

Massachusetts Port Authority

One Harborside Drive, Suite 200S East Boston, MA 02128-2090 Telephone (617) 568-5950 www.massport.com

March 6, 2019

Ms. Amelia Croteau Executive Secretary Boston Conservation Commission Boston City Hall - Room 709 Boston, MA 02201

RE:

Notice of Intent for Periodic Sinkhole Repair

Pier Structure

Piers Park, East Boston

Dear Ms. Croteau:

Enclosed please find eight (8) copies of the Notice of Intent (NOI) for the periodic repair of sinkholes that may appear on the pier structure located at Piers Park in East Boston. Sinkholes have previously occurred on the pier structure and were repaired under Emergency Certifications issued by the Conservation Commission. The repair work is conducted within the 100-foot Buffer Zone of a Coastal Bank and within Land Subject to Coastal Storm Flowage. This NOI is being submitted to obtain an Order of Conditions that covers the repair of any future sinkholes. These repairs must be addressed expeditiously to maintain public access to the pier.

As described in the attached Project Description, the sinkhole repairs primarily consist of identifying surface settlement which may indicate a sinkhole, exposing and backfilling the underlying void and restoring the surface of the pier. All work is typically completed within one day.

The NOI was submitted electronically to the Department of Environmental Protection (DEP) via eDEP, and two (2) copies of the NOI and project plans will be sent to the DEP's Northeast Regional Office. A check for \$75.00 is enclosed for the filing fee, as the repair work has a total estimated cost of \$100,000,000 over a 3-year period.

Please feel free to contact me at (617) 568-3552 should you have any questions or need additional information. Thank you

Sincerely,

Massachusetts Port Authority

James Stoleel

James W. Stolecki, P.E., LSP

Senior Environmental Project Manager

Attachments

# Massachusetts Department of Environmental

**Protection** 

Bureau of Resource Protection - Wetlands

**WPA Form 3 - Notice of Intent** 

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP: MassDEP File #:

eDEP Transaction #:1084385 City/Town:BOSTON

### A.General Information

1 Proj	iect I o	cation:
1. F10	Ject Lo	cauon.

a. Street Address PIERS PARK, MARGINAL STREET

 b. City/Town
 BOSTON
 c. Zip Code
 02128

 d. Latitude
 42.36370N
 e. Longitude
 71.03672W

 f. Map/Plat #
 NA
 g.Parcel/Lot #
 0104446000

#### 2. Applicant:

☐ Individual ☐ Organization

a. First Name JAMES b.Last Name STOLECKI

c. Organization MASSACHUSETTS PORT AUTHORITY

d. Mailing Address ONE HARBORSIDE DRIVE

e. City/Town EAST BOSTON f. State MA g. Zip Code 02128

h. Phone Number 617-568-3552 i. Fax j. Email jstolecki@massport.com

### 3. Property Owner:

more than one owner

a. First Name JAMES b. Last Name STOLECKI

c. Organization MASSACHUSETTS PORT AUTHORITY

d. Mailing Address ONE HARBORSIDE DRIVE

e. City/Town EAST BOSTON f.State MA g. Zip Code 02128

h. Phone Number 617-568-3552 i. Fax j.Email jstolecki@massport.com

### 4. Representative:

a. First Name b. Last Name

c. Organization

d. Mailing Address

e. City/Town f. State g. Zip Code h.Phone Number i.Fax j.Email

### 5. Total WPA Fee Paid (Automatically inserted from NOI Wetland Fee Transmittal Form):

a.Total Fee Paid 500.00 b.State Fee Paid 237.50 c.City/Town Fee Paid 262.50

#### 6.General Project Description:

#### 7a.Project Type:

Single Family Home
 Residential Subdivision
 Limited Project Driveway Crossing
 Commercial/Industrial

5. ▼ Dock/Pier 6. □ Utilities

7. ☐ Coastal Engineering Structure 8. ☐ Agriculture (eg., cranberries, forestry)

9. ☐ Transportation 10. ☐ Other

7b.Is any portion of the proposed activity eligible to be treated as a limited project subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

Bureau of Resource Protection - Wetlands

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Provided by MassDEP: MassDEP File #: eDEP Transaction #:1084385 City/Town:BOSTON

