



*The Commonwealth of Massachusetts*  
*Executive Office of Energy and Environmental Affairs*  
*100 Cambridge Street, Suite 900*  
*Boston, MA 02114*

Deval L. Patrick  
GOVERNOR

Timothy P. Murray  
LIEUTENANT GOVERNOR

Ian A. Bowles  
SECRETARY

Tel: (617) 626-1000  
Fax: (617) 626-1181  
<http://www.mass.gov/envir>

January 9, 2008

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

PROJECT NAME : Twin Rivers Technologies Confirmatory Ch.91 Licensing  
PROJECT MUNICIPALITY : Quincy  
PROJECT WATERSHED : Boston Harbor  
EEA NUMBER : 14147  
PROJECT PROPONENT : Twin Rivers Technologies Quincy, LLC  
DATE NOTICED IN MONITOR : December 10, 2007

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and Section 11.03 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 project includes the filing of applications for a Chapter 91 Waterways License for certain existing pile-supported structures, fill, and a section of seawall in filled and flowed Private and Commonwealth tidelands along the Fore River and Town River in Quincy. The proponent has noted that these structures and fill were constructed over the past century in this Designated Port Area (DPA) to increase the water-dependent facility's ability to moor and unload ships. The ENF states that several of the structures, the fill and the seawall were licensed prior to their constructions, but because those licenses were never recorded at the Registry of Deeds, the original licenses are void under the current (post-1990) Chapter 91 Regulations. Therefore, the proponent is applying for new licenses to confirm the valid continued existence of these facilities under Chapter 91. No new structures or fill, or modifications to existing structures or fill are proposed as part of this project.

The project includes licensing of four distinct areas within the 23.3-acre water-dependent industrial site. As described in the ENF, these include:

- Fill and seawall (4,092 sf) constructed on December 15, 1887, in the southeast portion of the property originally authorized under unrecorded H&L License No. 1039, in an area that is not part of a parking lot serving the water-dependent industrial facility;
- A mooring dolphin (277 sf) constructed on June 11, 1956 along the northern edge of the property, originally authorized under unrecorded DPW License No. 3857, which has been used to moor boats during unloading since its construction in 1956;
- A walkway and bollard (1434 sf) connected to structures authorized by, but not included under, unrecorded DPW License No. 3857 on the northern edge of the property, which has been used to moor boats during unloading since its construction in 1956; and
- A manifold structure (2442 sf) along the walkway on the northern end of the project site, also associated with but not included under unrecorded DPW License No. 3857, also on the northern edge of the property, which is the offloading manifold for the facility and has been used since its construction in 1956.

The project is undergoing MEPA review pursuant to Sections 11.03(3)(b)(6) because it requires a State permit and involved the construction or expansion of a solid fill structure of 1,000 square feet (sf) or more in base area and the construction or expansion of a pile-supported structure of 2,000 or more sf in flowed tidelands. The project requires a confirmatory Chapter 91 Waterways License from the Massachusetts Department of Environmental Protection (MassDEP), as the structures have already been constructed (in 1887 and 1956 respectively).


Because the proponent is not seeking financial assistance from the Commonwealth for the current phase of the project, MEPA jurisdiction extends to those aspects of the project that may have significant environmental impacts and that are within the subject matter of required or potentially required state permits. In this case, MEPA jurisdiction applies to impacts to wetlands, waterways and tidelands.

### Wetlands

The project will be required to obtain Chapter 91 Licenses for each area of fill or pile-supported structures within flowed or filled Commonwealth tidelands. New wetland impacts will be negligible, as these structures and fill are historical in nature. No detrimental impacts are anticipated and the project remains consistent with Designated Port Area uses and other public benefits outlined in the Chapter 91 Regulations. The proponent should work with MassDEP Waterways as necessary during the licensing process.

The proponent can resolve any remaining issues during the state permitting process. No further MEPA review is required.

January 9, 2008  
Date

  
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Ian A. Bowles

Comments received:

None.

IAB/HSJ/hsj