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December 10, 2008

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

PROJECT NAME : Maintenance Dredging at Port Norfolk Yacht Club  
PROJECT MUNICIPALITY : Boston (Dorchester)  
PROJECT WATERSHED : Boston Harbor  
EOEA NUMBER : 14336  
PROJECT PROPONENT : Port Norfolk Yacht Club  
DATE NOTICED IN MONITOR : November 10, 2008

Pursuant to the Massachusetts Environmental Policy Act (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

The project consists of dredging the boat basin and float system at the Port Norfolk Yacht Club (PNYC) which is located on a 3.9 acre site in Dorchester. The project will involve maintenance dredging of approximately 15,000 cubic yards (cy) of silty/sandy material that has accumulated under and around the PNYC boat basin and float system since dredging in 2003. The purpose of the project is to restore adequate depth for the boats currently using the marina. The proposed dredging elevation is -6 foot mean low water (MLW) with a one foot allowance for over dredge. Prior to dredging, the floats and approximately 50 timber piles will be removed. Piles will be driven at their previous locations. Dredging will be conducted from a floating barge with a mechanical sidearm clamshell bucket. Dredge material will be deposited onto floating closed scows for disposal at the Massachusetts Bay Disposal Site (MBDS).

### Project Site

The 3.9 acre site is located at 179 – 181 Walnut Street in Boston. It is located in the Neponset River Estuary Area of Critical Environmental Concern (ACEC). The site contains a clubhouse, parking, boat storage, a marine railway, accessory structures, piers and floating docks. It abuts the Neponset River to the east, a commercial property to the northwest and residences to the west and south.

### Environmental Impacts

The project will impact approximately 98,527 square feet of Land Under the Ocean (LUO) and Land Containing Shellfish. Measures to avoid, minimize and mitigate impacts include avoidance of work within the intertidal zone, use of a floating boom with attached silt curtain, use of a clamshell bucket with water tight enclosure with flaps in the bucket hinge to minimize turbidity and compliance with time of year (TOY) restrictions from February 15 to June 15 to protect the spawn of winter flounder and anadromous fish.

### Permits and Jurisdiction

The project is undergoing MEPA review pursuant to Section 301 CMR 11.03 (3)(b)(1)(f), 11.03 (3)(b)(3) and 11.03 (11)(b) of the MEPA regulations because it requires a state permit and consists of alteration of ½ or more acres of any other wetlands, consists of dredging of 10,000 or more cy of material and is located within a designated ACEC. The project requires a Chapter 91 License and a 401 Water Quality Certification from the Department of Environmental Protection (MassDEP). The project is subject to Federal Consistency Review by Coastal Zone Management (CZM). In addition, it requires an Order of Conditions from the Boston Conservation Commission (and hence a Superseding Order of Conditions from MassDEP if the local Order is appealed).

Because the proponent is not seeking financial assistance from the Commonwealth for the project, MEPA jurisdiction is limited to those aspects of the project that are within the subject matter of required or potentially required state permits and which may cause Damage to the Environment as defined in the MEPA regulations. These include wetlands, waterways and water quality.

### Review of the ENF

The review of the ENF has served to adequately disclose the potential impacts associated with this project. Comments from public agencies do not identify any significant concerns with the project as proposed.

DCR's ACEC Program and CZM note that this project may only be authorized as a maintenance dredging project within the ACEC and, therefore, must be contained within the footprint of the previously authorized waterways license (license #9210 dated February 5, 2002).


Comments from the ACEC Program indicate that the project is consistent with one of the goals of the *Neponset River Estuary ACEC Resource Management Plan*, which is to preserve existing water-dependent uses. In addition, the ACEC Program suggests that the proponent consult with MassDEP regarding alternatives to pressure treated wood piles in the event that replacement piles are needed.

Comments from the Boston Water and Sewer Commission (BWSC) indicate that a storm water outfall (SDO 091) is located near the intersection of Walnut Street and Ericsson Street and in close proximity to the dredging project. These comments indicate that the project must not impact the ability of this outfall pipe to discharge during or after dredging. In addition, BWSC requests that the PNYC add the location of the outfall pipe to project plans.

Based on the information in the ENF and after consultation with relevant public agencies, I find that no further MEPA review is required. The project may proceed to permitting.

December 10, 2008

Date



Ian A. Bowles

Comments Received:

11/21/08	Coastal Zone Management
12/1/08	Department of Conservation and Recreation (DCR)/Areas of Critical Environmental Concern Program(ACEC)
11/25/08	Boston Water and Sewer Commission (BWSC)

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