

*For Office Use Only*  
*Executive Office of Environmental Affairs*  
 EOEA No.: *13911*  
 MEPA Analyst: *Holly Johnson*  
 Phone: 617-626-*1823*

# 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.

<b>Project Name: Parker's River Marine Park – West Yarmouth, Massachusetts</b>			
<b>Street: Route 28</b>			
<b>Municipality: Yarmouth</b>		<b>Watershed: Cape Cod</b>	
<b>Universal Transverse Mercator Coordinates:</b>		<b>Latitude: 41.648460</b>	
		<b>Longitude: -70.223387</b>	
<b>Estimated commencement date: 2007</b>		<b>Estimated completion date: 2009</b>	
<b>Approximate cost: \$7.5 Million</b>		<b>Status of project design: 10 % complete</b>	
<b>Proponent: Town of Yarmouth-Dept. of Community Service - Natural Resource Division</b>			
<b>597 Forest Road</b>			
<b>West Yarmouth, MA 02673</b>			
<b>Name of Contact Person From Whom Copies of this ENF May Be Obtained:</b>			
<b>Edward Hutchinson</b>			
<b>Firm/Agency: Rizzo Associates, Inc.</b>		<b>Street: One Grant Street</b>	
<b>Municipality: Framingham</b>		<b>State: MA</b>	<b>Zip Code: 01701-9005</b>
<b>Phone: (508) 903-2078</b>	<b>Fax: (508) 902-2001</b>	<b>E-mail: ehutchinson@rizzo.com</b>	

- 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 301CMR 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):

Are you requesting coordinated review with any other federal, state, regional, or local agency?  
 Yes (Specify - **Cape Cod Commission**)  No

List Local or Federal Permits and Approvals:

Section 404/10 Permit – U.S. ACOE  
 Section 401 Water Quality Cert. – DEP  
 NPDES Construction General Permit – U.S. EPA  
 Order of Conditions – Yarmouth Con. Comm.

Consistency Review - MCZM  
 Cape Cod Commission Approval  
 NPDES Industrial General Permit – U.S. EPA  
 Planning Board Approval - Town of Yarmouth

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
<b>LAND</b>				<input checked="" type="checkbox"/> Order of Conditions <input type="checkbox"/> Superseding Order of Conditions <input checked="" type="checkbox"/> Chapter 91 License <input checked="" type="checkbox"/> 401 Water Quality Certification <input checked="" 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>  <b>Federal Consistency Statement –</b> <b>Massachusetts Office of Coastal Zone Management (CZM)</b>  <b>Massachusetts Fire Code-State Fire Marshal</b>  <b>Wetlands Variance - DEP</b>
Total site acreage	+/-22			
New acres of land altered		8.9		
Acres of impervious area	1.15	0.91	2.06	
Square feet of new bordering vegetated wetlands alteration		0		
Square feet of new other wetland alteration		Salt Marsh – 700 sf LUO – 2500 sf LCSF – 3200 sf		
Acres of new non-water dependent use of tidelands or waterways		0		
<b>STRUCTURES</b>				
Gross square footage	0	28,800	28,800	
Number of housing units	0	0	0	
Maximum height (in feet)	0	35	35	
<b>TRANSPORTATION</b>				
Vehicle trips per day	0	675	675	
Parking spaces	0	173	173	
<b>WATER/WASTEWATER</b>				
Gallons/day (GPD) of water use	0	2,200	2,200	
GPD water withdrawal	0	0	0	
GPD wastewater generation/treatment	0	2,000	2,000	
Length of water/sewer mains (in miles)	0	0	0	

**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.*)

**(a) The Town of Yarmouth is proposing to construct a multi-faceted marine park located on the west side of Parker's River, south of Route 28, in West Yarmouth on the former Yarmouth Drive-In Theater site. The 22 acre site was purchased for the purpose of a marina and recreational use and is currently vacant except for the Town's shellfish propagation upweller facility. The site is periodically used to host car shows, flea markets and an annual carnival. The site is bounded by Parker's River on the east, Nantucket Sound to the south, Route 28 to the north, and a single family neighborhood to the west.**

**As proposed, the marine park will have a marina basin, a dock/harbor master office, a boat barn (dry rack storage), a public boat ramp, a Marine Science Education Center, a marine waste disposal pump out and a fueling facility. In addition to the marina activities, the Project will include public amenities including a scenic nature trail with overlooks, parking areas for vehicles and boat trailers, a community park for passive recreation and a tot lot with play structures.**

**Vehicular access to the marine park will be directly from Route 28. Four parking areas (Lots A – D) will be located throughout the park. Lot A, in the northern portion of the park, will contain 42 spaces. Lot C, in the southern portion of the park, will contain 31 spaces. Lot D, in the central portion of the park, will contain 32 spaces; and Lot B, located in the western portion of the park, will contain 68 spaces, which includes 31 car/trailer spaces.**

**(b) The principal environmental impact resulting from the project is associated with the construction of the marina entrance. The primary objective of the alternatives analysis was to**

develop a marina entrance that would both minimize impact to the environment and allow the marina to function in a safe and efficient manner. Three alternatives and a no build scenario were evaluated. These included Alternative One, which located the entrance at the southern end of the Project site; Alternative Two, which located the entrance at the far northern end of the site; and Alternative Three, which located the entrance approximately 200 feet to the south of Alternative Two near the existing shellfish propagation facility. No matter where the entrance to the marina is located on the site, state wetland resource areas, including Land Under Ocean (LUO), Land Containing Shellfish (LCSF), Coastal Bank and Salt Marsh, are impacted by construction of the Project. Impacts to Coastal Bank are similar regardless of the alternative chosen. However, the amount of LUO, LCSF and Salt Marsh impacted varies between the alternatives. Based on the analysis, it was determined that Alternative Three impacted the least amount of LUO, LCSF and Salt Marsh and did not impact any Coastal Beach. Alternative Three also allows the marina to operate in a safe and efficient manner. Because of these reasons, Alternative Three was chosen as the Preferred Alternative.

