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February 8, 2008

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

PROJECT NAME	: Town of Hull Offshore Wind Energy Project
PROJECT MUNICIPALITY	: Hull
PROJECT WATERSHED	: Boston Harbor
EOEA NUMBER	: 14161
PROJECT PROPONENT	: **Hull Municipal** Lighting Plant
DATE NOTICED IN MONITOR	: January 9, 2008

Pursuant to the Massachusetts Environmental Policy Act (M.G. L., c. 30, ss. 61-62H) and Sections 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **requires** the preparation of an Environmental Impact Report (EIR).

I believe that an ambitious program of renewable energy development is in the interest of the citizens of Massachusetts and that the Commonwealth has an obligation to its citizens to promote the development of renewable energy. Global climate change, sea level rise, dependence on foreign oil and the health impacts of local and regional air pollution create an urgent need for sustainable alternatives to energy produced from fossil fuels. The purpose of this project is to meet all of the Town of Hull's energy demand through clean, renewable wind generated energy. I commend the proponent for its commitment to renewable energy development, which it has clearly demonstrated with the construction of two land-based wind turbines, and for its intention to use this project to promote understanding of the environmental benefits and impacts associated with off-shore wind energy. Clearly, the intent of this project is consistent with state energy policy; however, renewable technologies are not without environmental impacts. As my predecessors have recognized in previous Certificates, the most promising areas in Massachusetts for development of wind power lie off the coast, often in area

recognized for their scenic beauty and value for fisheries, wildlife habitat and other resources. The potential impacts of this project must be evaluated carefully within the context of an alternatives analysis that can justify the proposed location.

Project Description

As described in the Environmental Notification Form (ENF), the proposed project consists of the development of an offshore wind energy facility by the Hull Municipal Lighting Plant (HMLP). The HMLP is a municipal utility owned by the Town of Hull, which generates and sells electricity to the residents of Hull. The project may include up to four wind turbine generators (WTGs) and they will be located in the vicinity of Harding Ledge off the east coast of Hull. The ENF indicates that the project will generate a maximum potential electrical output of 15 megawatts (MW) using three MW class WTGs. The maximum height of the turbines will be 476 feet above ground level (to the tip of the turbine) and the rotor diameter will be approximately 295 feet. The proponent is evaluating foundation types including driven monopiles, gravity base and multi-member structures. Two 34.5 kilovolt (kV) submarine cables, embedded in one trench, will transmit energy produced by the project via interconnection to the municipal electric transmission system. The interconnection will be installed, using horizontal directional drilling (HDD), through a town owned right-of-way (ROW) either at A and B Streets or K and L Streets. The submarine cable will be installed using jet plowing technology.

The site includes Nantasket Beach and the area around Harding Ledge. Nantasket Beach is a barrier beach adjacent to densely developed residential areas. The site is in the vicinity of a number of properties listed in the State and National Registers of Historic Places. Harding Ledge is located approximately 1.35 nautical miles to the east of Nantasket Beach. According to the Division of Marine Fisheries (DMF), Harding Ledge and its vicinity provide a complex benthic habitat characterized by hard-bottom cobble/boulder areas, macroalgal beds and open sand dominated expanses. It supports several species of shellfish and finfish, including lobster (*Homarus americanus*), surf clam (*Spisula solidissima*), winter flounder (*Pseudopleuronectes americanas*) and Atlantic cod (*Gadus morhua*). In addition, rainbow smelt (*Osmerus mordax*) may be present. According to the 12th Edition of the Massachusetts Natural Heritage Atlas, portions of the project site appear to be located within Priority and Estimated Habitat of the Least Tern *(Sterna antillarum)* and Common Tern *(Sterna hirundo),* both of which are listed as species of Special Concern.

