE & BARBARA JEANNE CARYE TRUSTEES OF SENNEN REALTY TRUST
20,22	N/F	UNITED STATES OF AMERICA
23	N/F	DAVID R. GRACE TRUSTEE OF NORTH SHORE REALTY TRUST
25,27	N/F	CITY OF CAMBRIDGE

LICENSE PLAN NO. 3644
 Approved by Department of Environmental Protection
 Date: **JAN 21 1994**

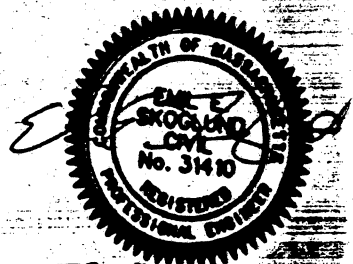


290043

PROPERTY OWNERS
 PROPOSED WATERMAIN FOR FIRE PROTECTION
 CANA TEMPORARY
 LOOP RAMPS
 29 OCT 93

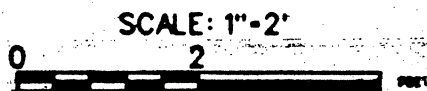


LICENSE PLAN NO. 3644
 Approved by Department of Environmental Protection
 Date: **JAN 21 1994**



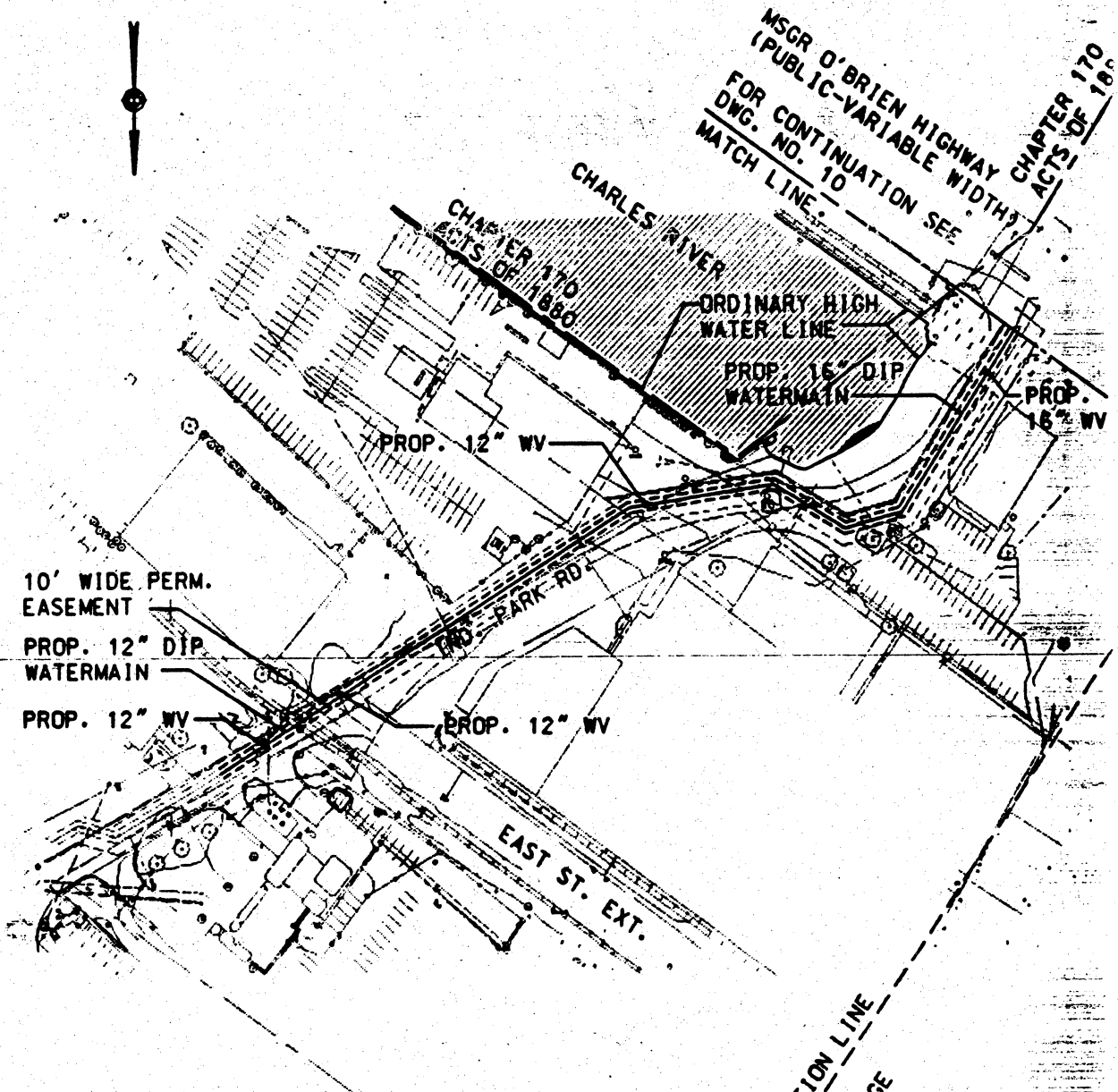
**TYPICAL TRENCH DETAIL
 FOR D.I. WATER MAIN**

29 OCT 93



**SHEET
 8 OF 10**

NOTE:
ORDINARY HIGH WATER
SURFACE ELEVATION = 3.5



MSGR O'BRIEN HIGHWAY CHAPTER 170
(PUBLIC-VARIABLE WIDTH) ACTS OF 1866
FOR CONTINUATION SEE
DWG. NO. 10
MATCH LINE

10' WIDE PERM.
EASEMENT

PROP. 12" DIP
WATERMAIN

PROP. 12" WV

PROP. 12" WV

EAST ST. EXT.

