



April 15, 2008

Secretary Ian A. Bowles
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: Environmental Notification Form
Salem Port Expansion
Salem, MA

372 Merrimac Street

Newburyport

Massachusetts

01950

(978) 465-1428

Fax

(978) 465-2640

www.vineassociates.net

Dear Secretary Bowles:

On behalf of the City of Salem, (the "Project Proponent"), Vine Associates, Inc. is pleased to submit the enclosed Environmental Notification Form (ENF) for the Salem Port Expansion. The Project proposes to construct a multi use water transportation facility on a site owned by Dominion and located in the Salem Harbor Designated Port Area in the City of Salem.

The development of this facility has been planned and evaluated by the City of Salem over the past several years. The proposed development plan includes land and waterside improvements including pedestrian and vehicular access; parking; a water transportation terminal with passenger facilities, office and storage space; and a fixed pile supported pier and a system of gangways and floating docks/barges to accommodate a variety of vessels such as commercial fishing boats, small coastal cruise ships, visiting ships, water taxis, excursion vessels and a supply boat.

The facility will require dredging of 8.3 acres of Salem Harbor to create navigable areas with sufficient depths to accommodate the vessels programmed for the site. The U.S. Army Corps has recently determined that the sediments proposed for dredging are suitable for offshore open water disposal in the Massachusetts Bay Disposal Site.

The project is required to file an ENF as it will alter a coastal bank (note that the bank was previously altered); alter more than ½ acre of wetland resources from the proposed dredging activities; dredge more than 10,000 cubic yards of material; and expand pile supported structures occupying flowed tidelands more than 2,000 sf in base area (301 CMR 11.03(3)(b)(1)(b) and (f) and (3), (4), and (6)).

The project is an important economic initiative for the City that is included in the City's 2008 Municipal Harbor Plan. This City Project has received funding from and is supported by the state Seaport Council as well as other organizations in the City. The City expects to complete the project design in the winter of 2008 and begin construction in the spring of 2009.

Thank you for your consideration in this matter. Please do not hesitate to contact me if you have any questions at (978) 465-1428.

Sincerely,

VINE ASSOCIATES, INC.

A handwritten signature in cursive script, appearing to read "Susan St. Pierre".

Susan St. Pierre
Principal

cc: K. Driscoll, Mayor City of Salem
D. Babb-Brott, MEPA Director

Enclosures

- 1 original signed ENF
- 1 copy of signed ENF
- 1 copy of first three pages of ENF including project description



SALEM PORT EXPANSION

Salem, Massachusetts

Environmental Notification Form

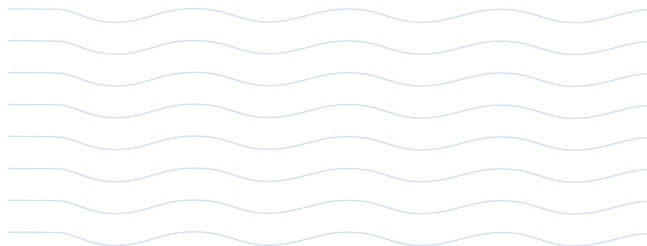
Vine Associates, Inc.
372 Merrimac St.
Newburyport, MA 01950
978-465-1428
978-465-2640



Submitted to:
MEPA Office
100 Cambridge Street
Boston, MA

Submitted by:
Vine Associates, Inc.

Submitted for:
City of Salem
120 Washington Street
Salem, MA



April 15, 2008

Commonwealth of Massachusetts**Executive Office of Environmental
Affairs ■ MEPA Office****ENF****Environmental
Notification Form***For Office Use Only
Executive Office of Environmental Affairs*EOEA No.:
MEPA Analyst:
Phone: 617-626-

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: Salem Port Expansion		
Street: 10 Blaney Street		
Municipality: Salem	Watershed: South River /Salem Harbor	
Universal Tranverse Mercator Coordinates:	Latitude: 42.522398 Longitude: 70.882804 W	
Estimated commencement date: Spring 2009	Estimated completion date: Spring 2011	
Approximate cost: \$14.73million	Status of project design: 25%complete	
Proponent: City of Salem		
Street: 120 Washington Street		
Municipality: Salem	State: MA	Zip Code: 01970
Name of Contact Person From Whom Copies of this ENF May Be Obtained: Susan St. Pierre		
Firm/Agency: Vine Associates, Inc.	Street: 372 Merrimac Street	
Municipality: Newburyport	State: MA	Zip Code: 01950
Phone: 978-465-1428	Fax:	E-mail: sst.pierre@vineassociates.net

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. 13558)☐ 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): Seaport Bond Bill
Funding has been provided for design and permitting and is expected for construction

Are you requesting coordinated review with any other federal, state, regional, or local agency?

☐ Yes (Specify _____) ☒ No

List Local or Federal Permits and Approvals: U.S. Army Corps of Engineers Section 10/Section 40 Permit, Salem Conservation Commission Notice of Intent.

