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August 9, 2006

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

PROJECT NAME: : Dun Fudgin Boat Ramp
PROJECT MUNICIPALITY : Gloucester
PROJECT WATERSHED : North Coastal
EOEA NUMBER : 13831
PROJECT PROPONENT : City of Gloucester
DATE NOTICED IN MONITOR : July 10, 2006

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 involves the removal of remnants of a former City of Gloucester concrete swimming pool, associated fill, rock boulders, and invasive plant species from a 2-acre site located on the eastern side of the Annisquam River and immediately north of the Dun Fudgin Boat Ramp in Gloucester. According to the comments received from the Department of Environmental Protection (DEP), the project site has been recognized for its significant biodiversity and has been identified on the Massachusetts Biomap as a Core Habitat (ID C260) representing an example of freshwater habitat that should be the focus of proactive conservation activities. The project site has also been identified as a potential restoration site in the Massachusetts Audubon Society's City of Gloucester Comprehensive River and Stream Habitat Restoration Report of 2002. The project site contains previously altered salt marsh, Land Subject to Coastal Storm Flowage, Land Subject To Tidal Action, Coastal Bank, Coastal Beach and Riverfront Area. The project will help restore intertidal conditions in this area and will include the planting of approximately 2400 sf of the project site with salt marsh grass and construction of a 6' diameter salt panne to retain water between tides.

The project is undergoing review pursuant to Section 11.03(b)(1)(f) of the MEPA regulations, because the project will result in the alteration ½ or more acres (approximately 1 acre total) of previously altered wetland resource areas. The project requires an Order of Conditions from the Gloucester Conservation Commission (and hence may require a Superseding Order(s) from DEP if any local Orders were appealed). The project requires a Chapter 91 License from DEP, and a Section 404 Category I Programmatic General Permit authorization from the U.S. Army Corps of Engineers (ACOE) under the Clean Water Act. The project may also require a 401 Water Quality Certification from DEP if the volume of fill material to be removed from the project site exceeds 100 cubic yards.

Because the proponent is not seeking financial assistance from the Commonwealth for the project, MEPA jurisdiction generally is limited to those aspects of the project that are within the subject matter of the required state permit, including land alteration, wetlands, and stormwater management.

Land Alteration/Wetlands

As described in the ENF, the project will result in the restoration of intertidal conditions to a portion of the 2 acre project site. The proponent has proposed to establish a salt marsh area within the project site through the planting of low salt marsh vegetation (*Spartina alterniflora*) between elevations 7-9 feet National Geodetic Vertical Datum (NGVD), and (*Spartina patens*) between elevations 9-10 feet NGVD. The proponent also proposes to remove an area of invasive plant species including bittersweet, multiflora rose and scotch broom, located in an upland area of the project site. This area will be replanted with native non-invasive riparian plant species.

Stormwater

According to the proponent, the proposed project's stormwater management plan has been designed in compliance with DEP's Stormwater Management Policy, and incorporates best management practices (BMPs) including catch basins and Stormceptor water quality treatment devices. The stormwater from the project will be discharged to the Annisquam River. In their comments, DEP has indicated that the project site abuts a section of the Annisquam River that has been determined to be degraded from pollutants containing pathogens, and is listed as a Category 5 waterbody in the *Massachusetts Year 2006 Integrated List of Waters*. DEP has requested that the project's stormwater management plan restrict or regulate stormwater runoff from the project site.

The proponent should also work closely with the City of Gloucester to ensure that the stormwater management plan is in conformance with the City of Gloucester's National Pollutant Discharge Elimination System (NPDES) Phase II Stormwater management permit program. The proponent should continue to work closely with DEP during the permitting process to address the comments received from DEP concerning the proponent's proposed stormwater management plan.

Based on the information provided by the proponent and consultation with relevant public agencies, I conclude that no further MEPA review is required. The review of the ENF has served adequately to disclose potential impacts and mitigation, and to demonstrate that project impacts do not warrant the preparation of an Environmental Impact Report.

August 9, 2006
DATE


Stephen R. Pritchard, Secretary

Comments received:

07/31/06 Massachusetts Department of Environmental Protection – NERO

#13831 ENF
SRP/NCZ/ncz