

**Commonwealth of Massachusetts**

**Executive Office of Environmental Affairs ■ MEPA Office**

**ENF**

**Environmental Notification Form**

*For Office Use Only*  
*Executive Office of Environmental Affairs*  
 EOEA No.: 13079  
 MEPA Analyst: Deirdre Buckley  
 Phone: 617-626-1044

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: Bardens Boat Yard-Float Expansion and Maintenance & Improvement Dredging Project		
Street: 2 Island Wharf Road		
Municipality: Marion	Watershed: Buzzards Bay	
Universal Transverse Mercator Coordinates: 4618243mN, 353477mE NAD27 meters	Latitude: 41°42'16" Longitude: 70°45'37" NAD83	
Estimated commencement date: Fall 2003	Estimated completion date: Spring 2005	
Approximate cost: \$205,000	Status of project design: 95 %complete	
Proponent: Island Wharf Road, LLC		
Street: P.O. Box 577		
Municipality: Marion	State: MA	Zip Code: 02738
Name of Contact Person From Whom Copies of this ENF May Be Obtained: Susan E. Nilson, P.E.		
Firm/Agency: CLE Engineering, inc.	Street: 15 Creek Road	
Municipality: Marion	State: MA	Zip Code: 02738
Phone: 508-748-0937	Fax: 508-748-1363	E-mail: snilson@cleengineering.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 301CMR 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): N/A

Are you requesting coordinated review with any other federal, state, regional, or local agency?  
 Yes (Specify: ACOE, MA DEP, CZM, Marion Con. Comm.)  No

List Local or Federal Permits and Approvals: **Marion Conservation Commission-Order of Conditions, DEP Section 401 Water Quality Certification, DEP Chapter 91 Waterways License, Massachusetts Coastal Zone Management Federal Consistency Review, U.S. Dept. of Army Category II Programmatic General Permit**

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
<b>LAND</b>				<input checked="" type="checkbox"/> Order of Conditions <input type="checkbox"/> Superseding Order of Conditions <input checked="" type="checkbox"/> Chapter 91 License <input checked="" 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 checked="" type="checkbox"/> Other Permits <i>(including Legislative Approvals) – Specify:</i> <b>ACOE PGP Cat. II</b>  <b>CZM Federal Consistency</b>
Total site acreage	1.04 ac.			
New acres of land altered		1.04 ac.		
Acres of impervious area	N/A			
Square feet of new bordering vegetated wetlands alteration		N/A		
Square feet of new other wetland alteration		45,369 SF (1.04 ac.)		
Acres of new non-water dependent use of tidelands or waterways		N/A		
<b>STRUCTURES</b>				
Gross square footage	N/A			
Number of housing units	N/A			
Maximum height (in feet)	N/A			
<b>TRANSPORTATION</b>				
Vehicle trips per day	N/A			
Parking spaces	N/A			
<b>WATER/WASTEWATER</b>				
Gallons/day (GPD) of water use	N/A			
GPD water withdrawal	N/A			
GPD wastewater generation/ treatment	N/A			

Length of water/sewer mains (in miles)	N/A			
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**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 \_\_\_\_\_)  No

**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 \_\_\_\_\_)  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.)

- a) The proposed project is located in Sippican Harbor at Bardens Boat Yard (Island Wharf Road LLC), which currently operates as an existing commercial marine facility. The proposed scope of work will consist of dredging a total of 45,369 square feet, of which approximately half will consist of maintenance dredging, and the remaining will consist of an improvement dredge area. The maintenance dredge area, previously permitted under Order of Conditions #SE41-792, consists of approximately 25,935 square feet. Approximately 1,157 cubic yards will be dredged from the maintenance dredge area. The improvement dredge area, approximately 19,434 square feet, is located immediately to the north of the maintenance dredge area. Approximately 2,336 cubic yards of material will be removed from the improvement dredge area, which is located almost entirely beneath the existing float system. Both areas are proposed to be dredged to a depth of minus six (6) feet mean low water datum with one (1) foot allowable overdepth. The material will be mechanically excavated from a barge mounted crane. The dredging is necessary to accommodate reconfiguration and expansion of the existing float system.
- b) The proposed improvement dredging, pile driving and float installation has no off-site alternatives. On-site alternatives include; (a)No-build alternative: The no-build alternative

will result in the continued limited access to navigable waters from the site. The no-build alternative does not meet the project goals and is not considered further. (b)Float installation without dredging: This option consists of installing a float system in the proposed location. This alternative is not preferable, as the existing water depths do not provide optimal clearance for the floats to minimize impacts to the existing bottom. In addition, the impacts of vessels using the site would be increased compared to the proposed improvement dredging. (c)Alternate location for float installation with or without dredging: This option consists of installing a float system elsewhere on the site. However, there are not sufficient water depths on site to allow for floats and other locations would interfere with navigation. The proposed location is an expansion of the existing float system and is consistent with the uses in the area. The proposed improvement dredging, pile driving and float installation is the preferred alternative.

- c) The project has been designed to minimize the impacts to the wetland resource areas. The improvement dredging is designed adjacent to an area of maintenance dredging and provides a continuous accessible area to a commercial boating facility. The area does not contain submerged aquatic vegetation and is closed to shellfishing. The improvement dredging is designed to provide adequate clearance for the proposed floats and the vessels using them. A minimum of 24 inches at mean low water and 18 inches at extreme low water is provided below the shoalest location of the floats. For the accessible side of the floats, the minimum depth will be 4 feet. By allowing for the dredging of this area, it will avoid potential damage to the bottom by the grounding of floats and eliminate the impact of motors on the existing bottom by providing sufficient depths for access.

**LAND SECTION – all proponents must fill out this section**

**I. Thresholds / Permits**

- A. Does the project meet or exceed any review thresholds related to land (see 301 CMR 11.03(1))  
 \_\_\_ Yes X No; if yes, specify each threshold:

**II. Impacts and Permits**

- A. Describe, in acres, the current and proposed character of the project site, as follows:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Footprint of buildings	<u>N/A</u>	<u>          </u>	<u>          </u>
Roadways, parking, and other paved areas	<u>N/A</u>	<u>          </u>	<u>          </u>
Other altered areas (describe)	<u>N/A</u>	<u>          </u>	<u>          </u>
Undeveloped areas	<u>N/A</u>	<u>          </u>	<u>          </u>

- B. Has any part of the project site been in active agricultural use in the last three years?  
 \_\_\_ Yes X No; if yes, how many acres of land in agricultural use (with agricultural soils) will be converted to nonagricultural use?

- C. Is any part of the project site currently or proposed to be in active forestry use?  
 \_\_\_ Yes X No; if yes, please describe current and proposed forestry activities and indicate whether any part of the site is the subject of a DEM-approved forest management plan:

- D. Does any part of the project involve conversion of land held for natural resources purposes in accordance with Article 97 of the Amendments to the Constitution of the Commonwealth to any purpose not in accordance with Article 97? \_\_\_ Yes X No; if yes, describe:

- E. Is any part of the project site currently subject to a conservation restriction, preservation