



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751

October 3, 2008

Regulatory Division
CENAE-R-2006-458

Rich Kleiman
LNR Property Corporation
1900 Crown Colony, Suite 401
Quincy, MA 021269

Dear Mr. Kleiman:

We have reviewed the joint application of the South Shore Tri-Town Development Corporation and LNR Property Corporation to place fill material within a total of 13,950 square feet of wetlands bordering French's Stream and Old Swamp River in conjunction with the redevelopment of the Weymouth Naval Air Station. In addition, four metal culverts that carry Old Swamp River under a roadway will be removed and replaced with a bridge, resulting in the restoration of 10,540 sf of riverbed and 340 linear feet of bank. Approximately 800 linear feet of the West Branch of the French River currently flowing through a culvert will be replaced with a natural open channel. The work is shown on the attached permit plans entitled "NAVAL AIR STATION DEVELOPMENT PROJECT", on sheet 8 and sheets 14 through 28 dated 6/27/08.

Based on the information you have provided, we have determined that the proposed activity, which includes a discharge of dredged or fill material into waters or wetlands, will have only minimal individual or cumulative environmental impacts on waters of the United States, including wetlands. Therefore, this work is authorized as a Category 2 activity under the attached Federal permit known as the Massachusetts Programmatic General Permit (PGP). This work must be performed in accordance with the terms and conditions of the PGP.

The Corps of Engineers has consulted with the National Marine Fisheries Service (NMFS) regarding the effects of your project on Essential Fish Habitat (EFH) as designated under the Magnuson-Stevens Fishery Conservation and Management Act, however the NMFS did not provide EFH conservation recommendations.

You are responsible for complying with all of the PGP's requirements. Please review the attached PGP carefully, in particular the PGP conditions beginning on Page 9, to familiarize yourself with its contents. You should ensure that whoever does the work fully understands the requirements and that a copy of the permit document and this authorization letter at the project site throughout the time the work is underway.

This determination becomes valid only after the Massachusetts Department of Environmental Protection (DEP) issues or waives Water Quality Certification (WQC) as required under Section 401 of the Clean Water Act. In the event the DEP denies the 401 WQC, this

determination becomes null and void. The address of the DEP Regional office for your area is provided in the attached PGP.

This authorization expires on January 20, 2010, unless the PGP is modified, suspended or revoked. You must complete the work authorized herein by January 20, 2010. If you do not, you must contact this office to determine the need for further authorization before continuing the activity. We recommend you contact us *before* this permit expires to discuss a time extension or permit reissuance.

If you change the plans or construction methods for work within our jurisdiction, please contact us immediately to discuss modification of this authorization. This office must approve any changes before you undertake them.

This authorization requires you to notify us before beginning work so we may inspect the project, and submit a Compliance Certification Form. You must complete and return the enclosed Work Start Notification Form to this office at least two weeks before the anticipated starting date. You must complete and return the enclosed Compliance Certification Form within one month following the completion of the authorized work and any required mitigation (but not mitigation monitoring, which requires separate submittals).

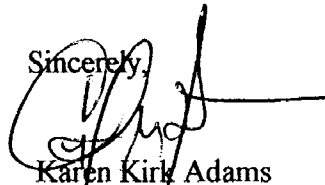
This authorization presumes that the work as described above and as shown on your plans noted above is in waters of the U.S. Should you desire to appeal our jurisdiction, please submit a request for an approved jurisdictional determination in writing to this office.

This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law, as listed on Page 1 of the PGP. Performing work not specifically authorized by this determination or failing to comply with any special condition(s) provided above or all the terms and conditions of the PGP may subject you to the enforcement provisions of our regulations.

We continually strive to improve our customer service. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at

Please contact Ted Lento, Regulatory Branch Project Manager at (978) 318-8863 if you have any questions concerning this authorization.

Sincerely,



for
Karen Kirk Adams
Chief, Permits & Enforcement Branch
Regulatory Division

Attachments

Copies Furnished:

Ed Reiner, U.S. EPA, Region 1, 1 Congress Street, Suite 1100-Mail Code CWP, Boston,
Massachusetts 02114-2023

Christopher Boelke, National Marine Fisheries Service, One Blackburn Drive, Gloucester,
Massachusetts 01930-2298

Elizabeth F. Kouloheras, DEP SERO, Wetlands and Waterways, 20 Riverside Drive, Lakeville,
Massachusetts 02347

Jim Young, South Shore Tri-Town Development Corporation, 223 Shea Memorial Drive, South
Weymouth, MA 02190

COMPLIANCE CERTIFICATION FORM

USACE Project Number: CENAE-R-2006-458

Name of Permittee: LNR Property Corporation

Permit Issuance Date: October 2008

Please sign this certification and return it to the following address upon completion of the activity and any mitigation required by the permit. You must submit this after the mitigation is complete, but not the mitigation monitoring, which requires separate submittals.

* MAIL TO: U.S. Army Corps of Engineers, New England District *
* Policy Analysis/Technical Support Branch, ATTN: Marie Farese *
* Regulatory Division *
* 696 Virginia Road *
* Concord, Massachusetts 01742-2751 *

Please note that your permitted activity is subject to a compliance inspection by an U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above referenced permit was completed in accordance with the terms and conditions of the above referenced permit, and any required mitigation was completed in accordance with the permit conditions.

Signature of Permittee

Date

Printed Name

Date of Work Completion

() _____
Telephone Number

() _____
Telephone Number