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	
LAND				<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 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 type="checkbox"/> Other Permits (including Legislative Approvals) – Specify:	
Total site acreage	2.04				
New acres of land altered		0			
Acres of impervious area	.15	1.89	2.04		
Square feet of new bordering vegetated wetlands alteration		0			
Square feet of new other wetland alteration (Watersheet)		362,000			
Acres of new non-water dependent use of tidelands or waterways		0			
STRUCTURES					
Gross square footage	467	10,024	10,500		
Number of housing units	0	0	0		
Maximum height (in feet)	0	32 (to peak)	32 (to peak)		
TRANSPORTATION					
Vehicle trips per day	848 weekday 694 weekend	272 weekday 752 weekend	1120 weekday 1446 weekend		
Parking spaces	196	-50	146		
WATER/WASTEWATER					
Gallons/day (GPD) of water use	78	3772	3850		
GPD water withdrawal	0	0	0		
GPD wastewater generation/treatment	71	3122	3300		
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.*)

See Attached Project Description

SALEM PORT EXPANSION PROJECT DESCRIPTION

Project Purpose

The City of Salem proposes to redevelop 10 Blaney Street into a multi use port facility. The 2.04 acre site is located off of Derby Street in the Salem Harbor Designated Port Area and is owned by Dominion. The site currently contains an interim floating dock system, a gravel parking area that can accommodate about 196 vehicles, and an office trailer used by the Salem Ferry, *Nathaniel Bowditch*, which has been providing seasonal commuter ferry service from the site to Boston since 2006. The City is currently under agreement with the offshore supply vessel and for several ports-of-call for a coastal cruise company in 2007 both of which are anticipated to be users of the proposed facility.

The Project offers a unique and exciting opportunity for the City of Salem to redevelop an underutilized site located on Salem Harbor into an economic engine and a tourist gateway for the community. While the site is currently owned by Dominion, the City expects to gain development control over the site in the near future.

Project Background

The Salem Port Expansion Project has been the subject of planning, economic, and engineering studies over the past several years that recommend the development of a multi use water transportation facility that could service a variety of vessels including the existing Salem Ferry *Nathaniel Bowditch*, excursion boats, water taxis, LNG Offshore supply boat, commercial fishing boats, visiting ships and small cruise ships. The existing floating dock system was installed in 2006, a bathymetric survey, dredge sampling and testing were performed in 2006/2007 and an updated site layout and program was developed in the fall/winter of 2007.

Project Description

The proposed redevelopment plan for the site includes land and waterside improvements. The site is located adjacent to the Dominion Power plant and residential neighborhoods. The site design has been developed in response to this neighborhood context and includes traffic changes on Derby Street, landscaping, and pedestrian amenities including continuous harborwalk and a fishing/viewing pier.

The facility has been designed for several vessel types (see Table 1 below) and includes a water transportation terminal building with support space for the vessels. To accommodate the envisioned vessel usage a fixed pile supported pier and floating dock/barge systems are proposed. Dredging is also required to achieve water depths necessary for the desired uses. To the extent possible the existing interim ferry facility components will be reused as part of the floating dock/barge system and the existing pile support pier portion of the facility will be left in place as a fishing/viewing pier. The proposed land and waterside facilities and improvements are summarized in Table 2 below and shown on Figure 1.

Pedestrian and cyclist amenities such as benches and lighting will be provided along the harborwalk. Efforts will be made to design the proposed terminal building to achieve LEED certification, lighting for the parking lot and harborwalk and trash receptacles will utilize solar powered designs and the feasibility of incorporating wind generated energy into the facility will be explored. The proposed terminal building will include a waiting area on the ground floor which can also be used for public gathering during off season and off peak periods.

Table 1 Vessel Usage

Vessel Type Usage	Berthing Requirement	
LNG Offshore Supply Vessel Home Port	130 ft berth at floating barge	
Salem Ferry Home Port	120 ft berth at ADA barge	
Coastal Cruise Vessels Use	250 ft berth at ADA Barge	Day
Small to Medium Cruise Vessels Use	up to 400 ft at pier face	Day
Medium Cruise Ships Use	up to 800 ft Anchorage	Day
Use	Tenders to ADA barge	Day
Visiting Vessels/Tall Ships Day/Overnight	up to 400 ft at pier face	
Excursion Vessels Berth	120 ft berth at ADA Barge	Live
Water Taxi	50 ft berth Float at ADA Barge	

Table 2 Land and Waterside ImprovementsLandside

- Vehicular access from Derby Street via Blaney Street with passenger drop off area suitable for truck, bus and trolley access.
- Parking for 146 vehicles.
- Pedestrian access to/from Derby Street via White Street and internal pedestrian circulation along a 12 foot wide pile supported Harborwalk.
- Electrical, water, sewage pump-out, trash dumpsters and lighting.
- A two story, 10,500 square foot Terminal Building that includes passenger waiting/ticketing; office and support space; and maintenance storage areas (see Terminal Building Program on Table 3).

Waterside

- A fixed “L” shaped pier designed to accommodate trucks with adequate maneuvering, refueling and provisioning space and space along the pier end to accommodate small coastal cruise ships (250 feet in length) and visiting ships. The main pier leg is 32 feet wide and 250+/- feet long and the pier end varies in width from 20 to 50 feet and is 130 feet long.
- 10 ton crane capacity.
- Re-use of the existing 130 foot long float on the west side of the fixed pier to accommodate the *Nathaniel Bowditch* ferry and small coastal cruise ships (185 feet in length).
- A series of steel floating docks on the east side of the fixed pier to accommodate the LNG offshore supply boat, water taxis and excursion vessels.
- Float along the westerly side of the backland to accommodate the local fishing fleet and other vessels.
- Dredging approximately 217,000 cubic yards in an 8.63 acre (376,000 square feet) area to create three basins with depths ranging from elevations – 10 to -26 feet Mean Low Water. The dredging of the most landward basin includes approximately 45,000 square feet of intertidal area. This dredging is needed to create berthing the local commercial fishing fleet and other smaller draft vessels and to allow floats to be placed closer to the shoreline.