<ol> <li>☐ Yes ☑ No</li> <li>If yes, describe which limited project applies to this project:</li> <li>Limited Project</li> </ol>						
Property recorded at the I	Registry of Deeds for:					
a.County: b.Certificate:		c.Book: d.	Page:			
SUFFOLK		29584 2				
	ource Area Impacts (tempo Area Impacts (temporary & perma					
This is a Buffer Zone or nland Bank, or Coastal Re		located only in the Buffer Zone of a Bor	dering Vegetated Wetland			
Inland Resource Areas: (	See 310 CMR 10.54 - 10.58, if no	ot applicable, go to Section B.3. Coasta	l Resource Areas)			
Resource Area		Size of Proposed Alteration Pro	posed Replacement (if any			
a. □ Bank		1.17	2 1			
<ul> <li>b. □ Bordering Vegetated V</li> </ul>	Vetland	1. linear feet	2. linear feet			
J. Bordering Vegetated V	venana	1. square feet	2. square feet			
c. ☐ Land under Waterbod	ies and Waterways	1. Square feet	2. square feet			
		3. cubic yards dredged				
d.   Bordering Land Subject to Flooding		1. square feet	2. square feet			
		3. cubic feet of flood storage lost	4. cubic feet replaced			
e.  □ Isolated Land Subject	to Flooding	1. square feet				
		2. cubic feet of flood storage lost	3. cubic feet replaced			
Riverfront Area		1.11 (11)				
2. Width of Riverfront A	Area (check one)	1. Name of Waterway (if any)  ☐ 25 ft Designated Densely De ☐ 100 ft New agricultural proje ☐ 200 ft All other projects				
3. Total area of Riverfro	ont Area on the site of the propose	ed project				
4. Proposed Alteration	of the Riverfront Area:		square feet			
a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.				
5. Has an alternatives a	nalysis been done and is it attached	d to this NOI?	□ Yes□ No			

Bureau of Resource Protection - Wetlands

## **WPA Form 3 - Notice of Intent**

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Provided by MassDEP: MassDEP File #: eDEP Transaction #:1084385 City/Town:BOSTON

6. Was the lot where the act	ivity is proposed created prior to Au	agust 1, 1996?	$\sqcap$ Yes $\sqcap$ No		
3.Coastal Resource Areas: (Se	e 310 CMR 10.25 - 10.35)				
Resource Area		Size of Proposed Alteration	Proposed Replacement (if any)		
a. ▼ Designated Port Areas	Indicate size under	Land under the ocean b	pelow,		
b. Tand Under the Ocean	1. square feet				
	2. cubic yards dredged				
c.   □ Barrier Beaches	Indicate size under Coastal Beach	es and/or Coatstal Dunes, bel	low		
d. □ Coastal Beaches	1. square feet	2. cubic yards beach no	purishment		
e. ☐ Coastal Dunes	1. square feet	2. cubic yards dune not			
f.□ Coastal Banks	1. linear feet	J			
g. ☐ Rocky Intertidal Shores	1. square feet				
h.□ Salt Marshes	1. square feet	2. sq ft restoration, reh	ab, crea.		
i. Land Under Salt Ponds	1. square feet				
	2. cubic yards dredged				
j. Land Containing Shellfish	1. square feet				
k. ☐ Fish Runs	Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above				
	1. cubic yards dredged				
l. ▼ Land Subject to Coastal Storm Flowage	400 1. square feet				
4.Restoration/Enhancement					
☐ Restoration/Replacement					
If the project is for the purpose	of restoring or enhancing a wetland habove, please entered the addition		he square footage that has been		
a. square feet of BVW	b. squar	re feet of Salt Marsh			

5. Projects Involves Stream Crossings

☐ Project Involves Streams Crossings

If the project involves Stream Crossings, please enter the number of new stream crossings/number of replacement stream crossings.

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a. number of new stream crossings

b. number of replacement stream crossings

### C. Other Applicable Standards and Requirements

## Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

- 1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage of Endangered Species program (NHESP)?
  - a. □ Yes ▼ No

If yes, include proof of mailing or hand delivery of NOI to:

Natural Heritage and Endangered Species

Program

Division of Fisheries and Wildlife

1 Rabbit Hill Road

Westborough, MA 01581

b. Date of map:FROM MAP VIEWER

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18)....