CHAPTER 91 JURISDICTION LINE
JOHN GILMORE BRIDGE

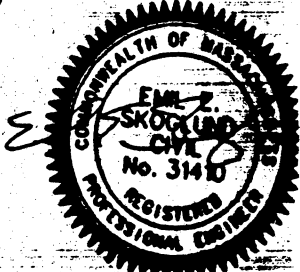
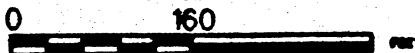
LICENSE PLAN NO. 3644

Approved by Department of Environmental Protection

Date: **JAN 21 1994**

CHAPTER 91 JURISDICTION
PROPOSED WATERMAIN FOR FIRE PROTECTION
CANA TEMPORARY
LOOP RAMPS

SCALE: 1" = 160'



29 OCT 93

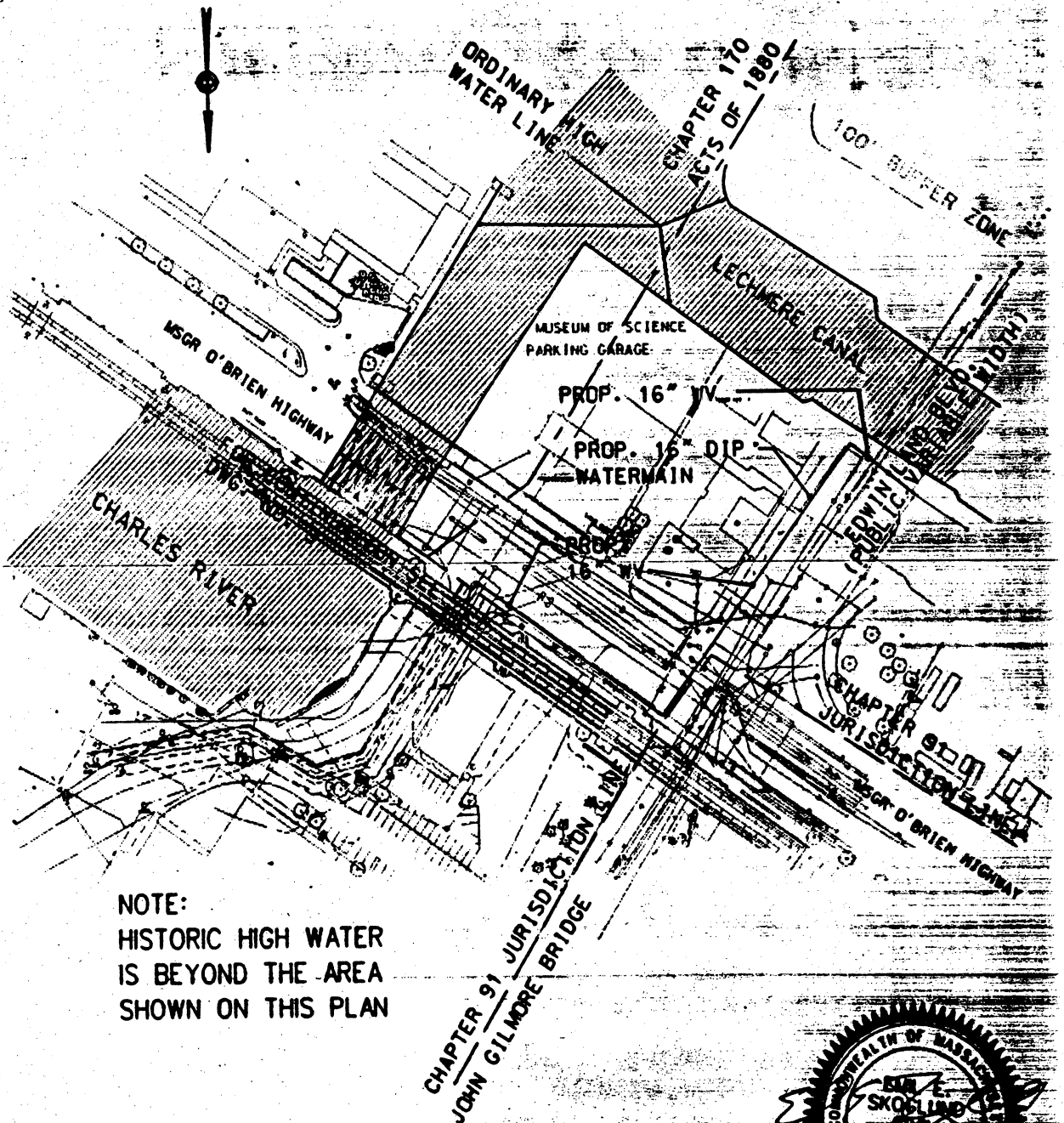
29 OCT. 93

SHEET
9 OF 10

LICENSE PLAN NO. 3644

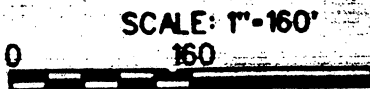
Approved by Department of Environmental Protection

Date: JAN 21 1994



NOTE:
HISTORIC HIGH WATER
IS BEYOND THE AREA
SHOWN ON THIS PLAN

CHAPTER 91 JURISDICTION
PROPOSED WATERMAIN FOR FIRE PROTECTION
CANAL TEMPORARY
LOOP RAMPS



29 OCT 93

SHEET
0-1-10

Consent Communication #8

5² 25

Communication was received from the
Department of Environmental Protection
regarding the Waterways Application No.
W93-2545/License No. 3644 Filled Tidelands
Charles River.

RECEIVED BY
OFFICE OF CITY CLERK
1994 JAN 26 AM 9:54
CAMBRIDGE MA.

In City Council January 31, 1994

Referred to City Mgr
for report