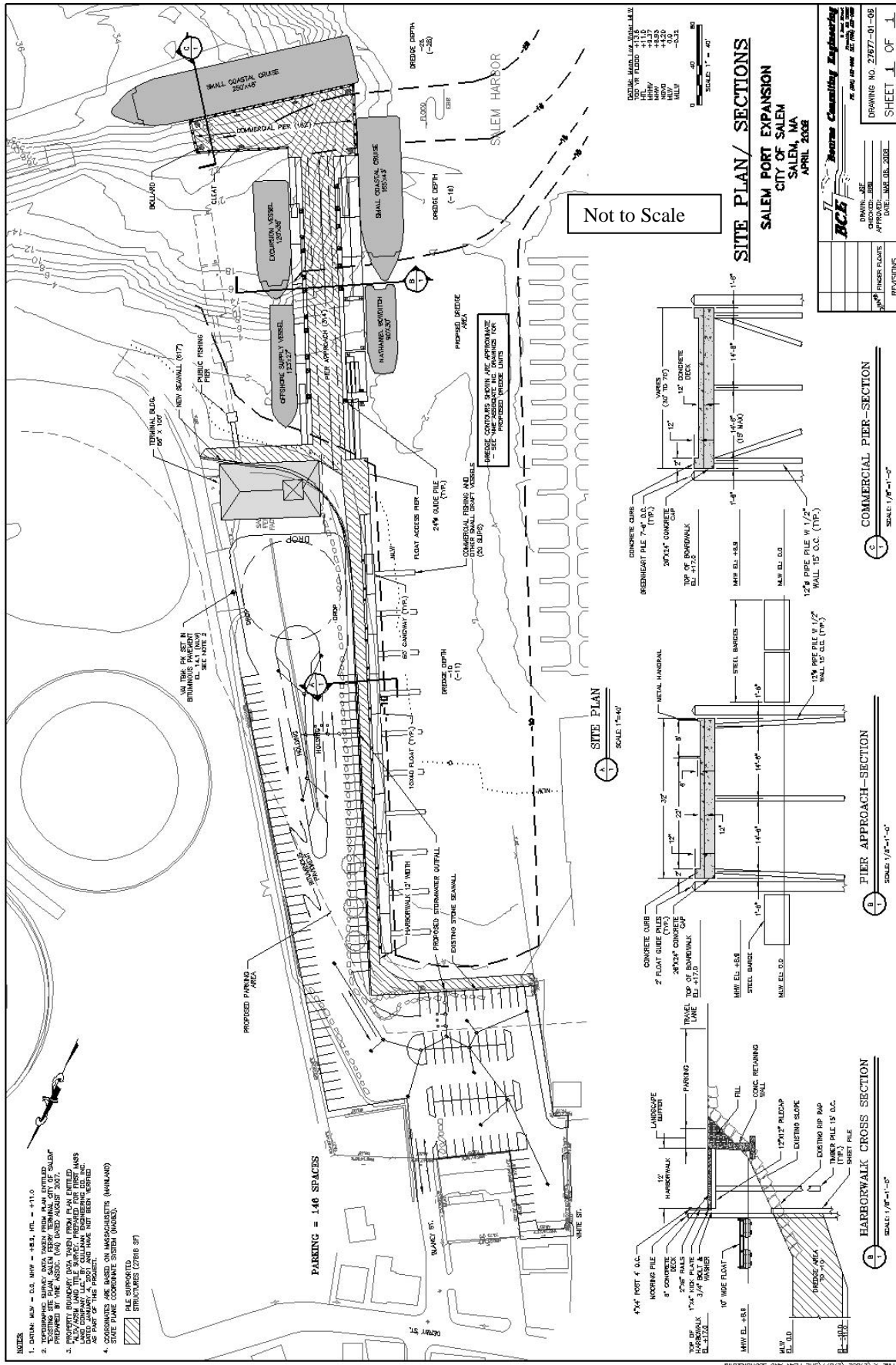


Figure 1
Proposed Development Plan

Table 3
Terminal Building Program

Tenant/User	Function	Net Area Need	Gross Area Needed	Notes/ Needs/Equipment
1. Salem Ferry	(subtotal)	3,370sf		Seasonal space needs at present, April through October
Waiting/Ticketing/Info	Public	1200sf		
Office	Private	850sf		
Workshop/Storage	Private	1000sf		
Public Restrooms	Public (2 @160sf)	320sf		
Outdoor covered waiting porch	Public	400sf*		
3. Cruise Vessels		-0-		Seasonal use; can share waiting and public space with ferry
Waiting/Info	Shared with Ferry	-0-		
4. Visiting Vessels		-0-		Can share waiting and public space with ferry
Waiting/Info	Shared with Ferry	-0-		
5. Offshore Supply Vessel		4,700sf		Year round use; heavier activity during fall and winter months
Office	Private	2500sf		
Workshop	Private	1000sf		
Storage	Private	1000sf		
Private Restrooms	Private; 2 @ 100	200sf		
6. Other Shared Areas		250sf		General building needs
Utilities	Common	150sf		
Maintenance/Storage	Common	100sf		
Total Net Square Feet		8,070sf		Area without circulation, wall s etc.
Total Gross Square Feet	One Storey Building @ 1.1x		8,877sf	Site limits may preclude a 1 storey building
Total Gross Square Feet	Two Storey Building @ 1.3 x		10,491sf	2 Storey building would require more circulation space; footprint of approximately 5, 250 sf

