

For Office Use Only
Executive Office of Environmental Affairs

EOEA No.: *14314*
 MEPA Analyst: *Aisling Eglinton*
 Phone: 617-626-*1024*

ENF Environmental Notification Form

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: TOWN OF FALMOUTH INNER HARBOR MODIFICATIONS		
Street: 180 SCRANTON AVENUE		
Municipality: FALMOUTH	Watershed: VINEYARD SOUND	
Universal Transverse Mercator Coordinates: N 4600908 E 366266	Latitude: 41° 32' 55"N Longitude: 70° 36' 11"W	
Estimated commencement date: Winter 2009	Estimated completion date: Fall 2009	
Approximate cost: \$600,000	Status of project design: 100 %complete	
Proponent: TOWN OF FALMOUTH		
Street: 59 TOWN HALL SQUARE		
Municipality: FALMOUTH	State: MA	Zip Code: 02540
Name of Contact Person From Whom Copies of this ENF May Be Obtained: JEFFREY L. JOHNSON		
Firm/Agency: HOLMES AND MCGRATH, INC.	Street: 362 GIFFORD STREET	
Municipality: FALMOUTH	State: MA	Zip Code: 02540
Phone: 508-548-3564	Fax: 508-548-9672	E-mail: jjohnson@holmesandmcgrath.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 301 CMR 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): **NONE**

Are you requesting coordinated review with any other federal, state, regional, or local agency?
 Yes (Specify: **DEP Waterways and ACOE**) No

List Local or Federal Permits and Approvals: **Order of Conditions (DEP File #25-3501) issued August 13, 2008, Town of Falmouth Board of Selectmen Special Permit, DEP Chapter 91 Waterways License and ACOE Programmatic General Permit - Pending**

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
LAND				<input checked="" type="checkbox"/> Order of Conditions <input type="checkbox"/> Superseding Order of Conditions * <input checked="" type="checkbox"/> Chapter 91 License <input 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> Town of Falmouth Board of Selectmen - Special Permit ACOE - Programmatic General Permit
Total site acreage	6.5 acres			
New acres of land altered		NONE		
Acres of impervious area	NA	NA	NA	
Square feet of new bordering vegetated wetlands alteration		0		
Square feet of new other wetland alteration		75 s.f. +/- New Pilings only		
Acres of new non-water dependent use of tidelands or waterways		0		
STRUCTURES				
Gross square footage	2,600 s.f. +/- Existing Pier System	+4,700 s.f.	7,300 s.f. +/- New Pier System	
Number of housing units	NA	NA	NA	
Maximum height (in feet)	NA	NA	NA	
TRANSPORTATION				
Vehicle trips per day	NA	NA	NA	
Parking spaces	NA	NA	NA	
WATER/WASTEWATER				
Gallons/day (GPD) of water use	NA	NA	NA	
GPD water withdrawal	NA	NA	NA	
GPD wastewater generation/ treatment	NA	NA	NA	
Length of water/sewer mains (in miles)	NA	NA	NA	

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.)

The property located at #180 Scranton Avenue is comprised of two Town-owned parcels of land, Lot 40 and Lot 15 and contains a total of approximately 6.5 acres in area. The property has approximately 1,040 feet of frontage along the west side of Falmouth Inner Harbor, is occupied with two structures, a single story wood frame building used as the Harbormasters Office and the Municipal Bandstand. The entire waterfront along Falmouth Inner Harbor has been developed with a licensed bulkhead and associated fixed timber piers and mooring pilings since at least 1957, in accordance with numerous DEP Waterways Licenses. The property is located within Land Subject to Coastal Storm Flowage, Flood Hazard Zone A14 (Elevation 11) and Flood Zone B as indicated on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM). Wetland resource areas on or within 100 feet of the lot include Land Subject to Coastal Storm Flowage, a developed Coastal Bank, an armored Coastal Bank (timber bulkhead), Land Under the Ocean, Land Containing Shellfish and Falmouth Inner Harbor.

