

MEMORANDUM

TO: Anne Canaday, Environmental Reviewer, MEPA Unit

THROUGH: David DeLorenzo, Deputy Regional Director
David Johnston, Deputy Regional Director
Millie Garcia-Surette, Deputy Regional Director

CC: Elizabeth Kouloheras, Chief, Wetlands
Richard Keith, Chief, Municipal Services
David Burns, Team Leader, South Coastal Watershed
David Ellis, Chief, Solid Waste Management
Gerard Martin, Chief, Site Management
Leena McQuaid, Commissioner's Office

FROM: Sharon Stone, SERO MEPA Coordinator

DATE: August 13, 2004

RE: ENF EOE A #13318 – MARSHFIELD – Federal Navigation Project
Maintenance Dredging at Green Harbor

"For Use in Intra-Agency Policy Deliberations"

The Southeast Regional Office of the Department of Environmental Protection has reviewed the Environmental Notification Form (ENF) for the proposed maintenance dredging project (Federal Navigation Project) to be located at Green Harbor, Marshfield, Massachusetts (EOEA #13318). The project proponent provides the following information for the project:

"The proposed project is to provide maintenance dredging to restore the authorized depths of the existing 6-foot anchorage area located within the inner harbor of Green Harbor in order to improve navigation and safety. The proposed dredging will be accomplished through hydraulic methods and sediments will be pumped via pipeline to the existing sediment containment basin located at the Town of Marshfield's Dredge Spoils Area (DSA) on Joseph Driebeek Way.

Permits listed in the ENF to be sought for the project include the following:

**Chapter 91 License
401 Water Quality Certification
Marshfield Conservation Commission – Order of Conditions
Marshfield Zoning Board of Appeals Approval"**

The Wetlands and Waterways Program has reviewed the proposal to maintenance dredge approximately 50,000 cubic yard of material from the 6-foot federal anchorage area within Green Harbor. The dredge spoils will be pumped to the Town of Marshfield's dredge spoils area and utilized to permanently close the containment area. The project requires an Order of Conditions under the Wetlands Protection Act, a 401 Water Quality Certification and a Chapter 91 Permit. The following comments are based on a review of the ENF.

- The ENF indicates that the federal anchorage area has been dredged several times since the late 1960's, but does not reference any previously issued Chapter 91 Permits. The Department will request this information during the permitting review.
- The ENF indicates that several piggy-back projects will likely utilize the Town of Marshfield dredge spoils area, but gives no indication whether these projects will be done concurrently with the dredging of the federal anchorage area. During the permitting of this project, the Department will seek information regarding a timeline for a final closure of the dredge spoils area.
- The Department supports the Proponent's request for a waiver for a mandatory EIR.

The Division of Solid Waste Management has reviewed the ENF and indicates the following comments:

The Town of Marshfield has stated that the preferred alternative to manage dredge that is too fine-grained for use as beach nourishment is to use the dredge as fill as part of the closure of the Town of Marshfield's Dredge Spoils Area (DSA) located on Joseph Driebeek Way. In the ENF the Town states that: *"To address public health and safety concerns, the Town will permanently fill in the containment basin with dewatered dredge sediments to close the site and allow for future development of the area."*

Project Background:

- The Army Corps expects to generate 50,000 cubic yards of marine silty sediments from the dredging of Green Harbor.
 - There are several other piggyback dredge projects (town and local entities) that are expected to generate another 20,000-30,000 cubic yards of sediments (Total dredge volume = 80,000 yards).
 - The Department has met with the Town on several occasions to discuss the proposed project and issued a Memorandum on the project (Attachment 5 of ENF) regarding potential dredge management options.
1. The proposal to reuse the dredge from this project to fill in the DSA is consistent with the Department's April 7, 2004 Memorandum and Solid Waste Management Regulations (310 CMR 19.000 and 310 CMR 16.00). Reuse of the dredge will be permitted under 401 Water Quality Certification Program and 314 CMR 9.00. No permit is required from the solid waste section for the proposed reuse.

2. The dredge has the potential to generate nuisance odors. An odor management plan should be submitted as part of the 401 Water Quality Certification permit that includes contact information (e.g. contact person and a phone number the public can call in the event of odors) and mitigation measures.

Please contact Mark Dakers at the Department's Southeast Regional Office (508) 946-2847 should you have any questions relative to the solid waste portion of this comment memo.

Based on the information provided in the ENF, the Bureau of Waste Site Cleanup (BWSC) searched its database for disposal sites and release notifications. The subject project was not listed as a current site. In addition, no other disposal sites were listed in the immediate vicinity of the proposed project.

The Project Proponent is advised that, if oil and/or hazardous material is identified during the implementation of this project, notification pursuant to the Massachusetts Contingency Plan (310 CMR 40.0000) must be made to the Department, if necessary. A Licensed Site Professional (LSP) may be retained to determine if notification is required and, if need be, to render appropriate opinions. The LSP may evaluate whether risk reduction measures are necessary or prudent if contamination is present. The BWSC may be contacted for guidance if questions regarding cleanup arise.

The DEP Southeast Regional Office appreciates the opportunity to comment on this proposed project. If you have any questions regarding these comments, please contact Sharon Stone at (508) 946-2846.

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