Permitting/Jurisdiction

The project is undergoing MEPA review pursuant to Section 11.03 (3)(b)(1)(a), (3)(b)(1)(f), (3)(b)(5) and (3)(b)(6) because it requires a state permit and will alter a coastal dune, barrier beach or coastal bank, will alter ½ or more acres of any other wetlands, consists of new or existing unlicensed non-water dependent use of waterways or tidelands and may consist of construction of a pile-supported or bottom-anchored structure of 2,000 or more sf base area that occupies flowed tidelands. The project requires a Chapter 91 License, a Chapter 91 Dredging Permit and a 401 Water Quality Certificate from the Department of Environmental Protection

(MassDEP). It is subject to review by the Natural Heritage and Endangered Species Program (NHESP) and the Massachusetts Historical Commission (MHC). It will require Federal Consistency Review from Coastal Zone Management (CZM). Also, it requires an Order of Conditions from the local Conservation Commission (and hence a Superseding Order of Conditions from MassDEP in the event the local Order is appealed).

The project requires a Section 10/404 Individual Permit from the United States Army Corps of Engineers (ACOE), a Permit to Establish and Operate a Fixed Aide to Navigation from the United States Coast Guard (USCG), a Nonpoint Discharge Elimination System (NPDES) Permit from the United States Environmental Protection Agency (EPA) and review by the Federal Aviation Administration (FAA).

Because the project is receiving state funds, through a forgivable loan issued by the Massachusetts Technology Collaborative (MTC), MEPA has broad scope jurisdiction that extends to all impacts that may cause Damage to the Environment. These include greenhouse gases, land alteration, tidelands/waterways, fisheries, marine resources, wetlands, water quality, rare species, visual impacts, noise and historic and archaeological resources.

Potential Environmental Impacts

Potential environmental impacts associated with the project include alteration of up to 14,000 square feet of wetland resource areas (including Barrier Beach, Coastal Beach and Land Under the Ocean), alteration of rare species habitat and use of tidelands. The ENF describes a number of surveys, plans and studies the proponent has conducted or will conduct to assess existing conditions, potential environmental impacts and to support the identification of appropriate mitigation measures. The ENF also describes several measures to avoid and minimize environmental impacts including the use of jet plow technology and horizontal directional drilling (HDD).

SCOPE

General

The EIR should follow Section 11.07 of the MEPA regulations for outline and content, as modified by this scope. It should include a copy of this Certificate and all comment letters.

The EIR shall present a level of information and analysis commensurate with the relatively modest scope and scale of the project. The following guidance is supplemented by specific requirements of this Scope, and will be refined by the input of the Technical Working Group (TWG). In determining the necessary level of information and analysis, the proponent should employ a tiered screening process, by which the characterization of resources and uses in the project area and the identification of potentially feasible alternatives are evaluated with increasingly detailed information. In general, existing information should be used to characterize conditions, resources and uses, to identify gaps in information, and to identify feasible

alternatives. Site-specific field work should be employed to characterize feasible alternatives for their ability to meet the proponent's objectives and avoid, minimize and mitigate potential environmental impacts to the maximum extent feasible. From my review of the ENF and comments received, it appears that characterization and assessment of potential impacts to marine habitat, assessment of potential impacts to lobsters and the lobster fishery, and characterization and assessment of potential impacts to avian resources (particularly Terns) will be key elements of the EIR.

As noted previously, the ENF identifies studies that have been completed or will be completed to assess existing conditions, potential environmental impacts and to support the identification of appropriate mitigation measures. The EIR should include sufficient baseline data to allow a full characterization of existing conditions and natural resources and a meaningful analysis of feasible alternatives. It should include detailed seafloor mapping, including mapping of habitat types. It should include relevant physical parameters, such as sediment and soil quality, oceanographic information such as sediment transport processes, bathymetry and wave, current and storm surge data, floodplain data and wind speed. The EIR should provide information on wind and meteorological data collection, including equipment and technology used to collect baseline data. The EIR should include information on study methodologies, as well as guidelines and standards used.