The proposed project is the modification and limited expansion of the existing licensed marina facility located along Falmouth Inner Harbor, which is owned and operated by the Town of Falmouth. The proposed project will include the removal of the existing nineteen (19) licensed fixed timber piers with associated mooring piles for the construction and maintenance of seven (7) floating dock systems with associated mooring piles. All the proposed work is located within Land Under the Ocean, Land Containing Shellfish and Falmouth Inner Harbor.

The proposed limited expansion and modification of the Town-owned marina is solely for the benefit of the public. All slips will be open to the public on a first come first serve basis according to the established wait list. As of May 2008 the number of people on the waiting list for Town slips is at approximately 159. The oldest application dates back to 1998. The existing Town-owned fixed piers and pilings provide 38 boat slips. The proposed project will expand the existing facility with 29 additional mooring spaces for a total capacity of 67 slips. The proposed limited expansion, with the 29 new slips will nearly double the assignments for future years. No off-site alternatives were explored as the proposed project is for the modification of an existing public facility.

The removal of the existing pilings and the installation of the proposed pilings will only be a temporary disturbance and will not have an adverse effect on any wetland resource areas within Falmouth Inner Harbor. Any increase in turbidity will be short term and should not adversely affect any surrounding shellfish habitat. No dredging or filling is proposed as part of the proposed project. As such, there will be no significant change in bottom topography attributable to this project and the interests of storm damage prevention and flood control will be protected.

The estimated draft of vessels to be docked at this proposed facility range from 2 to 8 feet. There is adequate water depth throughout the project area so that no dredging is required. The piles that will support the proposed floats have been sized at 12" diameter. All piles and wood used in this project will be vinyl-coated C.C.A. pressure treated or approved non-C.C.A. equivalent. All piles will be driven using a crane from a floating barge or land-based. Driving piles, rather than jetting, minimizes turbidity and renders the piles more resistant to the effects of wintertime ice lifting, thus decreasing maintenance costs and associated adverse environmental effects.

The current fixed docks do not allow for shellfishing underneath them due to the way they are configured. The new floating docks will allow direct access of shell fishing gear below the floats. As an additional public benefit for the commercial shell fisherman, the Waterways Committee and Harbormaster are willing to allow fisherman to use the floats in the off season as long as the fisherman maintains a commercial shellfish license from the Town and is actively shell fishing in Falmouth Inner Harbor. Additionally, the use of the floats will only be valid for the open shell fishing season dates in Falmouth Inner Harbor and does not include power usage or fresh water.

The proposed project is sited within Falmouth Inner Harbor, designated as a Marine District under Falmouth Zoning and is a very active commercial and recreational harbor with seasonal boating activity. The proposed modification and improvements to the existing licensed facility will have no long-term adverse effect on the wetland resource areas and will continue to provide public, recreational access to the navigable waters of Falmouth Inner Harbor. There will be no significant adverse effect on the land under the ocean and land containing shellfish as no change in use with the proposed project. As such the proposed limited expansion and waterfront improvements to the existing facility will continue to provide public recreational access to navigable waters and enhances the aesthetic value as well as the functional value of Falmouth Inner Harbor. Based on the proposed design and construction methods, this project will not adversely affect the interests of protection of marine fisheries, land containing shellfish, protection of shellfish habitat, storm damage prevention and flood control.

A Notice of Intent was filed with the Falmouth Conservation Commission under the Massachusetts Wetlands Protection Act and the Falmouth Wetlands Bylaw to obtain an Order of Conditions for the proposed waterfront improvements. The Falmouth Conservation Commission issued an Order of Conditions (DEP File #25-3501) issued August 13, 2008 approving the proposed work. The ENF is in accordance with the provision of 301 CMR 11.03(3)(b)(6) for the proposed modifications to the existing Town of Falmouth Inner Harbor Marina as authorized under Order of Conditions (DEP File #25-3501).