- c. Submit Supplemental Information for Endangered Species Review \* (Check boxes as they apply)
  - 1. ☐ Percentage/acreage of property to be altered:
  - (a) within Wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

- 2. ☐ Assessor's Map or right-of-way plan of site
- 3. Project plans for entire project site, including wetland resource areas and areas outside of wetland jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*
- a. Project description (including description of impacts outside of wetland resource area & buffer zone)
- b. ☐ Photographs representative of the site
- $c. \ \ \, \square \ \ \, MESA \ filing \ fee \ (fee \ information \ available \ at: \ \underline{http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/mass-endangered-species-act-mesa/mesa-fee-schedule.html})$

Make check payable to "Natural Heritage & Endangered Species Fund" and mail to NHESP at above address

Projects altering 10 or more acres of land, also submit:

- e. 
  Project plans showing Priority & Estimated Habitat boundaries
- d. OR Check One of the following
  - 1. Project is exempt from MESA review. Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <a href="http://www.mass.gov/eea/agencies/dfg/dfw/laws-regulations/cmr/321-cmr-1000-massachusetts-endangered-species-act.html#10.14">http://www.mass.gov/eea/agencies/dfg/dfw/laws-regulations/cmr/321-cmr-1000-massachusetts-endangered-species-act.html#10.14</a>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
  - 2. ☐ Separate MESA review ongoing.
    - a. NHESP Tracking Number
    - b. Date submitted to NHESP
  - 3. ☐ Separate MESA review completed.

Bureau of Resource Protection - Wetlands

# **WPA Form 3 - Notice of Intent**

Provided by MassDEP: MassDEP File #: eDEP Transaction #:1084385 City/Town:BOSTON

	Include copy of NHESP "no Take" determination or valid Conservation	on & Management Permit with approved plan.				
	* Some projects <b>not</b> in Estimated Habitat may be located in Priority Ha	abitat, and require NHESP review				
2.	For coastal projects only, is any portion of the proposed project located below the mean high waterline or in a fish run?  a. □ Not applicable - project is in inland resource area only  b. □ Yes ▼ No					
	If yes, include proof of mailing or hand delivery of NOI to either:					
	South Shore - Cohasset to Rhode Island, and the Cape & Islands:	North Shore - Hull to New Hampshire:				
	Division of Marine Fisheries - Southeast Marine Fisheries Station Attn: Environmental Reviewer 836 S. Rodney French Blvd New Bedford, MA 02744	Division of Marine Fisheries - North Shore Office Attn: Environmental Reviewer 30 Emerson Avenue Gloucester, MA 01930				
	If yes, it may require a Chapter 91 license. For coastal towns in the Nor					
	For coastal towns in the Southeast Region, please contact MassDEP's Southeast Region.	- · · ·				
3.	Is any portion of the proposed project within an Area of Critical Environ	nmental Concern (ACEC)?				
8	a.□Yes ▼ No	If yes, provide name of ACEC (see instructions to WPA Form 3 or DEP Website for ACEC locations). <b>Note:</b> electronic filers click on Website.				
	b. ACEC Name					
4.	Is any portion of the proposed project within an area designated as an O Massachusetts Surface Water Quality Standards, 314 CMR 4.00?  a. □ Yes ▼ No	utstanding Resource Water (ORW) as designated in the				
5.	Is any portion of the site subject to a Wetlands Restriction Order under t 40A) or the Coastal Wetlands Restriction Act (M.G.L.c. 130, § 105)?  a. □ Yes ▼ No	the Inland Wetlands Restriction Act (M.G.L.c. 131, §				
6.	Is this project subject to provisions of the MassDEP Stormwater Manag	gement Standards?				
	a. Yes, Attach a copy of the Stormwater Report as required by the S 10.05(6)(k)-(q) and check if:					
	<ol> <li>Applying for Low Impact Development (LID) site design credit</li> <li>Vol.2, Chapter 3)</li> </ol>	s (as described in Stormwater Management Handbook				
	2. A portion of the site constitutes redevelopment					
	3. Proprietary BMPs are included in the Stormwater Management	System				
	b. <b>▼</b> No, Explain why the project is exempt:					
	1. Single Family Home					
	2. Emergency Road Repair					

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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP: MassDEP File #: eDEP Transaction #:1084385 City/Town:BOSTON

3.	Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family
$\Gamma$	housing project) with no discharge to Critical Areas.

