



The Commonwealth of Massachusetts

Executive Office of Environmental Affairs

100 Cambridge Street, Suite 900

Boston, MA 02114-2524

MITT ROMNEY
GOVERNOR

KERRY HEALEY
LIEUTENANT GOVERNOR

STEPHEN R. PRITCHARD
SECRETARY

May 10, 2006

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

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

PROJECT NAME : Carrigg Single-Family Home, Fixed Pier, Gangway, & Float

PROJECT MUNICIPALITY : Puddingstone Lane - Westport

PROJECT WATERSHED : Buzzards Bay

EOEA NUMBER : 13761

PROJECT PROPONENT : Richard E. & Lesley G. Carrigg

DATE NOTICED IN MONITOR : March 22, 2006

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 determine that the above project **does not require** the preparation of an Environmental Impact Report (EIR).

According to the Environmental Notification Form, the proposed project, as described in a plan revised April 10, 2006, consists of the construction of an approximately 3,500 square foot (sf) single family home, a 40 sf stairway, a 32 sf landing, a permanent 192 sf fixed pile-supported pier, a 64 sf gangway, and a 200 sf float in the West Branch of the Westport River. The project site contains 42,560 sf.

This project is subject to MEPA review pursuant to Section 11.03(3)(b)(1)(a) because the project involves the alteration of coastal bank. A Chapter 91 Waterways License for a water-dependent use will be required from the Department of Environmental Protection (DEP) for the construction of the fixed pier, gangway, and float. The project will require a Superseding Order of Conditions from DEP. It may need Federal Consistency Review by the Massachusetts Coastal Zone Management (MCZM) Office. The project may require a Programmatic General Permit from the U.S. Army Corps of Engineers. The project may have to comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site. On September 6, 2005, the proponent received a denial from the Westport Conservation Commission. MEPA jurisdiction is limited to the subject matter of the state permits involved (waterways, wetlands, and stormwater issues).

According to the proponent, the project may impact the following wetland resource areas: approximately 120 sf of coastal bank (stairs, landing, & pier), 80 sf of Inter-Tidal Zone (pier), and 320 sf of Land Under Water (pier, gangway, & float). The proponent has stated that it will carefully place piles outside the Inter-Tidal Zone to avoid any impacts to salt marsh.

The quality of the stormwater runoff generated by the project will be improved by the implementation of Best Management Practices. Existing site runoff is sheet flow. The project will create 5,450 sf of new impervious area. Roof runoff will be sheet flow.

During its permitting process, DEP will finalize the specific details of the project design for the fixed pile-supported pier, gangway, and floats. Work should be performed at high tide. The proponent should take appropriate measures to contain all construction debris from the marine environment. The proponent has committed to install stops on the float. It should build the fixed pier and gangway so that it complies with DEP's "A Guide to Permitting Small, Pile-Supported Docks and Piers" (November 2003). DEP should ensure that the proponent provides planks with at least ¾ inch spacing to permit light penetration or alternate spacing acceptable to DEP.

Based on a review of the information provided by the proponent and after consultation with relevant public agencies, I find that the potential impacts of this project do not warrant the preparation of an EIR and can be properly addressed in the DEP permitting process.

May 10, 2006

Date


Stephen R. Pritchard

cc: Sharon Stone, DEP/SERO

Comments received:

Boucher & Heureux, 4/10/06

MA Board of Underwater Archaeological Resources, 4/10/06

DEP/SERO, 4/14/06

Westport Conservation Commission, 4/21/06

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SRP/WTG/wg