



# The Commonwealth of Massachusetts

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December 15, 2006

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CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS  
ON THE  
NOTICE OF PROJECT CHANGE  
AND REQUEST FOR PHASE I WAIVER

PROJECT NAME : Nantasket Beach Coastal Storm Damage Protection Project  
PROJECT MUNICIPALITY : Hull  
PROJECT WATERSHED : Boston Harbor  
EOEA NUMBER : 12668  
PROJECT PROPONENT : Department of Conservation and Recreation (DCR)  
DATE NOTICED IN MONITOR : November 8, 2006

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 6I-62H) and Section II.06 of the MEPA regulations (30I CMR II.00), I hereby determine that this project **continues to require** the preparation of an Environmental Impact Report (EIR).

As described in the Environmental Notification Form (ENF) reviewed in January, 2002, the proposed project involves a phased storm damage protection project along Nantasket Beach. As originally proposed, Phase I involved: 1) repairs to an existing 5,400-foot-long section of seawall; 2) replacement of a 550-foot-long section of collapsed seawall; and 3) rubble toe protection of a 450-foot-long section of seawall located immediately to the north of the collapsed section. Phase 2 involved the placement of approximately 280,000 cubic yards (cy) of sand along the 6,800-foot-long beach.

The project is subject to environmental review pursuant to 30I CMR II.03 (3)(a)(I)(b) of the MEPA regulations because it involves alteration of more than ten acres of wetlands other than Bordering Vegetated Wetlands. The project will require a 401 Water Quality Certification and a Chapter 9I License from the Department of Environmental Protection (DEP) and may require Federal Consistency Review by the Office of Coastal Zone Management (CZM). The project also requires a Programmatic General Permit from the U.S. Army Corps of Engineers and an Order of Conditions from the Hull Conservation Commission (and hence a Superceding Order of Conditions from DEP if the local Order is appealed). Because DCR is an agency of the Commonwealth, MEPA jurisdiction extends to all aspects of the project that may cause significant Damage to the Environment.

In January, 2005 the proponent submitted a Notice of Project Change (NPC) which addressed two separate changes to the project: a Temporary Seawall Fortification (TSF) that was constructed in the summer of 2004 under emergency authorizations from DEP, the MEPA Office and the Hull Conservation Commission for an area of the seawall most prone to failure; and the division of the project into three phases: 1) replacement of the northern section of seawall with an approximately 930-foot-long new stone revetment; 2) repairs to the remainder of the existing seawall; and 3) sand nourishment along 6,800 feet of beach. The proponent also requested a Waiver under the MEPA regulations, which was granted, to allow Phase I work to proceed in advance of the preparation of the Environmental Impact Report. The new Phase I work included removing the 550-foot-long section of collapsed seawall as well as the 450-foot-long section that was previously proposed for rubble-toe protection and replacing these with a 930-foot-long stone revetment, which will be located approximately 21 feet landward from the originally proposed project.

The current NPC requests an expansion of the work to be completed under the Phase I Waiver granted in January, 2005. The proposed expansion of work change includes the construction of 2,000 linear feet of Seawall Toe Protection (STP) designed to improve the stability of a vulnerable section of the seawall along the middle section of the Nantasket Beach Reservation, beach access improvements, minor seawall repairs, and beach and dune nourishment.

I propose to grant the Phase I Waiver, which is an expansion of the Phase I Waiver granted in January, 2005. This Waiver will allow the first phase of the project to proceed to the state permitting agencies prior to completion of the Draft and Final EIRs for the entire project, as detailed in a separate Draft Record of Decision (ROD) issued today. As detailed in the Draft ROD, and in accordance with Section 11.11(4) of the MEPA regulations, I find that the potential environmental impacts of Phase I are insignificant; ample and unconstrained infrastructure exists to support Phase I of the project; the project is severable such that Phase I does not require the implementation of any future phases; and the state agency actions on Phase I will contain conditions that ensure due compliance with MEPA.

The proponent, the Department of Conservation and Recreation (DCR), has been working to expedite the reinforcement of the middle section of the seawall to protect the structural stability and avoid further deterioration. The northern and southern sections have already been reinforced. I note, however, that the Nantasket Board of Selectmen has recently voted to request that the work on the seawall toe protection in the middle reach of the Nantasket seawall be postponed. DCR will move forward with improvements to beach access ways along the southern area of the seawall. The improvements are expected to be completed by early July, 2007.

The proponent continues to work closely with an interagency team comprised of representatives from DEP, CZM, the Division of Marine Fisheries, and the Executive Office of

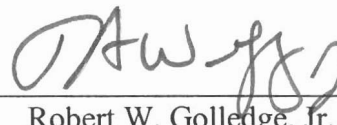
Environmental Affairs and has participated in several recent coordination meetings regarding the proposed project change work. As part of the project, I advise the proponent to conduct pre- and post-construction surveys to monitor conditions at the site. CZM recommends, and I concur, that the post-construction surveys be conducted on a quarterly basis for a minimum of 2 years and then on an annual basis until the beach nourishment component of the project is implemented, and also immediately following any ten-year (or greater) return frequency storm event in order to provide sufficient information regarding the effects of the project on the beach. The survey reports should be provided to CZM within one month following completion of the survey. The proponent should continue to consult with CZM to develop a monitoring protocol.

In its comments, the Massachusetts Historical Commission has determined that the project change will have no "adverse effect" (36 CFR 800.5(b) and 950 CMR 71.07(2)(b)(2)) upon the historical characteristics on the Hull Shore Drive/Nantasket Avenue National Register Historic District.

The project is still subject to the preparation of a mandatory EIR, as detailed in the scope contained in the Certificate on the Environmental Notification Form issued on January 25, 2002.

December 15, 2006

Date



Robert W. Golledge, Jr.

Comments received:

11/22/06	Office of Coastal Zone Management
11/24/06	Massachusetts Historical Commission
12/07/06	MA Division of Marine Fisheries

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