### **D.** Additional Information

 $\Box$ 

 $\Box$ 

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Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

**Online Users:** Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department by regular mail delivery.

- 1. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the
- Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
- 2. Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland
- [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.
- 3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s).
- Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.
- 4. List the titles and dates for all plans and other materials submitted with this NOI.

# a. Plan Title: b. Plan Prepared By: c. Plan Signed/Stamped By: c. Revised Final Date: e. Scale:

- 5. If there is more than one property owner, please attach a list of these property owners not listed on this form.
- 6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
- 7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
- 8. Attach NOI Wetland Fee Transmittal Form.
- 9. Attach Stormwater Report, if needed.

Bureau of Resource Protection - Wetlands

## **WPA Form 3 - Notice of Intent**

Provided by MassDEP: MassDEP File #: eDEP Transaction #:1084385 City/Town:BOSTON

. Fees	
Fee Exempt: No filing fee shall be assessed for projects of any citribe housing authority, municipal housing authority, or the Mas	ity, town, county, or district of the Commonwealth, federally recognized India ssachusetts Bay Transportation Authority.
Applicants must submit the following information (in addition to page	ges 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment
2. Municipal Check Number	3. Check date
4. State Check Number	5. Check date
6. Payer name on check: First Name	7. Payer name on check: Last Name
d complete to the best of my knowledge. I understand that the Conserve the expense of the applicant in accordance with the wetlands regulation further certify under penalties of perjury that all abutters were notified on tice must be made by Certificate of Mailing or in writing by hand delivered.	
nereby certify under the penalties of perjury that the foregoing Notice of d complete to the best of my knowledge. I understand that the Conserve the expense of the applicant in accordance with the wetlands regulation further certify under penalties of perjury that all abutters were notified on the project location.	ration Commission will place notification of this Notice in a local newspaper is, 310 CMR 10.05(5)(a).  of this application, pursuant to the requirements of M.G.L. c. 131, § 40. ery or certified mail (return receipt requested) to all abutters within 100 feet
nereby certify under the penalties of perjury that the foregoing Notice of d complete to the best of my knowledge. I understand that the Conserve the expense of the applicant in accordance with the wetlands regulation further certify under penalties of perjury that all abutters were notified of otice must be made by Certificate of Mailing or in writing by hand delivered.	ration Commission will place notification of this Notice in a local newspaper as, 310 CMR 10.05(5)(a).  of this application, pursuant to the requirements of M.G.L. c. 131, § 40.
nereby certify under the penalties of perjury that the foregoing Notice of d complete to the best of my knowledge. I understand that the Conserve the expense of the applicant in accordance with the wetlands regulation further certify under penalties of perjury that all abutters were notified to tice must be made by Certificate of Mailing or in writing by hand deliver the property line of the project location.  James Stolecki	ration Commission will place notification of this Notice in a local newspaper as, 310 CMR 10.05(5)(a).  of this application, pursuant to the requirements of M.G.L. c. 131, § 40. ery or certified mail (return receipt requested) to all abutters within 100 feet  3/6/2019

### Fo

Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

### For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

#### Other:

If the applicant has checked the "yes" box in Section C, Items 1-3, above, refer to that section and the Instructions for additional submittal

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.

