



The Commonwealth of Massachusetts

Executive Office of Environmental Affairs

100 Cambridge Street, Suite 900

Boston, MA 02114-2524

MITT ROMNEY
GOVERNOR

KERRY HEALEY
LIEUTENANT GOVERNOR

STEPHEN R. PRITCHARD
SECRETARY

Tel. (617) 626-1000
Fax. (617) 626-1181
<http://www.mass.gov/envir>

April 21, 2006

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

PROJECT NAME	: Lobstermen's Landing
PROJECT MUNICIPALITY	: Saugus
PROJECT WATERSHED	: Saugus River
EOEA NUMBER	: 13758
PROJECT PROPONENT	: Town of Saugus
DATE NOTICED IN MONITOR	: March 22, 2006

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).

As described in the Environmental Notification Form (ENF), the project involves renovating and expanding the existing Lobsterman's Landing located along the Saugus River on Ballard Street in Saugus. The proposed project will expand the existing floating dock system and renovate areas of deterioration at the facility. The parking area and neighboring Vitale Memorial Park will also be renovated and other minor renovations are also proposed to the on-site building interior. The proposed project is located wholly within the Rumney Marshes Area of Critical Environmental Concern (ACEC).

The anticipated impacts to wetland resource areas will be minimal and limited to Land Under Ocean. The piling work will permanently impact approximately 1.6 square feet (s.f.) of Land Under Ocean and temporarily impact approximately 4 s.f. of Land Under Ocean. There will be no changes to the existing riprap located along the Coastal Bank.

The project is undergoing review pursuant to Section 11.03(11)(b) of the MEPA regulations, because the project requires a state permit and is located within an ACEC. The project will require an Amendment to a Chapter 91 License from the Department of Environmental Protection (DEP) and an Order of Conditions from the Saugus Conservation Commission. Because the proponent is requesting financial assistance from the Commonwealth for the project, MEPA jurisdiction extends to all aspects of the project that may cause significant Damage to the Environment.

The Rumney Marshes ACEC was proclaimed by the United States Fish and Wildlife Service to be "one of the most biologically significant estuaries in Massachusetts north of Boston." The Rumney Marshes contain a variety of birds and at least five species recorded there are state-listed as endangered, threatened, or of special concern. The salt marshes are also vitally important to the surrounding human population in their capacity to prevent flood damage by providing flood water storage. The waterbodies and associated vegetated wetlands of the Rumney Marshes ACEC are designated as Outstanding Resource Waters (ORW) under the Massachusetts Surface Water Quality regulations. At the proposed project site, the ORW boundary extends to the Mean High Water (MHW) line associated with the Saugus River. The ORW designation mandates protection of water quality and includes more stringent requirements.

The project has been designed so that stormwater will drain into off-site catch basins located along Ballard Street. Considering the protections afforded the Saugus River waters as an ACEC and ORW, the Town should consider incorporating stormwater management recommendations by the Department of Conservation and Recreation's (DCR) ACEC Program. The Town of Saugus should review the stormwater treatment measures in the adjacent street catch basins and, if needed, upgrade them as part of this project. The Town could address stormwater management either through onsite treatment Best Management Practices or through upgrades of the adjacent street catch basins. The proponent should consult the Saugus Conservation Commission and the DEP on this issue.

I acknowledge the thoughtful comments provided by the Saugus River Watershed Council (SRWC), the Department of Conservation and Recreation's ACEC Program, the Division of Marine Fisheries and the Board of Underwater Archaeological Resources regarding the project's potential environmental impacts. For example, preventive measures such as booms should be used during construction (particularly for removal of wooden pilings) to prevent floating debris from migrating into the Saugus River channel. In addition, the SRWC has recommended that the Chapter 91 License for this project include requirements for:

- interpretive signage regarding the natural resources of the Saugus River;
- public access for boaters to the expanded float system such as temporary docking access; and
- public restrooms.

I strongly encourage the Town to review all comments on the ENF, and to work with the commenters to resolve any concerns.

I conclude that no further MEPA review is required. The review of the ENF has developed sufficient information to understand the potential impacts of the project, and to demonstrate that the potential impacts of the project do not warrant the preparation of an EIR. The proponent can resolve any remaining issues during the permitting process.

April 21, 2006

Date


Stephen R. Pritchard

Comments received:

04/10/06 Division of Marine Fisheries
04/11/06 Saugus River Watershed Council (SRWC)
04/11/06 Board of Underwater Archaeological Resources
04/11/06 Department of Conservation and Recreation's ACEC Program

SRP/ACC/acc