

RB

September 20, 2006

Robert W. Golledge, Jr.
Secretary of Environmental Affairs
ATTN: Deerin Babb-Brott, MEPA Director
100 Cambridge Street
Boston, MA 02114

**RE: Routine Maintenance Dredging
Crane and Porter Rivers
Danvers, MA**

**RECEIVED
SEP 21 2006
MEPA**



190 Old Derby Street
Suite 311
Hingham
Massachusetts
02043
Tel: (781) 749-2530
fax: (781) 749-2751

Dear Secretary Golledge:

The Town of Danvers (Town) is proposing maintenance dredging within the Crane and Porter Rivers. This project will consist of dredging approximately 58,000 cubic yards from both rivers to restore the existing channels to their authorized depths of 6.0 feet below mean low water. The project will provide the required navigational improvements for safe access into these areas by both recreational and commercial vessels. The proposed project, as shown in Figure 1, is considered maintenance as all work will be conducted within the same limits and depths as last dredged by the Commonwealth in 1983 under Contract No. 3018. On August 31, 2006, the U.S. Army Corps of Engineers and U.S. EPA issued a positive suitability determination (see copy attached) for the unconfined offshore disposal of sediments at the Massachusetts Bay Disposal Site (MBDS).

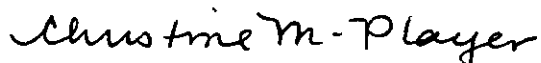
The 1983 state dredging project underwent MEPA review (EOEA #4181), and it was determined that an Environmental Impact Report (EIR) was not required at that time. As part of this project, dredge sediments were deposited at upland sites along both the Crane and Porter Rivers that had been previously used for state and private dredging. Prior to 1983, the state also dredged the Crane and Porter Rivers in 1962 and 1969 under Contract Nos. 2334 and 2677, respectively.

In 1995, the Town filed an Environmental Notification Form (ENF) for dredging the Crane, Porter and Danvers Rivers (EOEA #10233). However, this project involved both maintenance and improvement dredging and was never implemented by the Town, as it was determined that an EIR would be required.

Considering the information presented above, the proposed work is consistent with the definition of a "Routine Maintenance" project which is defined under 310 CMR 11.02 (2) as *"any maintenance work or activity carried out on a regular or periodic basis in a manner that has no potential for Damage to the Environment or for which performance standards have been developed that avoid, minimize or mitigate potential environmental impacts to the maximum extent possible."* The project, as proposed, will remain within the dredging footprint established and authorized under the prior state contracts as identified above. Criteria have already been established for this project which will avoid and minimize impacts to the environment to the maximum extent possible. Potential impacts to finfish and shellfish will be minimized by the use of a time of year restriction. In addition, sediments have been deemed suitable for unconfined offshore disposal at MBDS. While a dredging project of this nature often exceeds one or more of the MEPA review thresholds under 310 CMR 11.03, these thresholds are not applicable to projects that are designated as "Routine Maintenance" as per 310 CMR 11.0 (2)(b)(3).

Based upon the information presented herein, it is our understanding that this project does meet the definition of a routine maintenance project, and as such, the filing of an ENF will not be required. At this time, we request that you provide us with confirmation that you are in agreement with this conclusion. We would appreciate a response within 30 days, if possible. If you have any questions or require additional information, please do not hesitate to call me at (781) 749-2530 x202. Thank you for your immediate attention to this request.

Sincerely,



Christine M. Player
Principal

Cc: Ms. Susan Fletcher, Town of Danvers

Attachments (2)

31 August 2006

SUBJECT: Notification of Biological Testing Results for the Town of Danvers' Municipal Dredging Project, Crane and Porter Rivers, Danvers, MA, Application Number NAE-2004-2436.