- Exterior space; Not included in net square footage

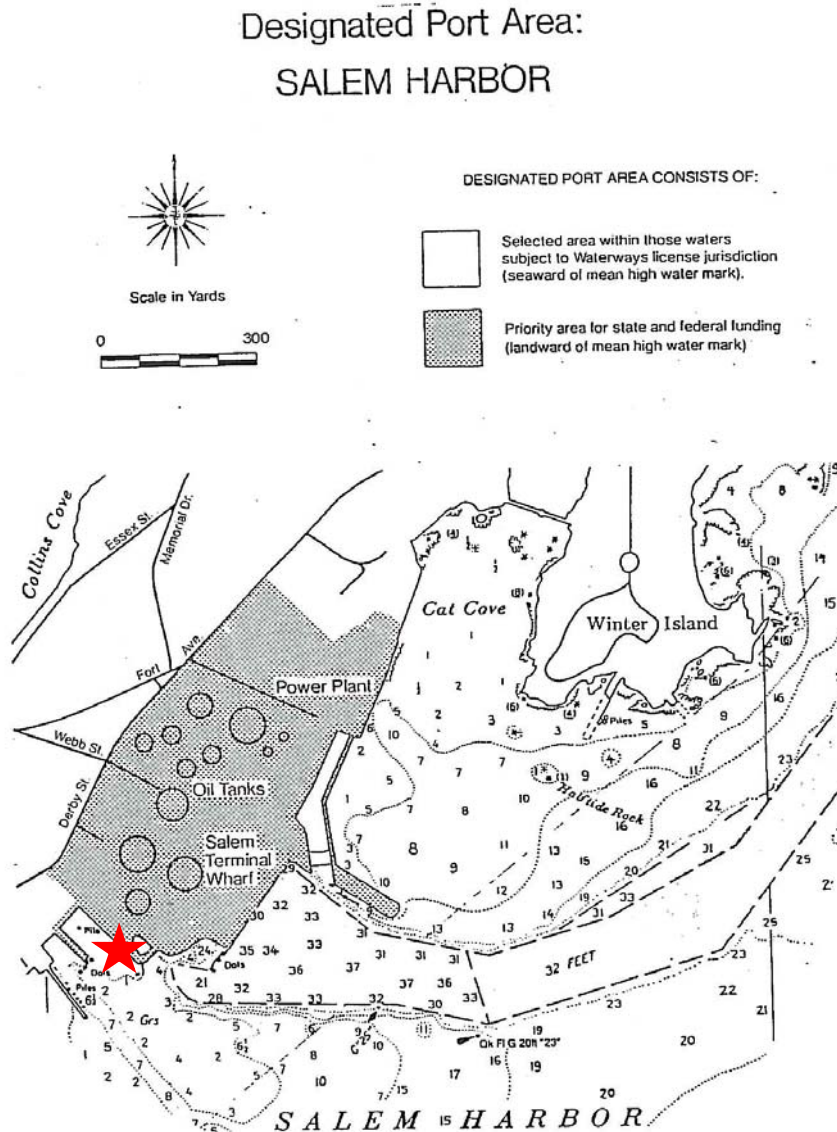
Project Impacts

The Project site is a level, underdeveloped site currently used for parking and support space for the Salem Ferry, *Nathaniel Bowditch*. The site currently contains open gravel parking area with a rough rip rap bulkhead edge placed along the shoreline with a narrow walking path on top of the bank. There is also a trailer that houses the *Nathaniel Bowditch* ferry offices.

Waterways and Wetlands

The proposed redevelopment of the site involves water-dependent industrial uses; facilities of public accommodation and public access to and along the water's edge on proposed on filled and flowed

tidelands in the Salem Harbor Designated Port Area (see Figure 2 below). The Project as designed meets the performance standards of the state Chapter 91 regulations including those governing Designated Port Areas (DPAs). As noted, the various components of the existing docking facility will be re-used as part of the proposed facility to the extent practical. As a public amenity, the pile supported portion of the existing docking facility will remain in place as a viewing/fishing pier as shown on Figure 1.



**Figure 2
Salem Harbor DPA**

The site contains state wetland resource areas including Land Under Ocean, Coastal Beach, Land Subject to Coastal Storm Flowage and Designated Port Area (DPAs) as shown of Figure 3. The harbor bottom generally consists of a granular top layer of silty sand underlain by a cohesive silt/clay bottom layer¹ and according to the MassGIS mapping, the area does not contain vegetated shallows, salt marsh or shellfish beds.

¹ Based on sediment sampling and testing undertaken in 2005 in accordance with a sampling protocol approved by the U.S. Army corps of Engineers.

The state wetlands regulations presume that in DPAs, certain resource areas including coastal beaches and tidal flats are not likely to be significant to marine fisheries, storm damage prevention or flood control but that many species of marine fisheries including anadromous fish may inhabit such areas and may need to pass through such areas to inland spawning areas or to the sea. The regulations also presume that Land Under Ocean in DPAs is significant to marine fisheries, storm damage prevention and flood control and therefore, water circulation and water quality are critical to the protection of marine fisheries and the ability of land to provide support for adjacent coastal or man-made structures is critical to the protection of storm damage prevention or flood control are therefore critical interests that need to be protected.

To accommodate the intended vessel usage, dredging of approximately 209,000 cubic yards of harbor sediments is required to create three dredge basins totaling 8.3 acres (see Figure 4). The dredging will occur within Coastal Beach (approximately 45, 000 square feet) and Land Under Ocean (approximately 317, 000 square feet) resource areas. The proposed dredging will result in temporary impacts to the Land Under Ocean resource area. The Coastal Beach Resource area will be dredged to elevation -10 MLW and will become subtidal. Best Management Practices will be used during construction to minimize impacts. No permanent adverse impacts to the movement fish, water circulation or water quality are anticipated. Furthermore, no alterations are proposed that would adversely affect the adjacent land to protect buildings or structures from flood damage. The sediment in the proposed dredge basins has been sampled and tested in accordance with a sampling plan approved by the U.S. Army Corps of Engineers which has recently issued a suitability determination for open ocean disposal of the dredge sediments.

