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July 11, 2008

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

PROJECT NAME : Medouie Creek Salt Marsh Restoration  
PROJECT MUNICIPALITY : Nantucket  
PROJECT WATERSHED : Nantucket Harbor  
EOEA NUMBER : 14258  
PROJECT PROPONENT : Nantucket Conservation Foundation  
DATE NOTICED IN MONITOR : June 11, 2008

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 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 consists of restoration of the Medouie Creek salt marsh which borders the northern edge of Polpis Harbor in Nantucket. Its tidal exchange with the harbor is severely restricted by the presence of dike roads and the partial blockage of the only remaining connecting channel. The project proposes to restore substantial tidal flow to the currently degraded salt marsh by opening a ford in the road and installing a three-foot by three-foot box culvert to increase tidal exchange which will allow for more efficient removal of pollutants and improve water quality.

Estimated project impacts include temporary impacts to 2,038 square feet (sf) of Salt Marsh, 7,016 sf of Land Subject to Coastal Storm Flowage and 3,207 sf of Bordering Vegetated Wetlands (BVW). The ENF estimates that the project will permanently impact 216 sf of Salt Marshes, 1,790 sf of Land Subject to Coastal Storm Flowage and 418 sf of Bordering BVW. According to the 12<sup>th</sup> Edition of the Massachusetts Natural Heritage Atlas, the project is located within Priority and Estimated Habitat.

### Jurisdiction

The project is undergoing MEPA review pursuant to Section 11.03 (3)(b)(1)(f) and Section 11.03 (2)(b)(2) because it requires state permits and consists of the alteration of ½ or more acres of any other wetlands and includes an area mapped as a Priority Site of Rare Species which will result in a probable take of a threatened or endangered species. The project requires a Chapter 91 License and a 401 Water Quality Certificate from the Department of Environmental Protection (MassDEP). It also requires an Order of Conditions from the Nantucket Conservation Commissions (and hence a Superseding Order from MassDEP if the local Order were appealed).

The proponent will be receiving funding for this project from the Massachusetts Coastal Zone Management (CZM). 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.

### Review of the ENF

The project will result in substantial environmental benefits by increasing the viability of the salt marsh and reducing Typha (cattail) and the invasive species, Phragmites australis. The ENF included an alternatives analysis that compared six alternatives including the preferred alternative and a no-action alternative. The ENF also described existing and proposed conditions within the project area. Based on comments received, the proponent's preferred alternative generally minimizes environmental impacts to wetlands.

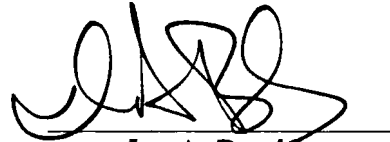
According to the Division of Fisheries and Wildlife Natural Heritage and Endangered Species Program (NHESP), the project site and surrounding areas are mapped as *Priority* and *Estimated Habitat* for rare species. The proponent has consulted with the NHESP and has submitted an Information Request Form to identify the rare species present on the site. The project may qualify for a habitat management exemption pursuant to 321 CMR 10.14(11). NHESP has stated that the proponent may choose to file a habitat management plan with NHESP in order to qualify for the Massachusetts Endangered Species Act (MESA) filing exemption. Additionally, the NHESP has stated that it anticipates that the project will not require a Conservation and Management Permit pursuant to 321 CMR 10.23. The proponent and the NHESP should continue to work together on the preparation of this habitat management plan and ways to minimize impacts to rare species.

The project is within the Nantucket Historic District, a National Historic Landmark and local historic district, listed on the State and National Registers of Historic Places. The upland area proposed for equipment staging and storage abutting the road have the potential to contain intact significant archaeological resources according to the Massachusetts Historical Commission (MHC). MHC request that swamp matting be utilized in these areas for equipment staging and storage. The proponent should consult with MHC on this issue. I encourage the proponent to utilize erosion and sedimentation Best Management Practices (BMPs) during the construction period to limit overland flow of stormwater runoff. Additionally, these disturbed

areas should be planted with appropriate native grasses promptly upon completion of earth moving activities.

Given the analysis, design work, and review conducted to date, the support for the project from both state and federal resource management agencies, and the substantial positive impacts of the project, no further MEPA review is required. The ENF contains sufficient information to understand the impacts of the project, and to demonstrate that the impacts of the project do not warrant the preparation of an EIR. The proponent can resolve any remaining issues during the state permitting process.

July 11, 2008  
Date



Ian A. Bowles

Comments Received:

- 06/25/2008 Massachusetts Historical Commission
- 06/26/2008 Division of Marine Fisheries
- 07/01/2008 Massachusetts Department of Environmental Protection - Boston
- 07/02/2008 Division of Fisheries and Wildlife Natural Heritage and Endangered Species Program

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