I am recommending the formation of a Technical Working Group (TWG), comprised of state and federal agency representatives, to support effective and coordinated consultation throughout MEPA review of this project. The TWG can assist the proponent in developing appropriate study methodologies and protocols and should review interim studies, plans and analysis prior to inclusion in the EIR to ensure that these efforts adequately address the analysis and data requirements of required permits and approvals.

Project Description

The EIR should include a detailed description of the project, all project elements and construction phasing. The EIR should identify turbine spacing and arrangement and proposed lighting. It should identify the expected operating life of the facility. The EIR should include an existing conditions plan delineating resources and abutting land uses for the entire project area and a proposed conditions plan (or plans) that include all proposed structures. Plans should be provided at a reasonable scale (e.g. 40 or 60 scale). The EIR should include plans and cross-section views that include the dimensions of all structures to be constructed, including those portions of structures that are buried beneath the sediment or land, submerged below marine and other waters (including scour aprons) and projecting above the surface of land or water.

The EIR should provide the rationale for the proposed size of the facility, provide data regarding average generating capacity and discuss the degree to which the facility will contribute to regional and local energy needs.

Project Permitting and Consistency

The EIR should briefly describe each state agency action required for the project and each phase of the project. It should demonstrate how the project is consistent with applicable performance standards. The EIR should contain sufficient information to allow the permitting agencies to understand the environmental consequences of their official actions related to the project.

The EIR should discuss the project's consistency with state policies and plans concerning energy, environment and sustainability including the Commonwealth's Sustainable Development Principles, the Massachusetts Climate Protection Plan and Executive Order 385 – Planning for Growth. The EIR should discuss the project's consistency with relevant regional and local planning documents.

Alternatives Analysis

The ENF identifies several land-based alternatives that were considered for siting the wind facility but it does not include sufficient information to conclude that the Preferred Alternative adequately avoids and minimizes impacts. Therefore, the EIR should include an alternatives analysis to demonstrate consistency with the objectives of MEPA review, one of which is to document the means by which the proponent plans to avoid, minimize or mitigate Damage to the Environment to the maximum extent feasible. The analysis should be designed to satisfy the alternatives analysis requirements of other state and federal permit and approval processes. The alternatives analysis will need to demonstrate that the Preferred Alternative can meet the project objectives and siting criteria while minimizing environmental impacts. In addition, it will need to assess the facility's reliance on siting in an off-shore location as part of the Chapter 91 licensing process and 401 Water Quality Certification process.

The analysis should provide additional information on land-based and off-shore alternatives and assess these locations for the ability to meet project criteria while avoiding sensitive environmental resources to the maximum extent practicable. The EIR should provide additional information and analysis regarding the four land-based alternatives identified in the ENF. Also, it should consider repowering of existing turbines to minimize the number of off-shore turbines proposed. Land-based alternatives should include schematic plans and/or renderings depicting the siting constraints. Off-shore alternatives should be limited to the Town of Hull's municipal waters. The proponent should screen additional off-shore sites and evaluate whether a more suitable site with fewer impacts may exist. The EIR should identify all potential shoreline landfalls and associated cable routes and assess the impacts of each on benthic resources, water quality, submerged aquatic vegetation and the shoreline environment. The EIR should include alternative turbine designs and support structures for the ability to minimize impacts on land, habitat and wildlife.

The EIR should fully explain any trade-offs inherent in the alternatives analysis, such as increased impacts on some resources to avoid impacts to other resources. The alternative analysis should include a clear comparison (quantified to the extent feasible) of the impacts of

each alternative and its project components. The EIR should provide a rationale to explain why certain alternatives are selected and others ruled out for further consideration.

Greenhouse Gases and Air Quality

This project is subject to the EEA Greenhouse Gas Emissions Policy and Protocol. The EIR should address, in narrative form, the project's consistency with the Policy. The Policy is available on-line at http://www.mass.gov/envir/mepa/pdffiles/misc/GHG%20Policy%20FINAL.pdf.