Other impacts to state wetland resource areas include the installation of a concrete retaining wall along the entire shoreline to stabilize the shoreline which will occur on approximately 850 linear feet of previously altered Coastal Bank. There is also a 3,950 sf square foot area located along the harborwalk and in the vicinity of the terminal building that will be filled to allow the building to be constructed at grade rather than on piles in this location. This activity will affect existing coastal bank and places approximately 1,580 sf of fill in this area below the high tide line but above mean low water. Other activities include installation of piles to support the harborwalk and pier but these will be placed in areas already impacted by the proposed dredging. Please refer to Figure 5 Proposed Site Fill.

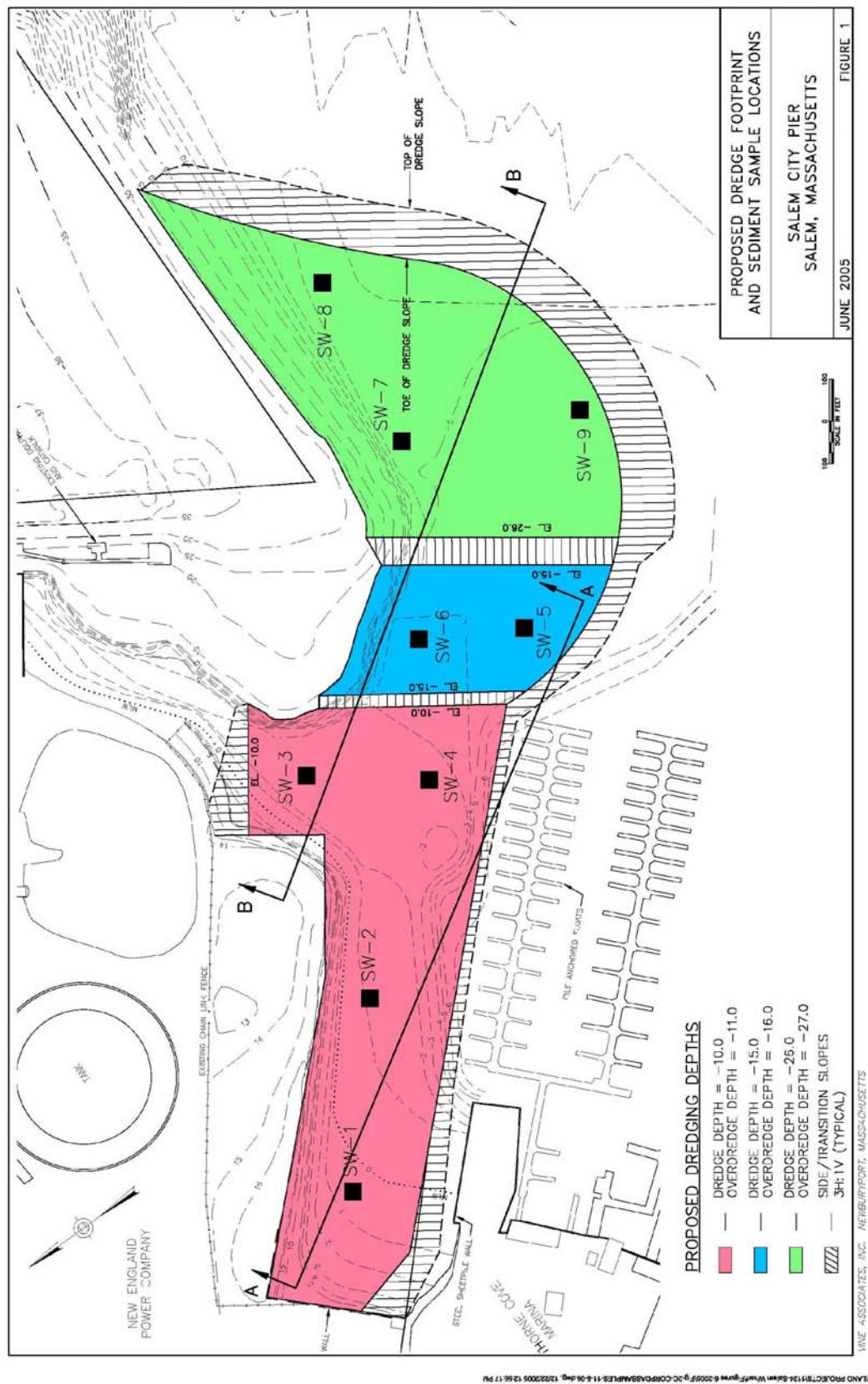


Figure 4
Proposed Dredge Basins

An interagency meeting was held at the U.S. Army Corps of Engineers New England Division on April 9, 2008 to discuss the proposed development plan. At that meeting, requirements for alternative analysis and the need for providing mitigation measures, as outlined in the Mitigation Plan Guidance to offset the intertidal dredging and filling, were discussed. The investigation of alternatives and final mitigation plan will be developed during the permitting process.

