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August 22, 2008

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

PROJECT NAME : Fore River Shoreline Stabilization & Wharf Replacement  
 PROJECT MUNICIPALITY : 9 Bridge Street - Weymouth  
 PROJECT WATERSHED : Boston Harbor  
 EEA NUMBER : 14280  
 PROJECT PROPONENT : Fore River Development, LLC  
 DATE NOTICED IN MONITOR : July 9, 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 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 consists of the overshooting by 18-inches of the deteriorated timber bulkhead with approximately 1,000 linear feet of steel sheet pile bulkhead with a concrete cap. The project includes the removal and reconstruction of the collapsing 30,000 square foot (sf) (600 x 50 feet) concrete wharf. It will require approximately 650 cubic yards of fill at the existing sink hole. The proponent would also demolish the four associated concrete dolphins. It is proposing to complete the work in three phases. Phase 1 includes the repair to the bulkhead and the demolition of the existing wharf. Work will progress from West to East and is based on funding availability. The proponent will remove and replace the timber piles with fewer steel piles as needed during each phase. The project site is comprised of about 1.2 acres of land area and 30,000 sf of water area. The project site is located within a Designated Port Area (DPA) for the Fore River. According to the proponent, the project would affect approximately 30,000 sf of Land Under the Ocean (LUO) for the wharf, 1,000 linear feet of Coastal Bank – bulkhead work; and 15,000 sf of Land Subject to Coastal Storm Flowage (LSCSF) from the construction staging (temporary).

The project is subject to MEPA review pursuant to Sections 11.03(3)(b)(1)(a), 11.03(3)(b)(1)(e), 11.03(3)(b)(1)(f), and 11.03(3)(b)(6) because the project alters coastal bank; includes a new structure (sheet piles) in a velocity zone or regulatory floodway; alters 0.5 or

more acres of wetlands (Land Under the Ocean (LUO)); and reconstructs a pile-supported or bottom-anchored structures of 2,000 or more sf of base area (30,000 sf). The proponent is proposing this work as maintenance under its existing Chapter 91 Waterways License (as water-dependent coastal structures) from the Department of Environmental Protection (MassDEP). MassDEP will treat the project as a Minor Project Modification. If any bulkhead construction is proposed at the location of the Massachusetts Water Resource Authority's (MWRA) storm drain, an 8(m) Permit is required. On July 18, 2008, the proponent received an Order of Conditions from the Weymouth Conservation Commissions. The project will also require an Order of Conditions from the Quincy Conservation Commission. It should comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site. A Programmatic General Permit will be needed from the U.S. Army Corps of Engineers. A Federal Consistency Review by the Massachusetts Coastal Zone Management (MCZM) office may also be necessary. MEPA jurisdiction is limited to those aspects of the project whose environmental impacts are related to the subject matter of the state permits (waterways, wetlands and stormwater), and that may cause Damage to the Environment as defined in the MEPA regulations.

The project's impacts to wetland resource areas can be adequately minimized and mitigated during the MassDEP, Federal, and local permitting processes. MassDEP has sufficient authority to ensure that no significant impacts occur because of this project.

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 MassDEP and local permitting processes. No further MEPA review is required.

August 22, 2008

Date

  
for Ian A. Bowles

Comments received:

Ocean and Coastal Consultants, 7/11/08

MWRA, 7/29/08

MassDEP/SERO, 7/29/08

Mayor's Office – Weymouth, 8/7/08

Ocean and Coastal Consultants, 8/19/08

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