**Commonwealth of Massachusetts**
***Executive Office of Environmental Affairs ■ MEPA Office***

# ENF Environmental Notification Form

| *For Office Use Only*<br>*Executive Office of Environmental Affairs* |
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| EOEA No.: 13167 R<br>MEPA Analyst: Anne Canaday<br>Phone: 617-626- 1035 |

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: Marshfield Yacht Club | | |
| Street: 11 Ridge Road | | |
| Municipality: Marshfield | Watershed: South River | |
| Universal Tranverse Mercator Coordinates: | Latitude: 42° 07' 33 " N<br>Longitude: 70° 41' 28" W | |
| Estimated commencement date: Nov. 2004 | Estimated completion date: June 2005 | |
| Approximate cost: $350,000 | Status of project design: 95 %complete | |
| Proponent: Marshfield Yacht Club | | |
| Street: 11 Ridge Road | | |
| Municipality: Marshfield | State: MA | Zip Code: 02050 |
| Name of Contact Person From Whom Copies of this ENF May Be Obtained:<br>Joseph M. Forns, Sr. Scientist | | |
| Firm/Agency: Applied Marine Ecology Lab | Street: 25 Greengate Road | |
| Municipality: Falmouth | State: MA | Zip Code: 02540 |
| Phone: (508) 540-4544 | Fax: (508) 540-6070 | E-mail: |

Does this project meet or exceed a mandatory EIR threshold (see 301 CMR 11.03)?

Yes X No

Has this project been filed with MEPA before?

X Yes (EOEA No. 13167 ) No

This is the third ENF for this project. ENF's were submitted on Nov. 20, 2003, voluntarily withdrawn in Feb, 2004, resubmitted on July 12,2004 and voluntarily withdrawn October 8, 2004, so the Applicant could make modifications to the proposed project scope and magnitude. MEPA thresholds triggered for this ENF are: "alteration of more than 1,000 sq. ft. of outstanding resource waters (ORW)" [301 CMR 11.03(3)(b)(1)(c)] and "alteration of more than ½ acre of wetlands" [301 CMR 11.03(3)(b)(1)(f).

Based on communications with the local regulatory agencies and in the process of the initial MEPA review, the Applicant concluded the Site should not have been classified as ORW for shellfish. Since January, 2004 DEP has acknowledged the misclassification and plans to declassify the area as ORW. The uncertainty of DEP's timeline for revisions to the 401 Regulations (314 CMR 9.00), initially June 2004 and now July 2005, may require the Applicant to seek a variance under 314 CMR 9.00. If so, this ENF provides information that demonstrates (i) all reasonable measures have been proposed to avoid, minimize and mitigate potential adverse effects on the environment, and (ii) there are a clear public interest and community benefit by improving access to the water for recreational boating which overrides the misclassification of this area of the South River as ORW.

The Applicant believes an EIR is not required or necessary, and the existing 401 and Ch. 91 permitting processes are the more appropriate forums to resolve any questions concerning the analyses presented in this ENF. An EIR presents a significant hardship (in time and money) to the Applicant. It would unnecessarily delay issuance of the required dredging permit in time to dredge this coming winter (before January 31, 2005). Any significant delay will jeopardize the ability of the Applicant to finance the work. The Marshfield Yacht Club is a "working man's boat club" and members contribute their individual labor and funds toward the maintenance and repairs of the facility.

Has any project on this site been filed with MEPA before?

☐ Yes (EOEA No._____) X 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 | X No |
| a Waiver of mandatory EIR? (see 301 CMR 11.11) | ☐ Yes | X 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

List Local or Federal Permits and Approvals: Order of Conditions; 401 Certification; Ch. 91 License; US Army Corps, Sec. 10 Permit

Which ENF or EIR review threshold(s) does the project meet or exceed (see 301 CMR 11.03):

- ☐ Land
- ☐ Water
- ☐ Energy
- ☐ ACEC
- ☐ Rare Species
- ☐ Wastewater
- ☐ Air
- ☐ Regulations
- X Wetlands, Waterways, & Tidelands
- ☐ Transportation
- ☐ Solid & Hazardous Waste
- ☐ Historical & Archaeological Resources

| Summary of Project Size & Environmental Impacts | Existing | Change | Total | State Permits & Approvals |
|---|---|---|---|---|
| LAND | | | | X Order of Conditions<br>☐ Superseding Order of Conditions<br>X Chapter 91 License<br>X 401 Water Quality Certification<br>☐ MHD or MDC Access Permit<br>☐ Water Management Act Permit<br>☐ New Source Approval<br>☐ DEP or MWRA Sewer Connection/ Extension Permit<br>☐ Other Permits (*including Legislative Approvals*) – Specify: |
| Total site acreage | 1.01 | | | |
| New acres of land altered | | 0 | | |
| Acres of impervious area | 0.25 | 0 | 0.25 | |
| Square feet of new bordering vegetated wetlands alteration | | 0 | | |
| Square feet of new other wetland alteration | | 23,449 | | |
| Acres of new non-water dependent use of tidelands or waterways | | 0 | | |
| STRUCTURES | | | | |
| Gross square footage | | | N/A | |
| Number of housing units | | | N/A | |
| Maximum height (in feet) | | | N/A | |
| TRANSPORTATION | | | | |
| Vehicle trips per day | 100 | 0 | 100 | |
| Parking spaces | 89 | 89 | 89 | |
| WATER/WASTEWATER | | | | |
| Gallons/day (GPD) of water use | | | N/A | |
| GPD water withdrawal | | | N/A | |
| GPD wastewater generation/ treatment | | | N/A | |
| Length of water/sewer mains (in miles) | | | N/A | |

**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_____) X No

Will it involve the release of any conservation restriction, preservation restriction, agricultural preservation restriction, or watershed preservation restriction?

