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July 25, 2008

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : Rehabilitation of Nahant Beach Reservation
PROJECT MUNICIPALITY : Nahant and Lynn
PROJECT WATERSHED : North Coastal
EOEA NUMBER : 14268
PROJECT PROPONENT : Department of Conservation and Recreation
DATE NOTICED IN MONITOR : June 25, 2008

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **does not require** the preparation of an Environmental Impact Report (EIR).

As described in the Environmental Notification Form (ENF) the Department of Conservation and Recreation (DCR) proposes to restore and rehabilitate the Nahant Beach Reservation to improve public access and use of the 66-acre site in Lynn and Nahant. Among the most significant activities proposed are changes in access to and reconfiguration of the main parking lot, addition of a public walkway and controlled beach access ways, extension of a stone revetment along the face of the existing seawall, resetting of existing riprap to reduce storm overwash onto the Nahant Beach Parkway, and rehabilitation of the stormwater management system and the boat launch ramp.

The proposed project is located on a barrier beach. The project includes numerous changes that will improve the function of the dunes on this barrier beach, including significant removal of areas of pavement, removal of retaining walls, removal of cement picnic benches and outdated drinking fountains from the dunes, improved access between the beach and the parking lot, and the protection of dunes with fencing and signage.

Jurisdiction

The project is undergoing MEPA review pursuant to Section 11.03 (3)(b)(1)(a) because it requires a state permit and will alter a coastal dune, barrier beach or coastal bank. The project will require a 401 Water Quality Certification and a Chapter 91 License from the Massachusetts Department of Environmental Protection (MassDEP), and possibly Federal Consistency Review by the Office of Coastal Zone Management (CZM). The project also requires an Order of Conditions from the Nahant Conservation Commission (and hence a Superseding Order from MassDEP if the local Order is appealed).

Because the proponent is an agency of the Commonwealth, MEPA jurisdiction for this project is broad and extends to all aspects of the project that are likely, directly or indirectly, to cause Damage to the Environment.

Review of the EENF

The project will result in substantial environmental benefits by removing pavement from 2.3 acres of coastal dune/barrier beach. The plans also include removal of fixed structures (i.e., retaining walls, pavement, cement picnic tables, water fountains) from the dunes, which will allow the coastal dune to function more naturally in response to coastal conditions. Establishing a north-south sidewalk within the existing parking lot and limiting public access across the dune also will help to restore natural features and functions, in conjunction with planned dune revegetation. In their comment letters MassDEP and CZM have expressed support for these aspects of the project. Both CZM and MassDEP recommend the use of elevated boardwalks for pedestrian access across the dunes to limit structural impacts to the dune and beach system. These improvements will help restore and maintain the dune in a condition that will better protect the area from storm damage and flooding. CZM has also provided detailed recommendations in its comment letter related to how the dune system can be re-established.

The project will alter 41,400 sf of land containing shellfish and the entire 66-acre site is within land subject to coastal storm flowage. The new riprap will alter protected land and habitat containing shellfish and marine fisheries. DCR has undertaken an essential finfish habitat (EHF) assessment and a coastal engineering study, which provides an alternatives analysis comparing riprap wall intertidal area impacts for slopes of 1.5:1, 2.0:1, 2.5:1, and 3.0:1 and their corresponding reductions in storm damage for the 25, 50, and 100 year storm events. This information appears to be adequate to support the preferred rip rap slope of 2:1, which will result in about 0.95 acres of alteration to intertidal area, and will reduce the seawall overtopping by 70 percent and 60 percent for the 25 and 100 year events, respectively. However, DCR has not proposed mitigation for these impacts; therefore, appropriate mitigation measures should be developed during the MassDEP permitting process.

The Division of Marine Fisheries (MarineFisheries) has stated that the intertidal fill will result in direct impacts and permanent habitat conversion. Because the proposed project will impact 41,400 sf of intertidal shellfish habitat, DCR must address mitigation through the permitting process and should work closely with DMF during this process. In addition, DMF recommends that construction should be conducted from the upland to avoid compacting adjacent intertidal habitat.

DCR should also assess the cumulative impacts to intertidal and shallow water resources of this project in relation to others in the region, such as the Town of Lynn's Blossom Street waterfront development and associated intertidal dredging and filling. DMF has also recommended that DCR consider the need for additional pump-out facilities in the area to accommodate an expected increase in boat use after the rehabilitation of the boat ramp.

The ENF describes a stormwater management system which is needed in this area to eliminate localized flooding. Although there are constraints posed by the site, MassDEP has stated that DCR should consider infiltration best management practices that would reduce contaminants and the volume of stormwater discharging to the limited system of catch basins and outfalls. In addition, DCR should also consider using leaching catch basins, boardwalks for the north-south sidewalk, and porous material in the parking areas.

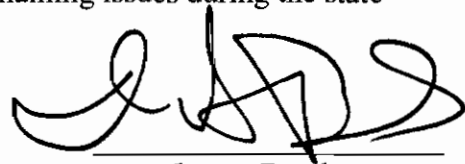
I have received many comments from residents of Nahant who are opposed to certain aspects of the roadway design of the project. DCR proposes two eleven foot lanes and a four foot shoulder for the entire length of the causeway towards Nahant. This design will accommodate bicycles on the new shoulder. Heading away from Nahant, the plan proposes one eleven foot lane and a six foot shoulder for the first 3,000 feet and then two eleven foot lanes and a four foot shoulder for the last 3,000 feet. The section, heading away from Nahant, with one eleven foot lane and six foot shoulder is the source of the continuing controversy because presently there are two lanes in this direction.

DCR has committed to work with the Town of Nahant and design engineers to refine within the current layout footprints to attempt to accommodate an extended two-lane configuration heading away from Nahant. In its comment letter the Town of Nahant has expressed its support for the project and also to continue working with DCR on this issue.

