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December 22, 2006

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CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS ON THE NOTICE OF PROJECT CHANGE

PROJECT NAME	: Horseneck Beach State Reservation Site Improvements
PROJECT MUNICIPALITY	: John Reed Road - Westport
PROJECT WATERSHED	: Buzzards Bay
EOEA NUMBER	: 10846
PROJECT PROPONENT	: Department of Conservation and Recreation (DCR)
DATE NOTICED IN MONITOR	: November 22, 2006

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and Section 11.10 of the MEPA regulations (301 CMR 11.00), I have reviewed the Notice of Project Change (NPC) submitted on this project and determine that it **does not require** the preparation of an Environmental Impact Report (EIR) or further MEPA review.

The proposed project originally consisted of the implementation of Master Plan improvements to the Horseneck Beach State Reservation. It included the following items: restoring the frontal dune, upgrading the existing water supply and septic disposal systems, replacing the existing centralized comfort station with five satellite comfort stations, improving traffic circulation, replacing the existing administration and bathhouse buildings, and providing elevated boardwalks to direct visitor access. These improvements were proposed in previously disturbed areas, and the construction was to occur in phases. On September 9, 1996, the Secretary determined that the project required the preparation of an EIR. However, the Secretary allowed for the proponent to complete the following improvements while it prepared the EIR. These improvements included the upgrading of the current water and wastewater treatment systems, the removal of 30 camp sites off the primary dune, construction of some of the elevated boardwalks across the primary dune to the beach, construction of a tot-lot in the campground, and ordinary maintenance activities of the facilities.

In 1997, the proponent submitted an NPC to implement the following additional elements as the Draft EIR was prepared. These elements included the installation of a prefabricated wood-frame contact station at the beach facility entrance, a sand volleyball court, a paved basketball court at the campground, and a permanent contact station. On June 23, 1997, the Secretary determined that the potential impacts of these above elements were not significant enough to

delay implementation until the EIR is prepared.

This NPC was submitted for MEPA review on November 15, 2006. It has reduced the project site acreage from 75 to 12 acres, the land alteration from 65 to 9 acres, and impervious area from 40 to 3 acres. The proponent has revised the project to include the following items: two new elevated bathhouses with elevated deck/ramp/stair area (6,240 sf); a new elevated Beach Services Building with elevated deck/ramp/stair area (6,450 sf); four elevated dune crossings (7,524 sf); and water system and septic system improvements. The existing buildings were determined to be beyond cost-effective rehabilitation by DCR. According to the proponent, all of the proposed buildings will be located outside the FEMA designated Velocity Zone in parking lots on the landward side of the dune and will be elevated to allow for the migration of sand. The bathrooms will use a water-less composting technology. The proponent has estimated that this water-less technology will save approximately 1.5 million gallons of potable water per season. The water saving technology will eliminate the need for the proposed wastewater treatment facility and it will reduce nitrogen loading at the site. DCR proposes that all work is within currently altered areas. Once the proposed buildings are constructed, the existing buildings and 6 acres of adjacent impervious surfaces would be removed. The proponent will reduce the number of parking spaces from 2,800 to 2,446.

The proponent is seeking a Water Quality Certificate, Building Demolition Permits, a Groundwater Discharge Permit, and a Water Distribution Modification Permit from the Department of Environmental Protection (MassDEP). The proponent has submitted a Massachusetts Endangered Species Act Permit application to the Natural Heritage and Endangered Species Program. The project may require Federal Consistency Review from the Massachusetts Coastal Zone Management (MCZM) Office. It will require an Order of Conditions from the Westport Conservation Commission for work within wetland resource areas. The project may require a Programmatic General Permit from the U.S. Army Corps of Engineers. It must comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site.

The proposed project will be connected to the existing DCR water system and a new cluster wellfield. It will consume approximately 32,000 gallons per day (gpd) of potable water and will generate approximately 17,160 gpd of wastewater to its on-site wastewater treatment facility.

According to the proponent, the project will affect approximately 411,400 sf of Coastal Dune/Land Subject to Coastal Storm Flowage. However, there will be a reduction in impervious areas and an increase in natural coastal dune accumulation due to the removal of impervious surfaces, and the movement of buildings further from the coast.

The Natural Heritage Atlas maps indicate that portions of the project site are located within Priority Habitat and Estimated Habitat. The Natural Heritage Endangered Species

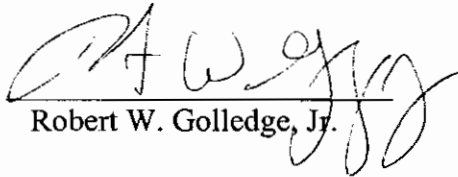
Program (NHESP) has been consulting with the proponent to address rare species concerns. NHESP supports the proposal to direct foot traffic across the dunes via elevated boardwalks to protect habitat, to monitor and protect nest sites during and after construction, and to erect fences to allow for dune accumulation and to prevent disturbance to the habitat. The proponent has submitted a Massachusetts Endangered Species Act filing, and the preliminary review of the project by the NHESP suggests that the proponent may be able to avoid a "take" of state-listed species.

The proponent should develop a Barrier Beach Management Plan and establish a schedule for completing it as part of its state permitting process. The MCZM has suggested the proponent utilize the excavated soil from the construction of the composting facility to help establish a dune environment in the 80 foot wide area between the proposed location for the West Bathhouse and the existing primary dune.

Based on a review of the information provided by the proponent and after consultation with the relevant public agencies, I find that the potential impacts of this project change do not warrant the preparation of an EIR and can be adequately addressed in the MassDEP and local permitting processes. No further MEPA review is required to permit these above improvements to the Horseneck Beach State Reservation. The requirement for an EIR is rescinded for this revised project.

December 22, 2006

Date



Robert W. Gollidge, Jr.

cc: Sharon Stone, DEP/SERO

Comments received:

EOEA, 11/21/06

Weston & Sampson, 11/29/06

MCZM, 12/11/06

MassWildlife, 12/12/06

MassWildlife, 12/12/06

MassWildlife, 12/12/06

MassDEP, 12/12/06

MassDEP/SERO, 12/14/06

DCR, 12/14/06

MassDEP/SERO, 12/19/06

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