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March 14, 2008

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

PROJECT NAME : Plymouth Inner Harbor Dredging
PROJECT MUNICIPALITY : Plymouth Harbor - Plymouth
PROJECT WATERSHED : South Coastal
EOEA NUMBER : 14182
PROJECT PROPONENT : Town of Plymouth
DATE NOTICED IN MONITOR : February 6, 2008

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) 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). The proponent requested a Full Waiver from its mandatory EIR review threshold. The Certificate on the ENF is contingent upon the granting of a Full Waiver in the Final Record of Decision (FROD). If a Full Waiver is not granted in the FROD, then the Secretary will reissue the Certificate on the ENF with an EIR scope.

According to the Expanded Environmental Notification Form (ENF), the proposed project consists of the dredging of approximately 12.4 acres/539,138 square feet (sf) in the Plymouth Inner Harbor, with a dredge volume of approximately 66,100 cubic yards (CY). The project includes dredging three areas. Area 1 is a six-foot deep mooring basin located north of Brewer's Marina and the Plymouth Yacht Club. It includes 4.2 acres of maintenance dredging and 1.5 acres of improvement dredging. Area 1 will be dredged to elevation -6.0 Mean Low Water (MLW) with an allowable 1-foot overdredge that produces a volume of 31,800 CY of material. Area 2 is an existing eight-foot deep mooring basin located between the State Pier and Brewer's Marina. It includes 1.6 acres of maintenance dredging and 2.9 acres of improvement dredging. Area 2 will be dredged to elevation -8.0 MLW with an allowable 1-foot overdredge that produces a volume of 21,600 CY. Area 3 is an existing 12-foot deep anchorage area at the Town Pier. It includes 1.8 acres of maintenance dredging and 0.4 acres of improvement dredging. Area 3 will be dredged to elevation -12.0 MLW with an allowable 1-foot overdredge

that produces a volume of 12,700 CY.

The proponent is undertaking the project to address significant shoaling, to restore and improve navigation, and to more efficiently manage existing mooring and docking space within the Inner Harbor. It is proposing mechanical dredging with transfer to barges that will transport sediment to the Mass Bay Disposal Site (MBDS) for unconfined open water disposal. Biological testing of the sediments is on-going and will be reviewed by the U.S. Army Corps of Engineers. The proponent has considered the following alternatives in the Expanded ENF: the No Dredge Alternative; Limited Maintenance Dredging; a Larger Dredging Footprint as required to support a new public marina; and Alternative Dredging Methods and Disposal Options.

The project requires a mandatory EIR pursuant to Sections 11.03(3)(a)(1)(b) of the MEPA regulations because it alters ten or more acres of any other wetland. According to the proponent, the project will impact approximately 12.4 acres/539,138 sf of Land under the Ocean (LUO). The project will require a Section 401 Water Quality Certificate and a Chapter 91 Waterways Permit from the Department of Environmental Protection (MassDEP). It may need to be reviewed under the Massachusetts Endangered Species Act by the Natural Heritage and Endangered Species Program. The project may require an Individual Permit under Section 404 from the U.S. Army Corps of Engineers. A Federal Consistency Review by the Massachusetts Coastal Zone Management (MCZM) office will also be necessary. The project will require an Order of Conditions from the Plymouth Conservation Commission for impacts to wetland resource areas as a potentially "limited" project. Because Commonwealth funds will be utilized on this project, MEPA jurisdiction extends to all aspects of the project that may have significant environmental impacts.

Based on a review of the information provided by the proponent, a review of the comment letters, and after consultation with the relevant public agencies, I find that the potential impacts of this project do not warrant the preparation of an EIR. If the biological testing of the dredge sediment indicates that the sediment is not suitable for disposal at the Massachusetts Bay Disposal Site, the proponent should submit a Notice of Project Change to describe alternative disposal sites for the sediment.

March 14, 2008
Date


Ian A. Bowles

Comments received:

Vine Associates, 2/21/08

MA Board of Underwater Archaeological Resources, 2/25/08

Vine Associates, 2/29/08

EEA #14182

ENF Certificate

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MassWildlife, 3/4/08

MCZM, 3/7/08

DCR, 3/7/08

MassDEP/SERO, 3/7/08

Vine Associates, 3/12/08

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