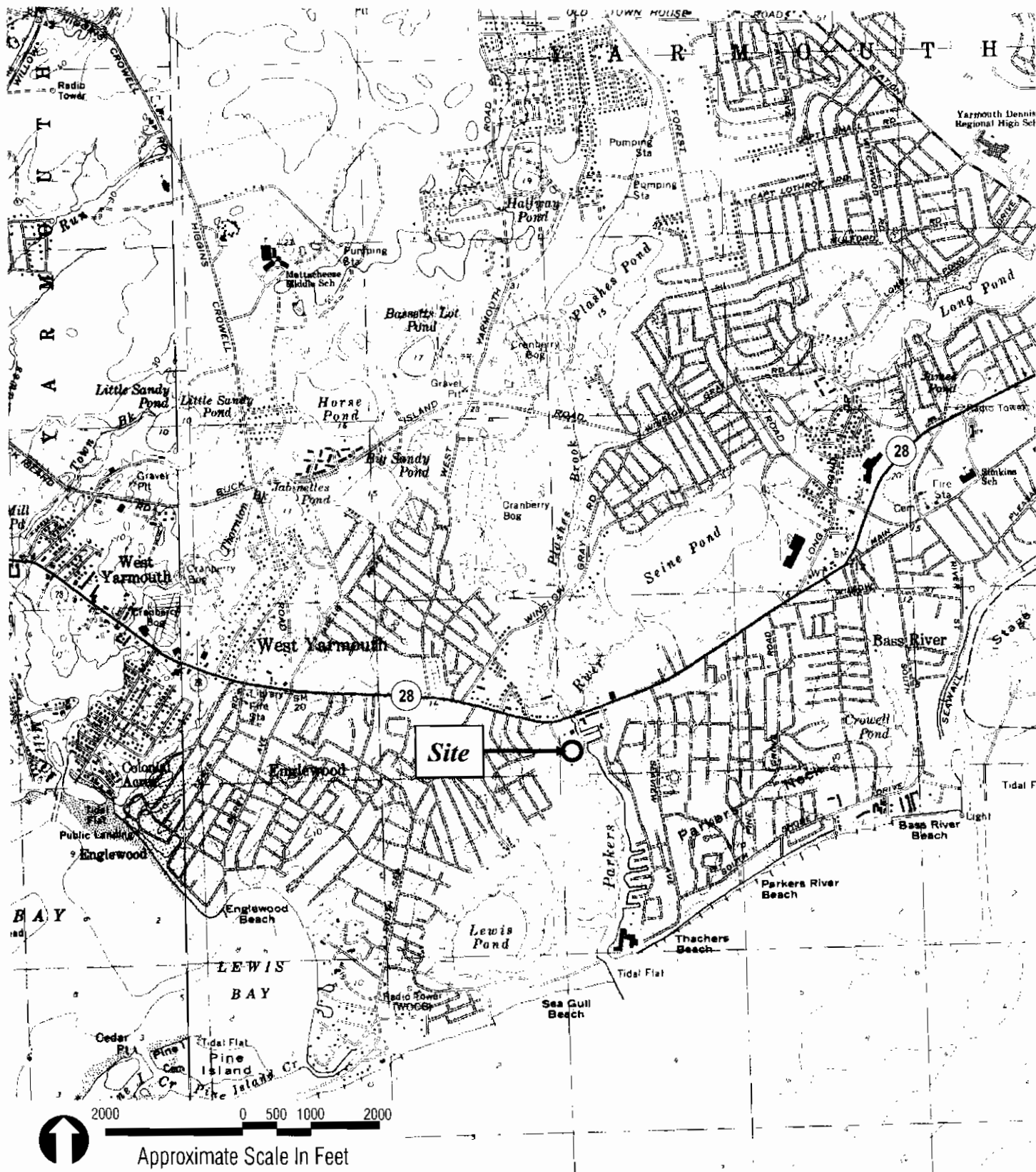
(c) In general, Project impacts are limited to transportation and state wetland resource areas. There are no species of special concern or historic resources located on the site. The majority of the site has been previously disturbed and the entrance to the marina will be located in the most disturbed area of the site.

Potential mitigation for transportation impacts could be police officer control on Route 28 at the proposed Marine Park driveway during peak summer Friday and Saturday afternoons. Police officer control to stop traffic on Route 28 for the Marine Park would also enable gaps for traffic to safely exit other driveways in the vicinity.

Additional mitigation proposed for this project includes:

- Left turn storage lane on westbound Route 28 in advance of the site drive entrance.
- Right turn deceleration lane on eastbound Route 28 in advance of the site drive entrance.
- Two-lane exit on the site drive to separate left turns and right turns.
- Prohibit left turns onto Route 28 from the adjacent Lobster Boat Restaurant east drive.

Proposed mitigation for wetland impacts will include creation of new salt marsh area adjacent to the Marine Science Education Center and the eradication of a stand of *Phragmites* located on site. Salt marsh plantings are also proposed within the basin to increase wetland habitat area and to minimize wave action.



Parkers River Marine Park  
Yarmouth, Massachusetts



**RIZZO**  
ASSOCIATES  
A TETRA TECH COMPANY

Base Map: MA USGS  
Topographic Maps from CD

Site Location Map

Figure 1