Reviewed for Code Compliance
Inspections Division
Approved with Conditions
Date: 09/20/16

According to the Department's Geographic Information System database there are no mapped Essential or Significant Wildlife Habitats located at the site.

The Department of Marine Resources (DMR) stated that the proposed project is located in an area classified as "Prohibited" for shellfish and no marine worm resources are known to exist at the project site. No eelgrass exists in the project area. As proposed, the DMR finds that the project will have little to no long term impact to marine resources or habitat.

The Department finds that the activity will not unreasonably harm any significant wildlife habitat, freshwater wetland plant habitat, threatened or endangered plant habitat, aquatic or adjacent upland habitat, travel corridor, freshwater, estuarine or marine fisheries or other aquatic life.

5. WATER QUALITY CONSIDERATIONS:

The applicant proposes to use lumber treated with chromated copper arsenate (CCA) to construct the pier. To protect water quality, all CCA-treated lumber must be cured on dry land in a manner that exposes all surfaces to the air for 21 days prior to the start of construction.

Provided that CCA-treated lumber is cured as described above, the Department finds that the proposed project will not violate any state water quality law, including those governing the classification of the State's waters.

6. WETLANDS AND WATERBODIES PROTECTION RULES:

The applicant proposes to directly alter 27 square feet of coastal wetland to install pilings necessary for the pier and float supports. The proposed project will return approximately 25-50 square feet of coastal wetland to mudflat conditions with the removal of the existing pilings. The applicant proposes to indirectly alter approximately 1,920 square feet as a result of shading from the pier, ramp, and floats.

The Wetlands and Waterbodies Protection Rules, 06-096 CMR 310 (effective January 26, 2009), interpret and elaborate on the Natural Resources Protection Act (NRPA) criteria for obtaining a permit. The rules guide the Department in its determination of whether a project's impacts would be unreasonable. A proposed project would generally be found to be unreasonable if it would cause a loss in wetland area, functions and values and there is a practicable alternative to the project that would be less damaging to the environment. Each application for a NRPA permit that involves a coastal wetland alteration must provide an analysis of alternatives in order to demonstrate that a practicable alternative does not exist.

A. Avoidance. No activity may be permitted if there is a practicable alternative to the project that would be less damaging to the environment. The applicant submitted an alternatives analysis for the proposed project completed by Eco-Analysts, Inc. and dated