1. This memorandum informs the applicant of the results from the biological testing required for the Town of Danvers' Municipal Dredging Project. This testing was performed to evaluate the suitability of the material proposed to be dredged to be disposed of at the Massachusetts Bay Disposal Site (MBDS). The disposal method represents only one of a number of disposal options to be considered by the applicant who has not yet sent a formal permit application to the USACE. An alternatives analysis will be done when the application is submitted. The Town of Danvers wanted to determine whether open water disposal was a viable option before they submitted an application to the Corps.
2. The applicant is proposing to dredge an area of approximately 360,000 sq. ft. in Danvers, MA which will produce a volume of approximately 58,000 cu. yds. of silty material. This material is proposed to be mechanically dredged and disposed of at Massachusetts Bay Disposal Site (MBDS). This area was last dredged in 1983.
3. A sampling plan was developed on 12 September 2005 for analyzing the biological characteristics of the sediment proposed to be dredged. The federal agencies concurred with this plan. Eleven cores (DM-1 to DM-11) were collected from the areas to be dredged. Following sample collection, the samples were analyzed for physical characteristics. After a review of the resulting data, a compositing plan was developed on 25 October 2005. This resulted in two composited samples. The federal agencies concurred with this plan. The applicants followed the proposed sampling plan and produced data for our review.
4. The Marine Analysis Section (MAS) prepared, along with the USEPA, a draft Super Memo that evaluated biological testing for this project. This Super Memo has not been formally approved by the two agencies (because the alternatives analysis, necessary for a permit review process has not yet been prepared. However, the results of this testing indicate that this material is suitable to be disposed of at Massachusetts Bay Disposal Site (MBDS).

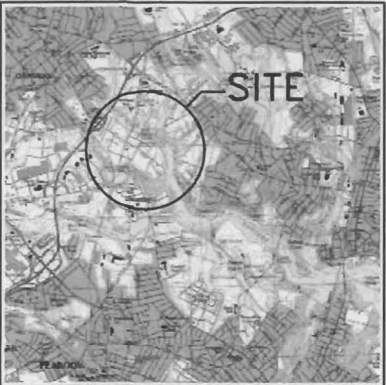
Notification of Biological Testing Results for the Town of Danvers'
Municipal Dredging Project

5. The determination is based on the results of the biological testing for this project. These results are contingent on having no changes in local conditions between the time these results were first evaluated and the eventual time the project sediments are dredged. For the purposes of prudent disposal management and environmental evaluation of the local condition of the project sediments, this preliminary determination of the biological test results will be valid for one calendar year from this date.

