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Subject: Revised Mitigation Proposal

Matt, Phil, and Chris,

Ken Kimmell asked me to forward a summary of the mitigation plan that will be presenting to you today at our meeting:

As you know from the alternatives analysis submitted on 8/25/10, the following is a summary of the long-term impacts associated with the project:

- **Areas of Proposed Filling:**
 - 1.43 acres of intertidal area,
 - 4.73 acres of shallow, near-shore sub-tidal area; and
 - 0.18 acres of salt marsh will be filled during the construction of the facility.
- **Areas of Dredging (Existing Depth Between -1 and -6 MLLW):**
 - 9.0 acres of near-shore, subtidal area will be dredged to between -20 and -30 MLLW (6.65 acres to -20 MLLW and 2.35 acres to -30 MLLW).
- **Areas of Dredging (Existing Depth between -20 and -25 MLLW):**
 - 6.39 acres of subtidal area will be dredged to -30 MLLW.
- **Destruction of shellfish within these areas.**

As EPA and NOAA Fisheries has stated that Winter Flounder spawning habitat is shallower than approximately -16.4 MLLW:

13.73 subtidal acres of the project impacts will be impacts to Winter Flounder Spawning Habitat, as well as to other marine life and foraging seabirds/terns.

6.39 acres will be sub-tidal impact, but will not be within the Winter Flounder Spawning range and is unlikely to impact the foraging seabird/terns (since the current elevation is between -20 and -25 MLLW, and it is being dredged to approximately -30 MLLW). However, the work in this area will still impact marine life on some level.

1.43 acres will be intertidal impact.

0.18 acres will be salt marsh impact.

An estimated impact to approximately 1,000,000 shellfish.

Therefore, we are proposing the following:

- 13.73 acres of Winter Flounder Spawning Habitat at the Area 3 Winter Flounder Habitat Creation Area. (1:1 Mitigation for Winter Flounder, as well as other marine life, and Tern impacts). (see attached figure)
- 3 acres of Intertidal Creation and 7 acres of sub-tidal enhancement at the OU-3 area. (see attached figure)
- 1.91 Acres of creating/enhancing a combination of successional marsh areas (intertidal/subtidal, low marsh, high marsh, and transitional area). The following is more detailed information regarding this creation:

There are three attached figures showing the proposed work. A "pre-" plan, showing

existing use in the drainage swale, a "post-" plan, showing the proposed enhancement creation work, and a cross-section figure you have seen before (attached to the alternatives analysis). The total resource areas being affected by the work is: 87,847 square feet (2.01 acres) – the previously cited amount of resource area to be created/enhanced. However, if you subtract out the existing area of plant growth – (delineated areas of *Spartina Alterniflora* and Glasswort), you come to 83,224 square feet (1.91 acres) of area being created or enhanced. The following is a summary of existing land usage:

The existing use of the land within the drainage swale:

Existing Upland Area: 36,789 square feet

Unvegetated Rip-Rap Slope: 13,476 square feet

Intertidal/Sub-Tidal Contaminated and Unvegetated Area: 54,367 square feet

Existing *Spartina Alterniflora* Growth: 4,276 square feet

Existing Glasswort Growth: 347 square feet.

The use after mitigation is complete:

New Pedestrian Walkway: 9,358 square feet

Wetland Transition Plantings: 11,278 square feet

High Marsh Species Plantings: 14,962 square feet

Low Marsh Species Plantings: 32,362 square feet

Remediated Channel: 29,245 square feet

Unmodified Upland Area: 12,050 square feet

Thanks,

Chet Myers, PE, LSP

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MITIGATION-REV2reduced.pdf  - Hurricane_Swale_Mitigation_X_Sect.pdf  -
HURRICANE_SWALE_MITIGATION-PRE.pdf  - HURRICANE_SWALE_MITIGATION-PROP.pdf