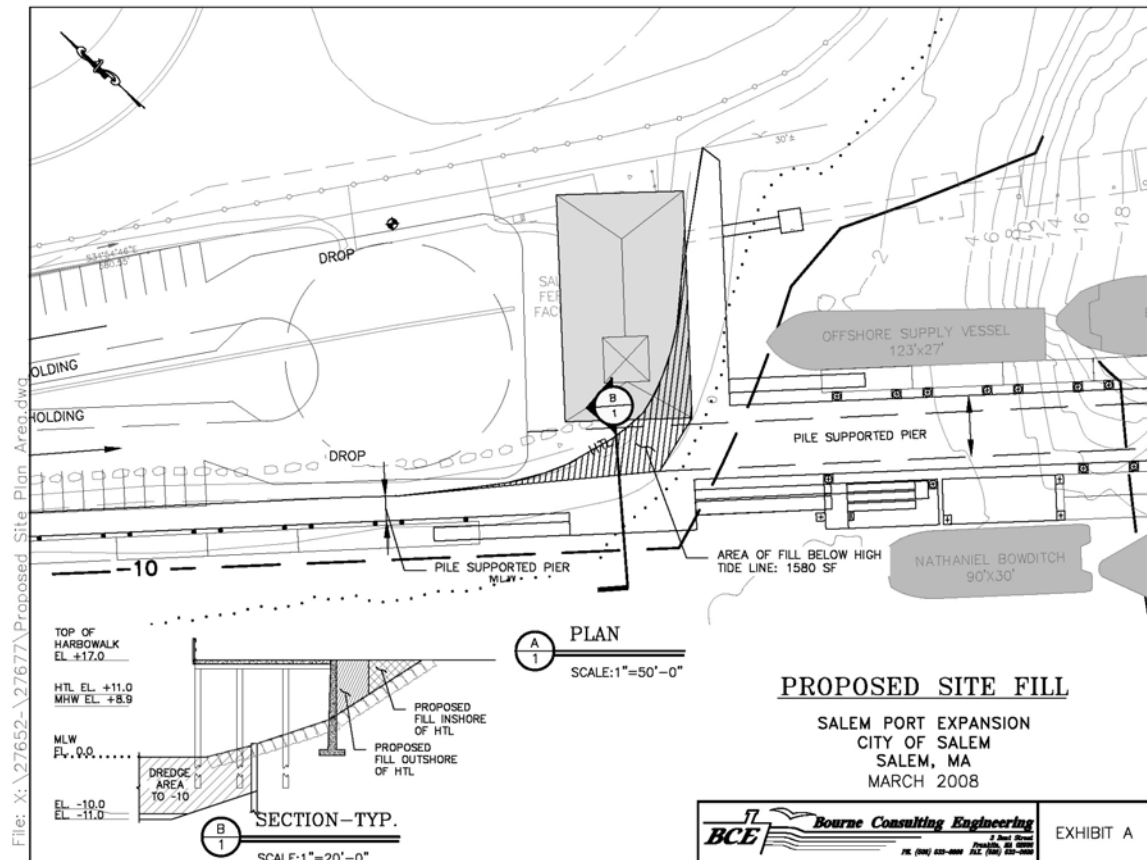


Figure 5
Proposed Site Fill

Traffic and Parking

The proposed expansion of DPA marine industrial uses on the site is expected to increase vehicular traffic above existing levels. Traffic on nearby streets will increase incrementally as the seasonal ferry services continues to attract more visitors and as the year round Offshore LNG Supply Vessel operations expand and contract from winter to summer and as additional vessel usage of the site occurs. To offset potential increases in traffic on Derby Street in the near term, the City is proposing to provide two-way traffic on Derby Street between White Street and Webb Street. This change will not require any major street reconstruction however, on street parking along this portion of Derby Street will be removed and replaced as angled parking along the south side of Derby Street near Dominion.

There will be a total loss of two parking spaces under this scheme. See Figure 6 for the proposed street and parking changes. During the fall and winter seasons, the demand for parking by the site uses will

decrease the parking lot will be available for residential neighbors during winter snow storm events.

Utilities

The site will be serviced by municipal water and sewer to service the proposed Terminal Building and to provide water service for vessels. A sewer pump station will be installed within the turn around area. A new subsurface storm drainage system will be installed with two new 18 inch stormwater outfalls. The system will be equipped with Stormceptor and oil/water separators. No infiltration is proposed due to groundwater being tidal influenced.