Given the analysis, design work, and review conducted to date and the fact that the DCR has committed to address the concerns of the residents of Nahant regarding the roadway design, no further MEPA review is required. The ENF contains sufficient information to understand the impacts of the project, and to demonstrate that the impacts of the project do not warrant the preparation of an EIR. The proponent can resolve any remaining issues during the state permitting process.

July 25, 2008

Date



Ian A. Bowles

Comments Received:

7/9/08	CZM
7/14/08	Mr. And Mrs. Erlich
7/17/08	Tom Costin
7/15/08	Paula M. Devereaux
7/15/08	Division of Marine Fisheries
7/16/08	William Crawford

7/16/08 Carol Wasserman, Brian Olmstead, Jeanne Baranek,
Brendan Baranek-Olmstead and Conor Olmstead

7/9/08 Octavia Randolph

7/14/08 Peter Foukal, PhD (e-mail)

7/14/08 Nancy Hodgson Smith (e-mail)

7/14/08 Paula M. Koehler (e-mail)

7/15/08 Karen Canty (e-mail)

7/10/08 John Quinn (e-mail)

7/15/08 Polly Bradley (e-mail)

7/15/08 David Liscio (e-mail)

7/14/08 Tiffany Tran (e-mail)

7/14/08 Edith Roland (e-mail)

7/14/08 Nancy Slager (e-mail)

7/14/08 Thomas Laws (e-mail)

7/14/08 Dr. Sheldon Sevinor (e-mail)

7/14/08 Charles DiGrande (e-mail)

7/14/08 Alice M. Cort, M.D. and Bruce D. Walker, M.D. (e-mail)

7/14/08 Kenneth Ford, Polly Bradley, SWIM (e-mail)

7/14/08 Lisa Arena (e-mail)

7/14/08 Patricia Magner (e-mail)

7/14/08 Nancy Carey (e-mail)

7/14/08 Judith R. Walsh (e-mail)

7/14/08 Meg Pier (e-mail)

7/14/08 Deborah Warren (e-mail)

7/14/08 Anita Reiner (e-mail)

7/14/08 Helen Cort (e-mail)

7/14/08 Dan Fiore (e-mail)

7/14/08 Charlise B. Whiteside (2 e-mails)

7/14/08 Julie Tarmy (e-mail)

7/15/08 Kellogg L. Warner (e-mail)

7/15/08 Mary Dickenson (e-mail)

7/15/08 Ralph Canali (e-mail)

7/15/08 Mary Jo and William Ludke (e-mail)

7/15/08 Winifred Hodges (e-mail)

7/15/08 Cliff O'Neill (e-mail)

7/15/08 Sallee Slagle (e-mail)

7/15/08 Allison O'Neill (e-mail)

7/15/08 Linda Tanfani (e-mail)

7/15/08 James Dolan and Janet Dolan (e-mail)

7/15/08 Karen, Lee and Gene Regnante (e-mail)

7/14/08 Martha Dansdill (e-mail)

7/14/08 Judith R. Walsh (e-mail)

7/13/08 Bob Cusack (e-mail)

7/12/08 Dave Aldrich (e-mail)

7/12/08 Michael Gray (e-mail)

7/12/08 Thomas LeVangia (e-mail)

7/12/08 Trish Livingston Aldrich (e-mail)
7/12/08 Ted Smiley (e-mail)
7/11/08 Paul M. Caira (e-mail)
7/11/08 Linda Kitch (e-mail)
7/10/08 John Quinn (e-mail)
7/9/08 Lawrence and Linda Mason (e-mail)
7/8/08 John Nardizzi (e-mail)
7/8/08 Paul M. Caira (e-mail)
7/1/08 Deborah Vanderslice (e-mail)
6/30/08 Richard G. Peters (e-mail)
7/13/08 John and Maria Welsh (e-mail)
7/14/08 Bernard Yadoff (e-mail)
7/14/08 Charles DiGrande (e-mail)
7/14/08 Ruthanne Switzer (e-mail)
7/14/08 Meg Pier (e-mail)
7/14/08 Linda Peterson (e-mail)
7/14/08 Joe Marini (e-mail)
7/14/08 Anita Reiner (e-mail)
7/14/08 Patricia Magner (e-mail)
7/14/08 Elaine M. White (e-mail)
7/14/08 Paul Caira (e-mail)
7/14/08 Maureen Ward (e-mail)
7/14/08 Christine Johnson-Liscio (e-mail)
7/14/08 Richard O. Stevens (e-mail)
7/14/08 Herb Motley (e-mail)
7/13/08 William Crawford (e-mail)
7/11/08 William Crawford (e-mail)
7/13/08 Donna Lee Hanlon (e-mail)
7/2/08 Mike Quigley (e-mail)
6/30/08 Richard G. Peters (e-mail)
7/1/08 Deborah Vanderslice (e-mail)
7/14/08 Mark P. Cullinan, Nahant Town Administrator (e-mail)
7/15/08 William F. Waters, Chief of Police (e-mail)
7/15/08 MassDEP
7/19/08 Bea Rogers (e-mail)
7/15/08 Bruce Reeh (e-mail)
7/15/08 Barbara D'Amico (e-mail)
7/15/08 Nicholas Pezaris (e-mail)
7/16/08 Marianna Pezaris (e-mail)
7/16/08 Peter and Angel Hurd (e-mail)
7/16/08 Constantine Pezaris (e-mail)
7/16/08 Phil and Pat McEachen (e-mail)
7/16/08 Beatrice Rogers (e-mail)
7/22/08 Margaret (Peg) Hinrichs (e-mail)
7/23/08 Wendy Landman, Walk Boston

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