The ENF indicates that the project will displace approximately 26,050 metric tons/year of carbon dioxide (CO_2), 43,709 metric tons/year of sulfur dioxide (SO_2) and 16.12 metric tons/year of nitrogen oxides (NOx). The ENF does not indicate how these estimates were developed. The proponent should include an updated estimate of air quality benefits including reductions in CO_2 (expressed in short tons per year), SO_2 and NOx. Estimates of air quality emissions associated with traditionally produced power should be based on the ISO-New England Marginal Emissions Report which provides emissions factors for a variety of stationary combustion sources. The EIR should include information on the data sources and/or models upon which the air quality estimates are based.

Cumulative Impacts

To assist permitting agencies in their evaluation of the potential impacts of this project, the EIR should provide a qualitative assessment of cumulative impacts associated with projects proposed, or recently completed, within Massachusetts Bay that have impacted or will impact similar habitat type (e.g. EEA #12958 Boston Harbor Navigation Improvement Project, EEA #10113 Winthrop Shores (offshore borrow site)). The EIR should include a matrix that summarizes these projects, identifies the extent of the impacted area (individually and cumulatively), identifies the nature and duration of impacts and compares the relative impacts of this project (including impacts on American lobster and Atlantic cod). The EIR should include a timeline that shows when the projects are planned to occur in relation to this project.

Land Alteration

The EIR should quantify the amount of land alteration associated with the project. It should discuss the resources present in lands proposed for alteration including benthic resources, rare species habitat, vegetation and archaeological resources. The EIR should investigate all feasible methods of avoiding, minimizing or mitigating impacts to land.

Chapter 91/Public Trust

The EIR should include an analysis of the project's compliance with the Waterways Regulations including: potential impacts to navigation, fishing and other water-dependent activities. As MassDEP indicated in its comments on previously proposed wind farms in Nantucket Sound and Buzzards Bay, under current Waterways Regulations (310 CMR 9.00), licensing of offshore wind turbines under M.G.L. c.91 would require a variance (310 CMR 9.21) for the proposed nonwater-dependent use of flowed tidelands. MassDEP recently issued draft regulatory revisions for public review that provide for the licensing of such structures without a variance. Under the proposed regulations, which have not yet been finalized, a wind turbine project can be found to be water-dependent if I determine, based on an alternatives analysis presented in an EIR, that the project cannot reasonably be located away from tidal waters. The proposed regulatory revisions would also allow MassDEP to license offshore wind turbines as nonwater-dependent infrastructure projects (310 CMR 9.55). The EIR will need to provide adequate information for the appropriate permitting mechanism including the project's compliance with the standards for nonwater-dependent infrastructure facilities.

Consistent with the provisions of *An Act Relative to Licensing Requirements for Certain Tidelands* (2007 Mass. Acts ch. 168, sec.8), which was enacted on November 15, 2008, I must conduct a Public Benefits Review as part of the EIR review of projects that require a Chapter 91 License. The legislation requires that I make a Public Benefits Determination in the Certificate on the Final EIR. The legislation states the following:

> "In making said public benefit determination, the secretary shall consider the purpose and effect of the development; the impact on abutters and the surrounding community; enhancement to the property; benefits to the public trust rights in tidelands or other associated rights, including, but not limited to, benefits provided through previously obtained municipal permits; community activities on the development site; environmental protection and preservation; public health and safety; and the general welfare; provided further, that the secretary shall also consider the differences between tidelands, landlocked tidelands and great pond lands when assessing the public benefit and shall consider the practical impact of the public benefit on the development."

The EIR should include adequate information regarding the project's impacts and benefits to assist in making this determination including the impact on public's right to access, use and enjoy tidelands that are protected by Chapter 91, and the identification of measures to avoid, minimize or mitigate any adverse impact on these rights. It should identify compensation for interference with public rights in Commonwealth Tidelands, if any, commensurate with identified impacts.

In addition to a general response to comments, the proponent shall provide a detailed response to the comment letter dated January 29, 2008 submitted by MassDEP, and I hereby incorporate by reference the additional requests for information contained in that letter as part of the scope of the EIR.