Bureau of Resource Protection - Wetlands

# **WPA Form 3 - Notice of Wetland FeeTransmittal**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP: MassDEP File #: eDEP Transaction #:1084385 City/Town:BOSTON

## A. Applicant Information

1. Applicant:						
a. First Name	JAMES		b.Last Name	STOLECKI		
<ul> <li>c. Organization</li> </ul>	MASSACHUSETTS PORT AUTHORITY					
d. Mailing Address	ONE HARBORSIDE	ONE HARBORSIDE DRIVE				
e. City/Town	EAST BOSTON	f. State	MA	g. Zip Code	02128	
h. Phone Number	6175683552	i. Fax		j. Email	jstolecki@mass	sport.com
2.Property Owner:(if differen	nt)					
a. First Name	JAMES		b. Last Name	STOLECKI		
<ul> <li>c. Organization</li> </ul>	MASSACHUSETTS	PORT AU	JTHORITY			
d. Mailing Address	ONE HARBORSIDE	DRIVE				
e. City/Town	EAST BOSTON	f.State	MA	g. Zip Code	02128	
h. Phone Number	6175683552	i. Fax		j.Email	jstolecki@mass	sport.com
3. Project Location:						
a. Street Address	PIERS PARK, MAI	RGINAL	STREET	b.	City/Town	BOSTON

Are you exempted from Fee? ☐ (YOU HAVE SELECTED 'NO')

Note: Fee will be exempted if you are one of the following:

- City/Town/County/District
- Municipal Housing Authority
- Indian Tribe Housing Authority
- MBTA

State agencies are only exempt if the fee is less than \$100

### **B.** Fees

Activity Type	Activity Number	<b>Activity Fee</b>	RF Multiplier	Sub Total
J.) ANY OTHER ACTIVITY NOT IN CATEGORY 1,3,4,5 OR 6;	1	500.00		500.00
	City/Town	share of filling fee	State share of filing fee	Total Project Fee

\$262.50

\$500.00

\$237.50

Periodic Sinkhole Repair on Pier Structure Piers Park Project Description (Revised 03/08/19)

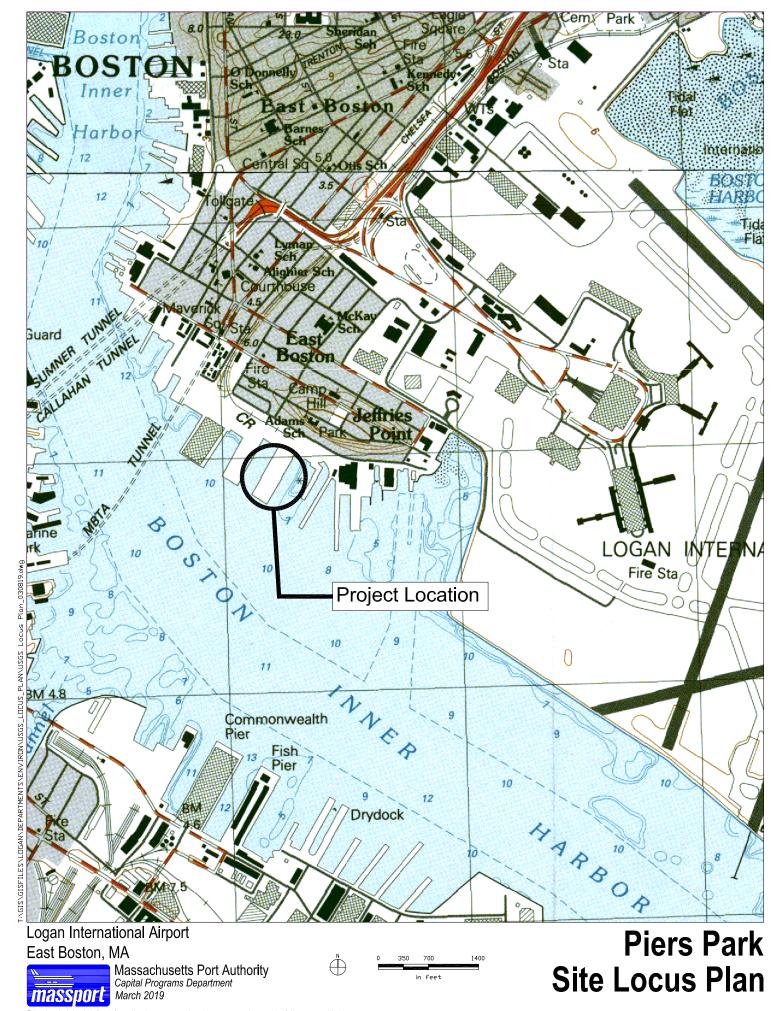
The Massachusetts Port Authority (Massport) is submitting this Notice of Intent (NOI) to cover the repair of sinkholes that may occur within the pier structure at Piers Park in East Boston. Piers Park and the associated pier structure are shown on the attached Site Locus Plan. Sinkholes have previously occurred on the pier structure and were repaired under Emergency Certifications issued by the Conservation Commission. The repair work is conducted within the 100-foot Buffer Zone of a Coastal Bank and within Land Subject to Coastal Storm Flowage as delineated on the attached FEMA map. This NOI is being submitted to obtain an Order of Conditions that covers the repair of any future sinkholes that must be addressed expeditiously to maintain public access to the pier.