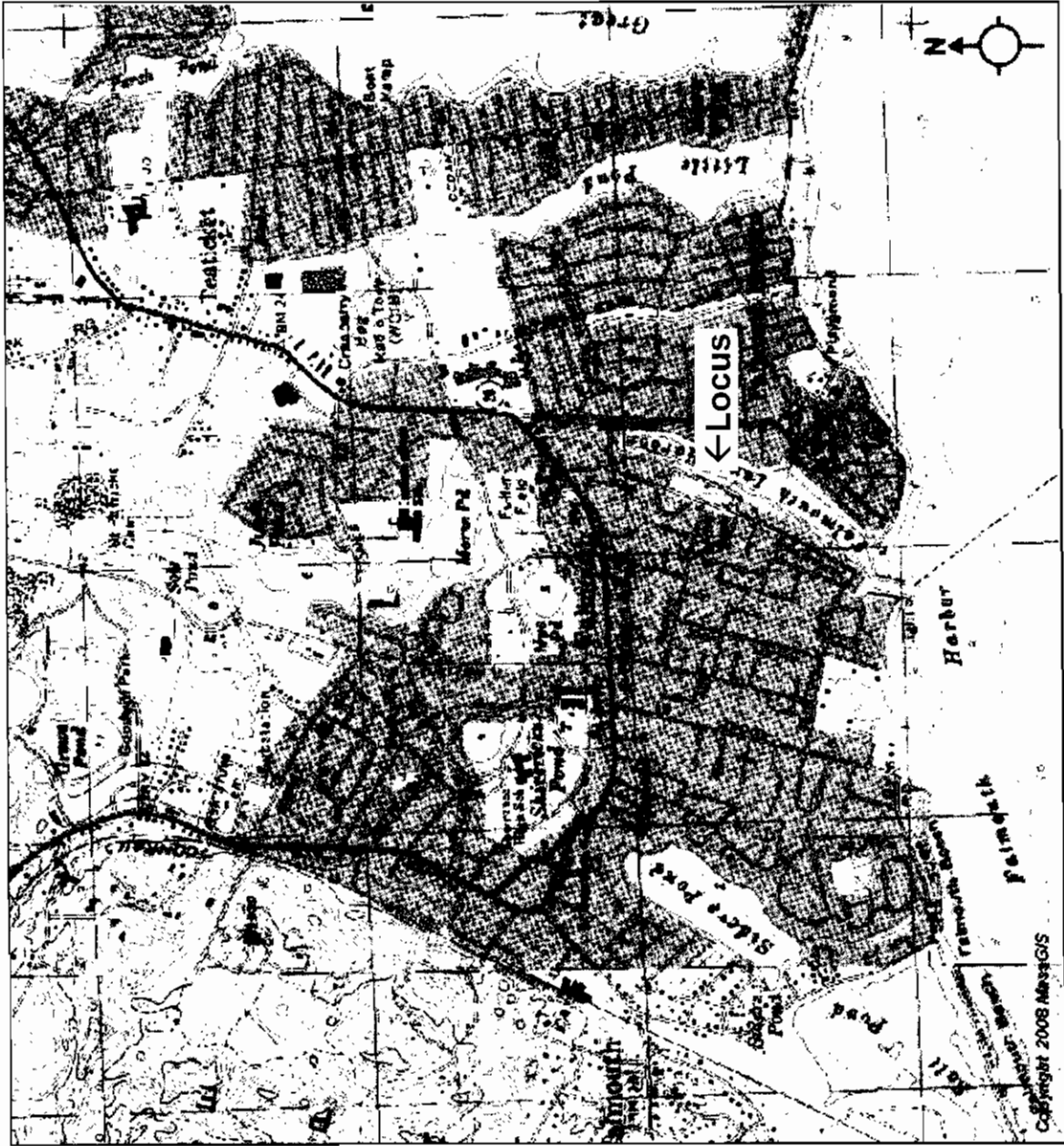
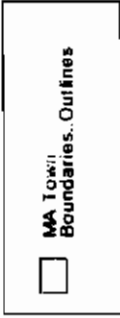
Town of Falmouth

#180 Scranton Avenue

USGS Topographic Maps



Massachusetts Towns



600 m (1:24000)

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