Fisheries and Marine Resources

Comments provided by DMF identify the importance of habitat located in the proposed project area. The EIR should include an assessment of impacts to fisheries (both commercial and recreational) and fisheries habitat. The EIR should provide a regional characterization of the area based on existing information. The EIR should include site-specific studies, commensurate with the scale of the project, for the proposed location of the turbines. The EIR should include a detailed description of marine resources including species presence, habitat function and ecological value. Given the nature and scale of the work, I expect that existing literature and data will be sufficient to characterize finfish resources. The proponent's field work should be developed to characterize physical and biological conditions. The EIR should include a draft Essential Fish Habitat (EFH) assessment.

Magnetic fields associated with submerged cables or other project components and their potential impacts to fisheries and marine mammals should be evaluated. In addition, the EIR should include a literature review and summary of potential changes in community structure from the construction of the turbine foundations. Potential impacts should be identified, a draft monitoring plan should be developed and compensatory mitigation should be identified for indirect mortality of fisheries resources, delayed recovery of habitat and areas of habitat that are permanently altered.

Wetlands

The ENF indicates that the project may result in temporary impacts to 12,000 sf of Land Under the Ocean and 2,000 sf of Coastal Beach and Barrier Beach. If monopiles are selected as the foundation type, permanent impacts would be limited to approximately 907 sf of Land Under the Ocean. Use of other foundation types would increase the level of permanent impacts.

The EIR should include plans that delineate all applicable resource area boundaries including riverfront areas, buffer zones, 100-year flood elevations, priority and/or estimated habitat and waterways. The EIR should quantify the impact to resource areas associated with each alternative and propose mitigation measures. It should describe the nature of all impacts that cannot be avoided and whether they are temporary or permanent in nature.

The EIR must identify how the project will meet the performance standards of the Wetlands Protection Act for the wetland resources that will be affected by the project. These standards are specifically identified in the comment letter submitted by MassDEP.

Water Quality

Comments from MassDEP indicate that both the placement of foundations for the wind turbines and the installation of the transmission cable are subject to Section 401 Water Quality Certification. The EIR must identify the project's compliance with the Water Quality Certification regulations (314 CMR 9.00) document baseline conditions of the offshore area and

describe how those uses will be maintained in accordance with the Massachusetts Surface Water Quality Standards (314 CMR 4.00).

Comments from MassDEP indicate that construction of the wind turbine foundations and pilings are considered to be fill activities. Regulations include standards for evaluating discharge of fill material, including the requirement that the project analyze alternatives that have less adverse impact on the aquatic ecosystem. For projects that are not water dependent, the regulations state a presumption that an alternative exists that does not involve the discharge of fill material. The alternatives analysis should be designed to satisfy the requirements of these regulations and should analyze alternatives that minimize impacts to Land Under the Ocean and associated habitat. The EIR should address whether scour protection is necessary at the base of turbine foundations and for the cables. In addition, the EIR should address impacts of the project on sediment transport.

The EIR should provide information on dredging and drilling methods, including the jet plow technology and HDD, the volume of material to be dredged, proposed disposal site (if appropriate) and mitigation measures. The EIR should provide a preliminary characterization of the physical and chemical properties of the sediment and subsurface geophysical data along the proposed cable route and feasible alternatives. MassDEP comments note that this information will be necessary to evaluate any impacts from excessive turbidity and/or dispersion of contaminants in the sediment. The EIR should analyze the trade-offs between a longer route (and potentially larger area of impact) located entirely in sand with a more direct route through different surface and subsurface conditions that may require a combination of construction techniques. The EIR should also assess whether the proposed depth of cable is adequate to prevent exposure and whether any armoring will be required.

In addition to a general response to comments, the proponent shall provide a detailed response to the comment letter dated January 29, 2008 submitted by MassDEP and I hereby incorporate by reference the additional requests for information contained in that letter as part of the scope of the EIR.