The photos provided show a sinkhole on the pier structure that was repaired in May 2018 under an Emergency Certification. The attached Plan No. L-2 is an as-built drawing of Piers Park, including the pier structure, which was completed in 1997. The pier portion of the Piers Park was constructed on an older pier structure. The attached Section 7 SIM is a typical section through the pier structure and shows how fill was placed behind a granite block wall to create the new pier. The sinkholes occur due to wave action causing a washout of fill material through the granite block bulkhead wall. The loss of fill material creates a void that causes a depression at the surface of the pier and a hole can eventually form. The perimeter of the pier structure was constructed in several different manners depending on the condition of the older pier. The attached Plan No. G-3 shows the outline of the pier structure with the various sections through the perimeter noted. Plan No. G5 shows the various sections through the edge of the structure.

Because the formation of a sinkhole presents a significant hazard to the public utilizing the pier, it is necessary for Massport to limit access until the sinkhole is repaired. When a sinkhole is observed on the pier, that area is cordoned off with barriers. During the process of repairing a sinkhole, public access is prohibited on the pier. Piers Park is heavily used by the community, particularly during the summer months, so Massport initiates the repair of a sinkhole as soon as possible. The work is coordinated with Massport's contractors to complete the repair within one day. Prior to starting the work to repair a sinkhole, Massport will notify the Conservation Commission.

The process for repairing the sinkholes consists of first removing the brick pavers in the area of the depression. The existing fill material is then removed using a backhoe down to the void. The resulting excavation is typically about 10 feet by 20 feet in length, but can be up to 40 feet long, and the depth of the excavation is approximately 6-8 feet. The removed fill is placed on polyethylene sheeting and temporarily stockpiled adjacent to the excavation. The entire excavation is backfilled with compacted gravel or a 'flowable fill', which is a lightweight cement material that fills the voids and hardens. Prior to backfilling, filter fabric is placed in the excavation to prevent future washout of material. Once the excavation is backfilled, a sand subbase is placed followed by the brick pavers to restore the surface to grade.

The repair work is conducted in a manner that prevents any migration of material to the water. Excavated soil is stockpiled away from the water and is placed back in the excavation the same day. Should it become necessary for the stockpile to remain in place for a longer period of time it will be contained within fiber rolls. Once the surface is restored to its original condition, any residual material or dust is completely removed.



This plan is intended for informational purposes only and no use maybe made of the same without the express written permission of the Massachusetts Port Authority ("Massport"). Massport does not certify the accuracy, information or title to the properties contained in this plan nor make any warranties of any kind, express or implied, in fact or by law, with respect to any boundaries, easements, restrictions, claims, overlaps or other encumbrances affecting such properties.

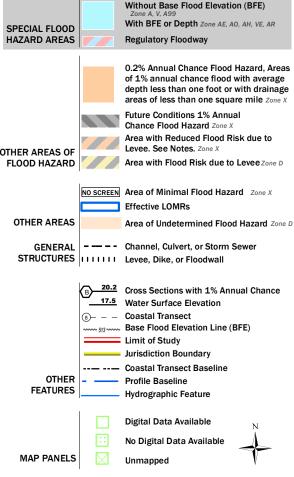


# National Flood Hazard Layer FIRMette



## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT



This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The pin displayed on the map is an approximate

an authoritative property location.

point selected by the user and does not represent

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 2/13/2019 at 1:37:59 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.





Photo 1: Area of Sinkhole



Photo 2: Location of Sinkhole.



Photo 3: Area of Sinkhole



Photo 4: Sinkhole is several feet deep and currently undermines a section of walkway.

