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October 24, 2008

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

PROJECT NAME : Stacy Boulevard Proposed Bulkhead Improvement Project  
PROJECT MUNICIPALITY : Gloucester  
PROJECT WATERSHED : North Coastal  
EEA NUMBER : 14315  
PROJECT PROPONENT : City of Gloucester / Massachusetts Department of  
Conservation and Recreation  
DATE NOTICED IN MONITOR : September 24, 2008

Pursuant to the Massachusetts Environmental Policy Act (M.G. L. c. 30, ss. 61-62I) 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 includes the reconstruction and rehabilitation of the existing Stacy Boulevard stone masonry bulkhead in Gloucester. This project is being undertaken by the City of Gloucester and the Massachusetts Department of Conservation and Recreation (DCR) to fix ongoing failures and collapse of portions of the bulkhead. The work also includes the reconstruction and extension of the concrete sidewalk, repair of the granite stairs, installation of sodding and irrigation, as well as other park improvements. The majority of the bulkhead construction work will occur within the same footprint as the existing stone masonry bulkhead with the addition of a concrete footing base for a distance of approximately 1,478 linear feet. In addition, a small zero to eight-foot

wide by 330-foot long (1,230 square feet) seaward extension of the bulkhead is proposed in the location of the Fishermen's Wives Memorial.

The ENF estimates wetland resource area impacts to be approximately 1,810 linear feet of temporary impact to Coastal Bank, 25,000 square feet of temporary impact to Land Subject to Coastal Storm Flowage (LSCSF), and a net benefit of 1,010 square feet of Coastal Beaches due to the removal of dumped riprap. The 1,230 square foot seaward extension of the bulkhead was proposed after conducting an alternatives analysis to determine how to cost effectively fix the bulkhead without compromising the geotechnical integrity of the adjacent Fishermen's Wives Memorial and public park. The removal of the dumped riprap is intended to offset the loss of rocky intertidal areas at the bulkhead extension.

### Jurisdiction

The project is undergoing MEPA review pursuant to Section 11.03(3)(b)(6) because the project requires a State agency action and will result in the construction, reconstruction or expansion of an existing solid fill structure of 1,000 square feet (sf) base area. The project will require a Chapter 91 (c.91) License from the Massachusetts Department of Environmental Protection (MassDEP) and approval from the U.S. Army Corps of Engineers. The project will also require an Order of Conditions from the Gloucester Conservation Commission.

The Department of Conservation and Recreation is both a co-proponent of the project and providing funding for design and permitting of the project. Therefore, MEPA jurisdiction for this project is broad and extends to all aspects of the project that are likely, directly or indirectly, to cause Damage to the Environment as defined by the MEPA regulations.

### Wetlands, Waterways and Tidelands

Comments received from various State permitting agencies outlined general support for the project and provided recommendations to be pursued during the permitting process. The project will require a new c.91 License from MassDEP, as the original bulkhead appears to be unlicensed. Project conditions may be outlined in either the c.91 License or the Order of Conditions.

The Proponent should conduct pre- and post-construction surveys to delineate the coastal wetland resource areas to ensure that beach profiles and altered resources are adequately replicated in a manner consistent with the interests of the Massachusetts Wetlands Protection Act. I encourage the Proponent to work with State agencies to confirm that the removal of riprap is an appropriate type and scale of mitigation for the proposed project impacts. The Proponent should demonstrate in the permitting process that the design of the seaward extension of the bulkhead minimizes the potential for wave reflection and scour. At the MEPA site visit, several outfall pipes were observed within the existing bulkhead. The Proponent should confirm the functionality and origin of these outfalls and address associated drainage issues during the permit process as applicable.

In an effort to maintain public access to the adjacent park and memorial, I strongly encourage the Proponent to clearly delineate work areas and phase construction in a manner that will minimize disturbance and facilitate safe access to these public spaces. Additionally, the Office of Coastal Zone Management (CZM) has requested that the project erosion and sedimentation control plan contain specific measures to mitigate impacts that may occur if a storm coincides with the construction period.

*Habitat*

The Division of Marine Fisheries (*Marine Fisheries*) has indicated that the project encroaches on rocky intertidal habitat mapped as a shellfish resource for blue mussels (*Mytilus edulis*) and surf clams (*Spisule solidissima*). The intertidal and shallow subtidal areas at the project site also provide habitat for winter flounder (*Pseudopleuronectes americanas*) and American lobster (*Homarus americanus*). *Marine Fisheries* has also noted that the nearby Annisquam River provides migratory habitat for several diadromous fish species. The Proponent should address the recommendations outlined in the *Marine Fisheries* comment letter during the permitting process.

Based on the information in the ENF and after consultation with relevant public agencies, I find that no further MEPA review is required at this time. The project may proceed to State permitting.

October 24, 2008

Date



Ian A. Bowles

Comments received:

- 10/14/2008 Massachusetts Department of Environmental Protection – NERO
- 10/14/2008 Office of Coastal Zone Management
- 10/14/2008 Division of Marine Fisheries

IAB/HSJ/hsj