Rare Species and Avian/Bat Impacts

The project is located within Estimated and Priority habitat for the Common Tern and Least Tern. Comments from NHESP identify concerns with the impacts of the proposed wind turbines on state-listed shorebirds. Comments from MassAudubon suggest that the Bald Eagle, Peregrine Falcon, Roseate Tern, Piping Plover and Common Loon may also be present in the project area. The ENF indicates that the proponent will conduct a Phase I Avian Risk Assessment and seasonal field studies to identify spatial and temporal characteristics of avian activity and identify potential impacts. The Avian Risk Assessment should be sized commensurate with the scope of this project and, as requested in the comment letter from the NHESP, it should include offshore and coastal observations during migration and nesting periods of marine bird species and, in particular, state-listed terns. The EIR should assess the project's potential impacts to bats, as part of the risk assessment.

Based on comments from Mass Audubon and consultation with NHESP, the EIR should provide the results of a one-year pre-construction monitoring program for bird activity at the project site. The proponent should consult with NHESP in developing the protocols for the study, a primary purpose of which shall be to determine the potential risk of collision with the turbines. In the review of the EIR, I will consult with NHESP to determine if additional information is required to assess the project's impacts on avian resources. The proponent shall develop a post-construction avian monitoring plan as a component of the Environmental Management Plan discussed below.

The EIR should identify wind turbine designs that can minimize impacts to birds and bats by avoiding lighting, potential roosting areas and other features that might serve as an attraction. Also, it should assess avian impacts associated with the existing wind turbines. The proponent should consult with NHESP and the Massachusetts Audubon Society to develop protocols for the surveys and appropriate post-construction monitoring protocols.

Visual

The ENF indicates that the proponent will prepare a visual impact analysis to assess impacts. The study should include computer-simulated images from a range of vantage points and it should be designed to support the analysis of visual impacts on state parks and historic resources identified in comment letters by DCR and MHC. At a minimum, representative locations for the analysis should encompass the following locations: Nantasket Beach (including view of Boston Light Station), Fort Revere/Telegraph Hill, Boston Light, Georges Island, Peddocks Island, Hingham and Cohasset.

The EIR should analyze impacts from lighting and should discuss any federal lighting requirements (i.e. FAA or USCG). It should identify alternatives to minimize the visual impacts and potential impacts to birds and bats.

Noise

The EIR should include a noise impact analysis including construction and operational phases. The analysis should address all sources of sound associated with the proposed facility, including those associated with the anticipated types of technologies to by employed on-site. It should indicate whether noise from the project will be measurable above background noise from representative locations. The EIR should describe how the proposed project will comply with the MassDEP noise policy and describe all proposed measures to avoid, minimize and mitigate noise impacts.

The EIR should also evaluate the potential impacts of underwater noise and vibration for the turbines and potential biological and ecological effects from a change in the noise environment.

Historic and Archaeological Resources

Comments from MHC indicate that the project site is in the vicinity of several historic properties in Hull and Cohasset and that undisturbed portions of the project site are archaeologically sensitive and are likely to contain historic and archaeological sites associated with the ancient Native American and historic-period occupation of Hull. Comments from MHC and the Board of Underwater Archaeologists (BUAR) indicate that historic shipwrecks and submerged ancient Native American sites may exist within the offshore portions of the project area. Comments from BUAR note that the site has the potential to contain archaeological sites with classes of vessels of which knowledge is severely limited and are potentially historically and archaeologically significant.

The ENF should include the results of the reconnaissance historic survey and marine archaeological survey, the inventory of historic properties and the visual impact analysis in the EIR. The proponent should consult with the MHC to develop protocols for the historic and visual analysis survey. The EIR should identify measures to avoid minimize and mitigate impacts to historic and archaeological resources.

