

For Office Use Only
Executive Office of Environmental Affairs
 EOE No.: 13018
 MEPA Analyst: Bill GAGE
 Phone: 617-626-1025

ENF Environmental Notification Form

The information requested on this form must be completed to begin MEPA Review in accordance with the provisions of the Massachusetts Environmental Policy Act, 301 CMR 11.00.

Project Name: NESBEDA BULKHEAD		
Street: 27 Cheney Road		
Municipality: East Orleans	Watershed: Pleasant Bay (Meeting House Pond)	
Universal Transverse Mercator Coordinates:	Latitude: 69-57-40	Longitude: 41-46-55
Estimated commencement date: Fall 2003	Estimated completion date: Fall 2003	
Approximate cost:	Status of project design: 100 %complete	
Proponent: Eugene & Jennifer Nesbeda		
Street: 706 Pequot Place		
Municipality: Franklin Lakes	State: NJ	Zip Code: 07417
Name of Contact Person From Whom Copies of this ENF May Be Obtained: David A. Lyttle		
Firm/Agency: RYDER & WILCOX, INC.	Street: PO Box 439	
Municipality: South Orleans	State: MA	Zip Code: 02662
Phone: 508-255-8312	Fax: 508-240-2306	E-mail: dlyttle@ryder-wilcox.com

- Does this project meet or exceed a mandatory EIR threshold (see 301 CMR 11.03)?
 Yes No
- Has this project been filed with MEPA before?
 Yes (EOEA No. _____) No
- Has any project on this site been filed with MEPA before?
 Yes (EOEA No. _____) No
- Is this an Expanded ENF (see 301 CMR 11.05(7)) requesting:
- a Single EIR? (see 301 CMR 11.06(8)) Yes No
 - a Special Review Procedure? (see 301 CMR 11.09) Yes No
 - a Waiver of mandatory EIR? (see 301 CMR 11.11) Yes No
 - a Phase I Waiver? (see 301 CMR 11.11) Yes No

Identify any financial assistance or land transfer from an agency of the Commonwealth, including the agency name and the amount of funding or land area (in acres):

Are you requesting coordinated review with any other federal, state, regional, or local agency?
 Yes (Specify DEP, ACOE, MCZM) No

List Local or Federal Permits and Approvals: Please see attached list

Which ENF or EIR review threshold(s) does the project meet or exceed (see 301 CMR 11.03):

- | | | |
|---------------------------------|---------------------------------------|--|
| <input type="checkbox"/> Land | <input type="checkbox"/> Rare Species | <input checked="" type="checkbox"/> Wetlands, Waterways, & Tidelands |
| <input type="checkbox"/> Water | <input type="checkbox"/> Wastewater | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Energy | <input type="checkbox"/> Air | <input type="checkbox"/> Solid & Hazardous Waste |
| <input type="checkbox"/> ACEC | <input type="checkbox"/> Regulations | <input type="checkbox"/> Historical & Archaeological Resources |

Summary of Project Size & Environmental Impacts	Existing	Change	Total	State Permits & Approvals
LAND				<input checked="" type="checkbox"/> Order of Conditions* <input type="checkbox"/> Superseding Order of Conditions <input checked="" type="checkbox"/> Chapter 91 License** <input type="checkbox"/> 401 Water Quality Certification <input type="checkbox"/> MHD or MDC Access Permit <input type="checkbox"/> Water Management Act Permit <input type="checkbox"/> New Source Approval <input type="checkbox"/> DEP or MWRA Sewer Connection/ Extension Permit <input type="checkbox"/> Other Permits (including Legislative Approvals) – Specify:
Total site acreage	0.9 AC			
New acres of land altered		0		
Acres of impervious area	0.08 AC	0	0.08 AC	
Square feet of new bordering vegetated wetlands alteration		0		
Square feet of new other wetland alteration		0		
Acres of new non-water dependent use of tidelands or waterways		0		
STRUCTURES				
Gross square footage	0			
Number of housing units	0			
Maximum height (in feet)	0			
TRANSPORTATION				
Vehicle trips per day	0			
Parking spaces	0			
WATER/WASTEWATER				
Gallons/day (GPD) of water use	0			
GPD water withdrawal	0			
GPD wastewater generation/ treatment	0			
Length of water/sewer mains (in miles)	0			

* Applied For
** Received

CONSERVATION LAND: Will the project involve the conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97?

- Yes (Specify _____) No

Will it involve the release of any conservation restriction, preservation restriction, agricultural preservation

restriction, or watershed preservation restriction?

Yes (Specify _____) No

RARE SPECIES: Does the project site include Estimated Habitat of Rare Species, Vernal Pools, Priority Sites of Rare Species, or Exemplary Natural Communities?

Yes (Specify Diamond Back Terrapin _____) No

(Please see attached letter from Division of Fisheries & Wildlife)

HISTORICAL /ARCHAEOLOGICAL RESOURCES: Does the project site include any structure, site or district listed in the State Register of Historic Place or the inventory of Historic and Archaeological Assets of the Commonwealth?

Yes (Specify _____) No

If yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources?

Yes (Specify _____) No

AREAS OF CRITICAL ENVIRONMENTAL CONCERN: Is the project in or adjacent to an Area of Critical Environmental Concern?

Yes (Specify- Pleasant Bay A.C.E.C. _____) No

PROJECT DESCRIPTION: The project description should include (a) a description of the project site, (b) a description of both on-site and off-site alternatives and the impacts associated with each alternative, and (c) potential on-site and off-site mitigation measures for each alternative (*You may attach one additional page, if necessary.*)

The project consists of the replacement of a failed concrete bulkhead with a timber bulkhead in the waters at Meeting House Pond, Orleans. The Project site is located at the end of Cheney Road, off Main Street in East Orleans.

The bulkhead was originally constructed in 1967. The Orleans Board of Selectmen held a Public Hearing on December 14, 1966 at which time it was concluded, "that there was no violation of Chapter 130" and the project could proceed, "provided that the construction does not intrude below mean high water line". Over the past 35 years, the grade seaward of the bulkhead has obviously changed and the structure is now located in the intertidal zone.

The concrete wall has broken away from its footings in many places and one section of the wall has fallen into Meeting House Pond. The existing structure is beyond repair and the only viable alternative is to remove the wall and footings and construct a new bulkhead.

All work will take place on the landward side of the structure with the limit of work extending only 4 feet into the waters of Meeting House Pond.

The site will be returned to its original condition upon completion of the project, including the addition of a new 4 foot buffer along the entire length of the bulkhead (see plan).

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