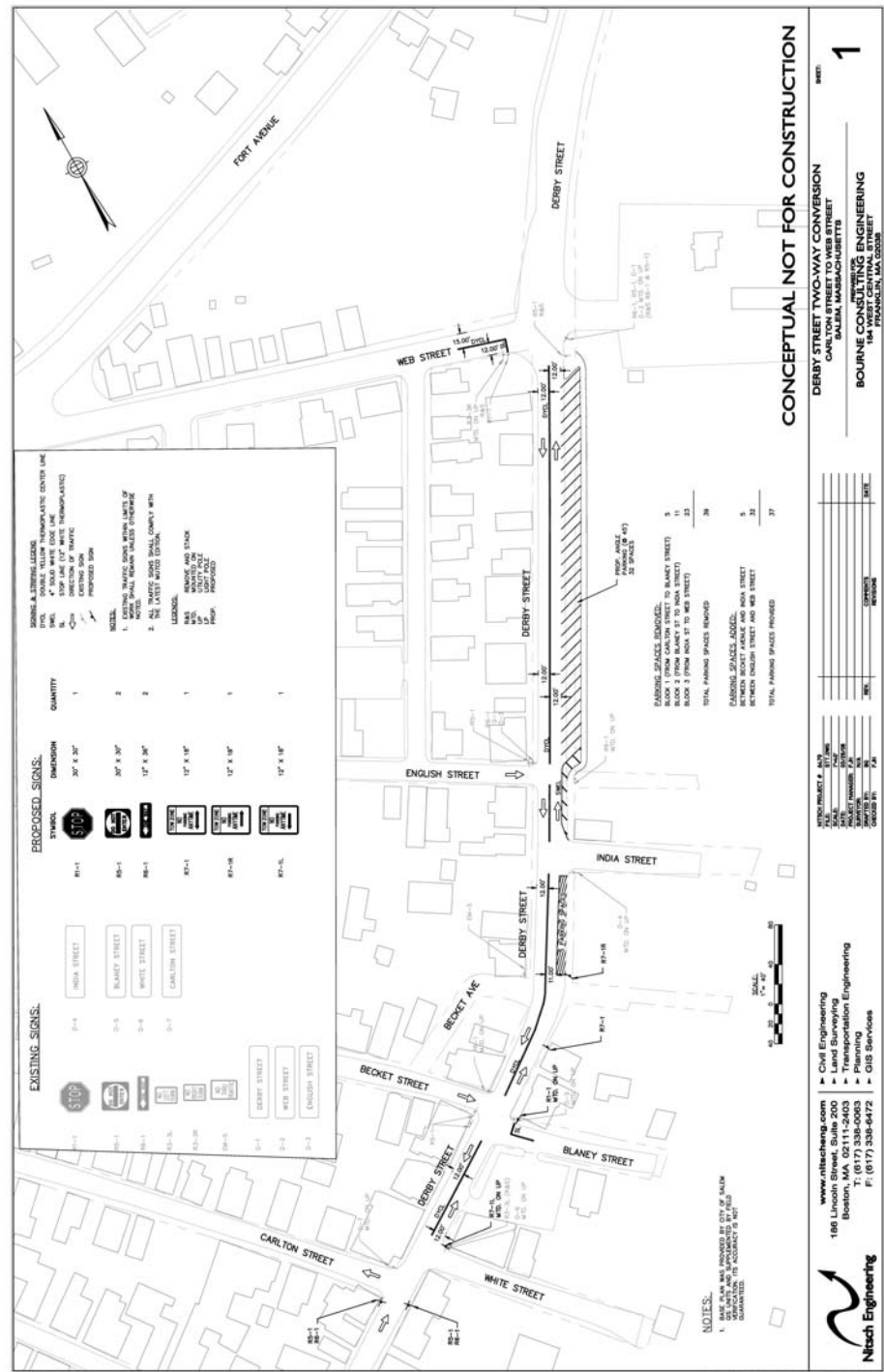


Figure 6
Derby Street Improvements

Project History

The Salem Port Expansion Project was originally proposed in 1998 as a multi use marine facility capable of berthing large cruise ships (800 feet long) as well as accommodating excursion/charter vessels, transient vessels and the local commercial fishing fleet.

The landside development included retail and hotel uses as well as support facilities for the commercial fishing and water transportation operations. The proposed development was designed to take advantage of the site's proximity to the federal channel and its location in the Salem Harbor Designated Port Area. A ½ acre area of fill was proposed to accommodate retail uses in two buildings and dredging of approximately 550,000 cubic yards of material was proposed.

In 2005, the project was reduced in scope based in part on public input as well as the results of market studies which demonstrated that smaller cruise ships would be more likely to utilize the facility than larger ships. The changes included a reduction in the size of the fixed pier to accommodate smaller class cruise vessels; reduced dredge areas and volumes; and elimination of the hotel and retail uses as well as the ½ acre of fill from the development program. The water transportation terminal and commercial fishing support buildings were retained. Parking was reduced to reflect the revised program.

Alternatives

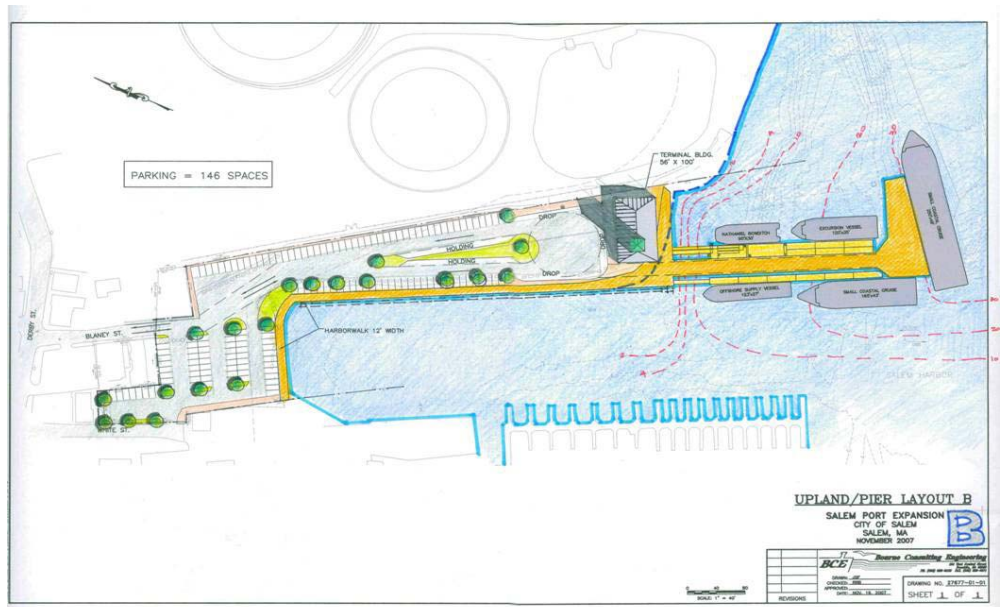
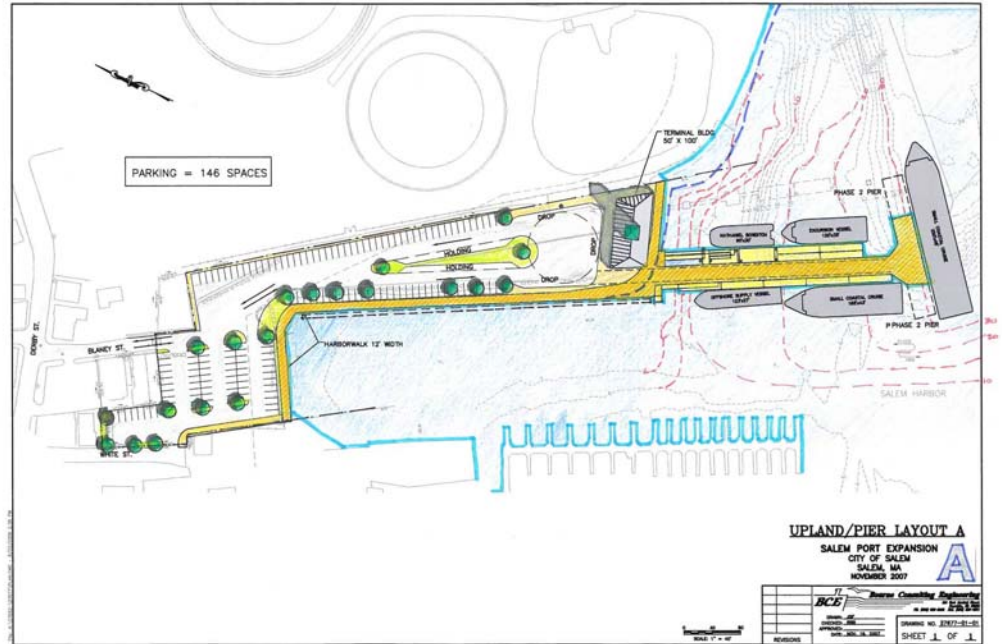
In 2007, the City retained a waterfront consultant to develop a new schematic design for the project taking into consideration, among other factors, existing facility use by the commuter/visitor ferry *Nathaniel Bowditch*, and potential use by an offshore supply vessel for to support the Northeast Gateway deep water LNG Port that has been constructed about 12 miles east of the City in Massachusetts Bay. The study evaluated several alternative layouts of the facility as well as changes to the interior circulation system, recommendations for a larger terminal building to accommodate offices and storage space for the offshore supply vessel operations and the Salem Ferry. The terminal building public space will have bathroom facilities and waiting area. The waiting area is to have a dual role of meeting/small function space during the off season. The existing level of parking will be reduced to accommodate the building and turning area requirements of trucks and emergency vehicles.