Construction

The EIR should present a discussion on potential construction period impacts (including but not limited to noise and vibration) and analyze feasible measures, which can avoid or eliminate these impacts. The ENF should identify how all project components will be constructed, identify construction staging requirements (for land-based and water-based components) and proposed staging areas and identify construction duration and sequencing.

Comments from DMF indicate that no in-water, silt producing activities should take place on Harding Ledge from May 30 to July 30 for the protection of American Lobster. In addition, no in-water silt producing work should take place in the vicinity of Nantasket Beach from June 15 to September 15 for the protection of spawning surf clams. The EIR should indicate how the project can be constructed within these time-of-year (TOY) restrictions.

Maintenance and Decommissioning

The EIR should include an operation, maintenance and repair plan for cables and structures. It should include a decommissioning plan that identifies how the turbines, towers, support structures, cables and other infrastructure will be removed in the event that the project ceases operations. The EIR should discuss how the decommissioning will be funded and outline steps that will be taken to minimize environmental impacts during removal of the structures.

Mitigation

The EIR should include a separate chapter on mitigation measures. This section should

identify appropriate mitigation for impacts to public rights of Commonwealth tidelands and identify compensatory mitigation plans for direct and indirect mortality of fisheries resources, delayed recovery of habitat and permanent alteration of habitat. The proponent should develop mitigation in consultation with the TWG. This section should form the basis of the proposed Section 61 Findings that will be presented in the Final EIR.

Environmental Monitoring

The ENF identifies the proponent's collaboration with MTC and the University of Massachusetts Renewable Energy Research Laboratory (UMASS/RERL) to site and install its existing wind turbines and to develop this project. The proponent intends to use this project as a source for public education and research on the siting and operation of off-shore wind energy. As many comment letters have identified, monitoring will be an important part of this project's mitigation commitments. The EIR should outline a comprehensive Environmental Management Plan that incorporates a monitoring program for pre-construction, construction and post-constructions phases that will provide sufficient information to adequately assess actual impacts and inform the development of adaptive management strategies. The Environmental Management Plan should focus, in particular, on water quality, benthic habitat, fisheries and birds. The Plan should identify what will be monitored, how monitoring will be conducted and the proposed duration of monitoring.

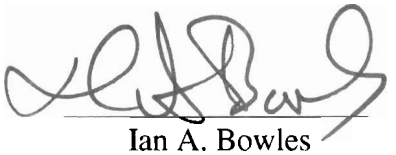
Response to Comments

To ensure that the issues raised by commenters are addressed, the EIR should include a response to comments section. This directive is not intended to, and shall not be construed to, enlarge the scope of the EIR beyond what has been expressly identified in this certificate. A copy of each comment letters should be included in the EIR. I defer to the proponent as it develops the format for this section, but the Response to Comments section should provide clear answers to questions raised.

Circulation

The EIR should be circulated in compliance with Section 11.16 of the MEPA regulations and copies should also be sent to the list of "comments received" below and to Hull, Cohasset and Hingham officials. A copy of the EIR should be made available for public review at the Hull Public Library, the Cohasset Public Library and the Hingham Public Library. The proponent should provide a hard copy of the EIR to each state agency and town department from which the proponent will seek permits or approvals.

February 8, 2008
Date



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Comments received:

1/17/08	Board of Underwater Archaeological Resources (BUAR)
1/29/08	Coastal Zone Management (CZM)
1/29/08	Department of Environmental Protection/Southeast Regional Office (MassDEP SERO)
1/29/08	Department of Conservation and Recreation (DCR)
1/29/08	Division of Fisheries and Wildlife
1/28/08	Department of Fish and Game/Natural Heritage Endangered Species Program (DFG/NHESP)
1/29/08	Division of Marine Fisheries (DMF)
1/11/08	Massachusetts Historical Commission (MHC)
1/29/08	Conservation Law Foundation (CLF)
1/29/08	MassAudubon
1/21/08	Paul Mullen
1/16/08	Bruce Wood
1/18/08	Herb Zeller
1/21/08	Edward Wiessmeyer

IAB/CDB/cdb