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August 9, 2006

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

PROJECT NAME : Spectacle Island Maintenance Dredging
PROJECT MUNICIPALITY : Boston
PROJECT WATERSHED : Boston Harbor
EOEA NUMBER : 13366
PROJECT PROPONENT : Department of Conservation and Recreation
DATE NOTICED IN MONITOR : July 10, 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).

The project originally went under review in October 2004. The project included maintenance dredging of approximately 16,000 cubic yards (CY) of coarse sand from the Spectacle Island pier area which was to be deposited on the northern half of Spectacle Island's West Beach. This work would have restored the marina depth profile to its original 1996-97 dredged condition and maintained the West Beach profile at its 1996-97 restored beach condition. The Environmental Notification Form (ENF) noted that marina depths have been reduced up to 10 feet and that West Beach has experienced enough sand loss to expose the underlying stone protection placed at the same time as the original sand placement. These changes have occurred in less than a 10-year period. As part of the project, the proponent, the Department of Conservation and Recreation (DCR), also proposed to conduct additional maintenance dredging, if necessary, over the course of the next ten years (2004-2014).

As described in the Notice of Project Change (NPC), the project involves the mechanical, shore-based removal of accumulated coarse sand (approximately 14,000 cubic yards) from the Spectacle Island marina area and its placement on Spectacle Island South Beach. The beach nourishment is necessary due to the migration of sand into the marina area and will serve to restore the 1996-1997 authorized depth profile of the marina. The sand will be placed in the intertidal zone along the South Beach in an area that has experienced erosion from storm events. It is anticipated that the sacrificial dune will provide the sand during storm events that will replenish the beach area. The sacrificial dune will be graded to typical dune topography and stabilized by beach grass plantings. The proposed project will temporarily alter 175,000 square feet (sf) of Land Under the Ocean and 215,000 sf of Coastal Beach.

DEP has determined that there are adequate safeguards in place to allow for unrestricted access to and use of all portions of the island (DCR's "*Spectacle Island Asbestos Containing Materials Control, Operations and Maintenance Plan and Asbestos Exposure Assessment*"). The discovery of Asbestos Containing Material (ACM) at both the Marina Pier Area and South Beach and at an off-shore area proximate to these two areas was one reason for the change of sediment placement as described in the NPC. Phase II of this project, to be filed at a later date, will include sediment dredging and disposal of approximately 1,500 cubic yards of ACM and other associated remediation efforts.

The project is undergoing review pursuant to Section 11.03 (3)(b)(3) of the MEPA regulations, because the project involves more than 10,000 cubic yards of dredging. The project will require a Chapter 91 License and a 401 Water Quality Certification from the Department of Environmental Protection (DEP), as well as an Order of Conditions from the Boston Conservation Commission (and hence a Superseding Order from DEP if the local Order is appealed), and possibly Consistency Review by the Office of Coastal Zone Management. MEPA jurisdiction extends over broad issues related to tidelands and water quality.

As noted in the Certificate on the ENF, any project plan should include a time-of-year restriction prohibiting any in-water silt-producing activity between February 15 and June 30 for the protection of winter flounder spawning and juvenile development. The Division of Marine Fisheries (DMF) stated that additional information regarding sediment dynamics requested during the ENF process is necessary before DMF could provide a complete review of the potential impacts to marine fisheries resources and habitats from the proposed project. The project proponent should make effort to provide this information to DMF in accordance with the Secretary's Certificate on the ENF of October 25, 2004.

Prior to commencement of dredging, DCR should prepare a plan outlining access provisions and safety measures to be implemented during the dredging process. Now that Spectacle Island is open to the public, DCR should make efforts to inform visitors of use restrictions (such as availability of marina slips), and limit access to beaches occupied by construction equipment. Efforts should be made to conduct work associated with the project

during the offseason to limit impact to public activity on the island.

The proposed project takes an initial step to offset the results of the ongoing erosion and sediment transport problems driving the shoreline changes at Spectacle Island. The project proponent must continue to investigate and analyze the underlying cause of the erosion and sedimentation problems if the overall project is to have any chance at long-term success with reduced maintenance demands. With proper study, alternatives to dredging may be more cost-effective over time than frequent remediation through dredging. I concur with DEP's recommendation outlined in their July 18, 2006 letter (provided as an attachment to their comment letter) that DCR consider performing a current study around Spectacle Island to provide Owners and Island Park Managers with a better understanding of the coastal and wave dynamics so that a long term-proactive beach management program can be developed and implemented. Such a study should consider the effects of the pier, marina and wave screen for their influence upon erosion and sediment transport. Additionally, DCR should establish a monitoring plan to evaluate the success of the south beach sacrificial dune and beach grass planting. Such a plan should outline criteria for beach grass replacement and provide a mechanism to evaluate the overall rate of sand deposition from the sacrificial dune. It is presumed that this information would be incorporated into the ongoing erosion and sedimentation study on the island.

The project impacts do not warrant the preparation of an EIR. I reserve the right to require the proponent to submit a Notice of Project Change if the project changes significantly as a result of consultations with the permitting agencies. Items addressed in the ENF Certificate remain applicable to the project, unless modified within this NPC Certificate. In the absence of any significant changes, no further MEPA review is required.

August 9, 2006

Date



Stephen R. Pritchard

Comments received:

07/24/2006 Office of Coastal Zone Management
07/27/2006 Department of Environmental Protection – Boston
07/31/2006 City of Boston Environment Department
08/04/2006 Division of Marine Fisheries

SRP/HSJ/hsj