☐Yes (Specify_____) X 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_____) X 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_____) X 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_____) X No

## PROJECT DESCRIPTION

The Marshfield Yacht Club (MYC) owns four parcels along the South River located at 11 Ridge Road, Marshfield, Mass. Since its charter in 1956, the Club's membership is fixed at 350. MYC is a "working man's boat club" and almost all maintenance, repairs and improvements are undertaken by the membership. Over the past forty-six years, the MYC developed two parcels with a Clubhouse and boating facility including paved parking, dredged within the South River, installed a steel sheet piling bulkhead, and has managed and maintained two seasonally removed floating dock systems that accommodate 72 seasonal recreational boats belonging to individual members. The existing facility is authorized with 401 Water Quality Certification , MA Ch. 91 Licenses (Lic. Nos. 313, 2945 & 4439) and US Army COE permits (No. 1990-10820). Copies of these authorizations are in Appendix A. At DEP's request, AMEL reviewed these authorizations and found that all existing structures, dredged areas and facility uses are in compliance, and are represented on the existing conditions plan (SP-1). Aerial photos describing the historical and existing site conditions is presented in Appendix B. Local authorizations for the proposed project including the DEP and Marshfield Orders of Conditions and Marshfield ZBA special permit are in Appendix A.

The MYC proposes to expand its facility on its two contiguous parcels in order to better accommodate its members, relieve public pressure for recreational water-borne access within the community and enhance recreational boating at this completely water-dependent development within this portion of the South River system. Since its inception, the proposed expansion has been a goal of this community-based recreational boating club. The MYC proposed project involves construction of a 5' x 260' pile supported access pier, access ramps, floating boat slips and dredging approximately 3,430 cubic yards and maintaining 23,449 sq. ft. of intertidal and subtidal water area in order to expand the existing licensed seasonal recreational boat docking facility. The purpose of the proposed work is to provide all-tide navigational access to forty (40) additional seasonally installed floating boat slips.

Existing site conditions are depicted in SP-1 in Appendix B. Resource areas associated

with this project include Land Under Ocean, Land Containing Shellfish, Coastal Beach, and Salt Marsh. Further, the entire South River has been designated as Outstanding Resource Waters for shellfish. MYC has delineated these resource areas, conducted extensive investigations of the existing conditions, sampled and analyzed the sediment structure and composition and chemical constituents, conducted shellfish inventories within the proposed work area, and communicated its findings to local, state and federal environmental regulatory agencies. MYC never has, and does not plan to utilize the "notch" in the existing concrete wall at the southerly end of the Site for vessel or seasonal float launching access. MYC intends to incorporate Ch. 91 required public access in this southerly end of the Site without intrusion into the salt marsh.

The breakdown of wetland resource areas potentially affected by the proposed facility expansion are as follows:

| Resource Area | Existing ($ft.^2$) | Proposed ($ft.^2$.) |
|---|---|---|
| Salt Marsh | 4,700 | 4,700 |
| Coastal Beach | 37,765 | 34,971 |
| Land-Under-Ocean | 20,655 | 23,449 |
| Total Wetlands Area | 63,120 | 63,120 |

**Salt Marsh:**

The salt marsh habitat at the proposed location consists of two clusters of vegetation. Directly in front of the existing concrete wall *S. alterniflora* occupies approximately 3,600 $ft.^2$ and *S. patens* occupies approximately 1,100 $ft.^2$. The distance from the proposed dredging limit to the closest marsh is approximately 80 ft. at the northerly cluster and 110 ft. to the sourtherly cluster. The distance from the proposed dredging limit to the marsh on the adjacent southerly property is more than 110 ft. These existing onsite combined two clusters of salt marsh vegetation will not be disturbed by the proposed project and are sufficiently set back to minimize effects from the proposed increase in boating activity. During construction, specific erosion control measures will be undertaken using staked filter fabric barriers to protect these resources during the dredging phase of the project. All pile driving for the pier and floating dock system will be from waterborne equipment and no seasonally removed floats will come in contact with the marsh.

**Coastal Beach:**

There is approximately 37,765 $ft.^2$ of intertidal coastal beach within the proposed project area. This area is primarily unvegetated with a substrate comprised of coarse sand, cobbles and small boulders underlying a surficial layer of medium to fine sands. Size fraction analysis for sediment samples collected at three locations within this resource area are given in Appendix B. Assessment of this resource area consisted of conducting low tide transect surveys with observations of flora and fauna. Based on the observations made during four seasonal surveys, a shellfish inventory was conducted within the area of most probable habitat, in addition to three separate transects through the intertidal and subtidal resource area. Sampling locations for sediment analyses (chemical and physical) and shellfish inventory are shown on SP-1 in Appendix B. In concert with our land survey team (RLS), AMEL conducted two shellfish assessments. The protocol for the shellfish investigations is provided in Appendix B.

There were no significant numbers of shellfish detected at all 56 stations sampled within this intertidal coastal beach habitat. Only four individual soft shell clams (*Mya arenaria*) were found at the 46 grid stations sampled and none were found along the 10 transect stations. These results are consistent with reports from the Marshfield Shellfish Dept. Complete results of the physical and chemical analyses are given in Appendix B. At the request of MCZM, an intertidally exposed bar was delineated offsite and is approximately 50 ft. east of the proposed limit of dredging. This