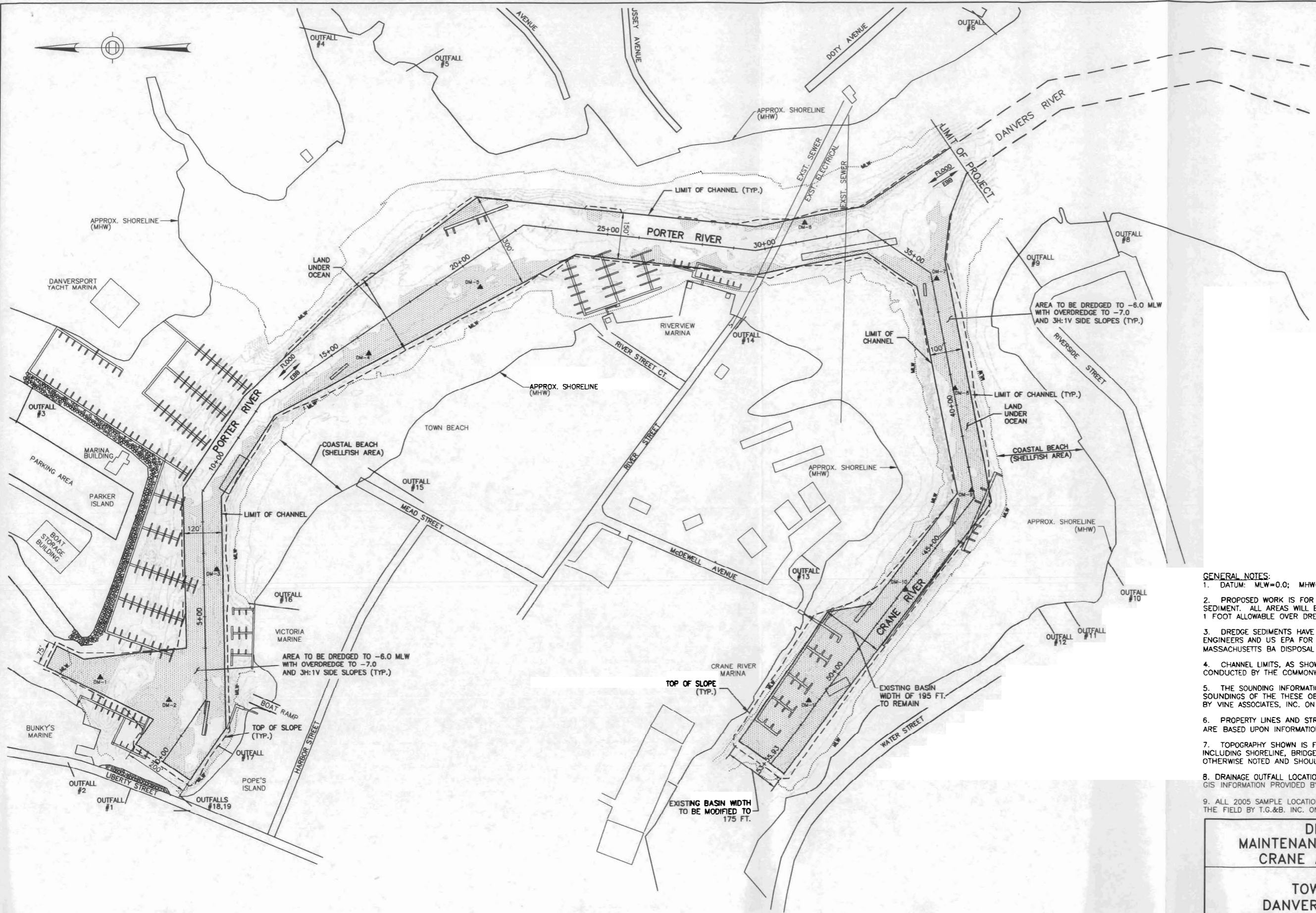


CHARLES N. FARRIS
Project Manager
Section A, NAE





LOCUS PLAN

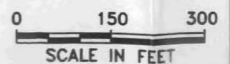


- GENERAL NOTES:**
- DATUM: MLW=0.0; MHW=9.0; HTL=10.4.
 - PROPOSED WORK IS FOR THE MAINTENANCE DREDGING OF 58,000 CYDS. OF SEDIMENT. ALL AREAS WILL BE DREDGED TO ELEVATION -6.0 MLW WITH A 1 FOOT ALLOWABLE OVER DREDGE LIMIT TO ELEVATION -7.0 MLW.
 - DREDGE SEDIMENTS HAVE BEEN APPROVED BY THE U.S. ARMY CORPS OF ENGINEERS AND US EPA FOR UNCONFINED OFFSHORE DISPOSAL AT THE MASSACHUSETTS BA DISPOSAL AREA (MBDS).
 - CHANNEL LIMITS, AS SHOWN, ARE CONSISTENT WITH 1983 DREDGING CONDUCTED BY THE COMMONWEALTH UNDER CONTRACT NO. 3018.
 - THE SOUNDING INFORMATION AS SHOWN REPRESENTS THE SHALLOWEST SOUNDINGS OF THESE OBTAINED FROM HYDROGRAPHIC SURVEY CONDUCTED BY VINE ASSOCIATES, INC. ON MARCH 23 AND 25, 2005.
 - PROPERTY LINES AND STREET LOCATIONS, AS SHOWN, ARE APPROXIMATE AND ARE BASED UPON INFORMATION OBTAINED FROM TOWN ASSESSOR'S PLANS.
 - TOPOGRAPHY SHOWN IS FROM PREVIOUS SURVEYS. ALL TOPOGRAPHY INCLUDING SHORELINE, BRIDGES, PIERS, ETC. IS LOCATED APPROXIMATE UNLESS OTHERWISE NOTED AND SHOULD BE USED FOR GENERAL REFERENCE ONLY.
 - DRAINAGE OUTFALL LOCATIONS AS SHOWN ARE APPROXIMATE AND BASED UPON GIS INFORMATION PROVIDED BY THE TOWN JUNE 2005.
 - ALL 2005 SAMPLE LOCATIONS AS SHOWN (▲ DM-1), ARE AS COLLECTED IN THE FIELD BY T.G.&B. INC. ON OCTOBER 17, 2005.

**DREDGING PLAN
MAINTENANCE DREDGING PROJECT
CRANE AND PORTER RIVERS**

**TOWN OF DANVERS
DANVERS, MASSACHUSETTS**

Vine ASSOCIATES, INC.
 253 LOW STREET NEWBURYPORT, MA 01950 tel. (978)465-1428 fax (978)465-2840
 190 OLD DERBY STREET HINGHAM, MA 02043 tel. (781)749-2530 fax (781)749-2751
 18 BEACH STREET MONUMENT BEACH, MA 02553 tel. (508)743-0390 fax (508)743-0391



DES.	CMP	CHK.	DR.	MAG/DMG	VAI PROJECT NO.	534
SCALE 1"=300'			DATE	SEPT. 2006		
						FIGURE 1

G:\LAND PROJECTS\534-DanversDredge\Permits 2006\MEPA.dwg, 9/20/2006 9:31:28 AM