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April 24, 2009

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

PROJECT NAME: Little River Stream Naturalization and Habitat Restoration
PROJECT MUNICIPALITY: Gloucester
PROJECT WATERSHED: North Coastal
EEA NUMBER: 14387
PROJECT PROPONENT: City of Gloucester
Massachusetts Riverways Program
Massachusetts Audubon Society
National Oceanic and Atmospheric Administration
DATE NOTICED IN MONITOR: March 25, 2009

Pursuant to the Massachusetts Environmental Policy Act (MEPA) (G. L. c. 30, ss. 61-62I) 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).

Project Description

As detailed in the Environmental Notification Form (ENF), the project involves restoring approximately 600 feet of the Little River which is currently channelized within a concrete fish ladder adjacent to the Gloucester drinking water filtration plant, and daylighting a portion of the stream, including the removal of a section of the Essex Avenue culvert. The stream channel will be naturalized to enhance aquatic and riparian habitat. In addition, a portion of the filtration plant sludge lagoon will be reclaimed for restoration as a salt marsh. The project is designed with the goal of improving fish passage and habitat and creating a more natural stream configuration.

Estimated impacts to wetland resource areas include temporary impacts to 1,165 linear feet (lf) of Fish Runs, 1,095 lf of Bank, 70 lf of Coastal Bank, and 5,376 square feet (sf) of

Bordering Vegetated Wetlands (BVW), which would be restored or improved. In addition, the project proposes to create 7,010 sf of salt marsh and 2,541 sf of BVW. The ENF estimates that approximately 27 cubic yards of sediment will be dredged and naturally redistributed on site.

Jurisdiction

The project is undergoing review pursuant to Sections 11.03(3)(b)(1)(a), 11.03(3)(b)(1)(b) and 11.03(3)(b)(1)(d) of the MEPA regulations because it is being undertaken by a state agency and will result in the alteration of a coastal bank, the alteration of more than 500 lf of bank along a fish run and the alteration of more than 5,000 sf of BVW. The project requires a Section 404 Permit from the U.S. Army Corps of Engineers, and an Order of Conditions from the Gloucester Conservation Commission. The proposed project may be subject to federal consistency review by the Massachusetts Office of Coastal Zone Management.

The project will be undertaken by and financed by the Massachusetts Riverways Program (Riverways), a State agency. Therefore, 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, as defined in the MEPA regulations.

Wetlands/Dredging

This restoration project is designed to convert this altered stream back to its natural state. The Little River supports river herring and smelt runs and other diadromous fish. The existing concrete fish run and portions of a concrete culvert will be removed and restored with a more natural bank and riparian area. Comments received from state agencies and the Massachusetts Audubon Society were very supportive of the restoration goals and overall habitat improvements proposed for the Little River.

The Proponent intends to file a Notice of Intent (NOI) for the project with the Gloucester Conservation Commission under the limited project provisions of the Wetlands Protection Act. In their comments on the ENF, the Massachusetts Department of Environmental Protection (MassDEP) recommends that the NOI include a dewatering plan that avoids and minimizes impacts to wetlands, an erosion and sedimentation control plan for protection of downstream shellfish beds, and a monitoring plan for the replicated coastal and inland wetland resources.

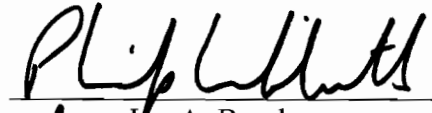
The Massachusetts Division of Marine Fisheries (DMF) acknowledges the importance of the Little River for diadromous and catadromous fish passage, migration and spawning. DMF has recommended a time-of-year (TOY) restriction on all in-water work from March 1 to June 30 to protect spawning alewife (*Alosa pseudoharengus*), blueback herring (*Alosa aestivalis*), American eel (*Anguilla rostrata*) and rainbow smelt (*Osmerus mordax*) spawning and juvenile habitat. Based upon information shared at the MEPA consultation session, this TOY restriction does not appear to conflict with the anticipated construction period.

Conclusion

The ENF has served to adequately disclose the potential impacts and mitigation associated with the project. Based on review of the ENF, comment letters received, and consultation with relevant agencies, I find that the impacts of the project do not warrant the preparation of an EIR. I conclude that no further MEPA review is required. The Proponent may resolve any remaining issues during the state and local permitting processes.

April 24, 2009

Date


for Ian A. Bowles

Comments received:

04/08/2009 Massachusetts Office of Coastal Zone Management
04/14/2009 Massachusetts Department of Environmental Protection, NERO
04/14/2009 Massachusetts Audubon Society
04/16/2009 Massachusetts Division of Marine Fisheries

IAB/PPP/ppp