In addition to the preferred development plan shown on Figure 1, five other alternatives were considered as part of the 2007 study. These alternatives (A, B, C, D and E) are similar in nature on the landside with variations in the size of the terminal building and included different berthing configurations and pier layouts for the same program of vessel usage (see figures on following pages). The site program was based on previous market and site studies performed and have been modified based on the existing site constraints. The City is currently undergoing a project management and operation study which will more clearly define the site program needs in terms of both commercial vessel needs and upland building and parking needs to support the water dependant uses. The alternatives were reviewed with the City, current and anticipated site users, and an advisory group and the comments were incorporated into the preferred development plan shown on Figure 1.

In the development of the site plan several key issues were identified:

1. The site is within the Salem DPA and as such is restricted to commercial water dependent maritime activities
2. The City of Salem has an approved Harbor Plan which supports the proposed uses and development of the site
3. The commercial vessel use includes the need to be MAAB and ADA compliant for passenger vessel services including the Salem Ferry, cruise vessels and excursion vessels.
4. The City is currently under agreement with the offshore supply vessel and for several ports-of-call for a coastal cruise company in 2007 both of which are anticipated to be users of the proposed facility.
5. Both the ferry and the offshore supply vessel need to berth on floats but also need to have access to the pier face for heavy load transfers.
6. The support pier needs to be designed for trucks and a truck crane loads to provide support of the ferry and supply vessels operations.
7. The site needs to have a formal turning area sufficient for trolleys, buses, trucks and emergency vehicles and the location of the turning area on the site is limited due to the site's narrowness. The location shown is what is believed to be the furthest inshore it can be to provide this function.
8. The physical layout of the turning area limits the area available for the proposed terminal building which, as a result, must be located along the waters edge. The project proposes to fill a small area to allow that the building be placed on a grade and not on piling. Piling will be especially difficult due to the amount of large stone present in the building area.
9. The inter-tidal area proposed for dredging is required to accommodate the berthing needs of the local Lobster boat fleet which were identified as a specific need. The location is critical for protection during winter storm conditions which is one of the major complaints about alternate locations. The City also sees this as a great benefit to increase site utilization as they would be present during the offseason.

The project does provide substantial public benefit with the creation of the harborwalk, the creation of the fishing pier and the use of the terminal building for public space that could be utilized during the offseason. Given the nature of the adjoining Dominion property, this site is seen as a transitional development between the power plant and the residential users. The site is being designed to provide public and visitor amenities and to enhance the site as a public gateway to Salem for ferry and cruise ship passengers.



LAND SECTION – all proponents must fill out this section

I. Thresholds / Permits

A. Does the project meet or exceed any review thresholds related to **land** (see 301 CMR 11.03(1))
___ Yes X No; if yes, specify each threshold:

II. Impacts and Permits

A. Describe, in acres, the current and proposed character of the project site, as follows:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Footprint of buildings	0.01	0.23	0.24
Roadways, parking, and other paved areas	0.15	1.27	1.42
Other altered areas:			
Landscaping	n/a	0.34	0.34
Fill	n/a	0.04	0.04
Undeveloped areas	n/a	n/a	n/a

B. Has any part of the project site been in active agricultural use in the last three years?
___ Yes X No; if yes, how many acres of land in agricultural use (with agricultural soils) will be converted to nonagricultural use?

C. Is any part of the project site currently or proposed to be in active forestry use?
___ Yes X No; if yes, please describe current and proposed forestry activities and indicate whether any part of the site is the subject of a DEM-approved forest management plan:

D. Does any part of the project involve conversion of land held for natural resources purposes in accordance with Article 97 of the Amendments to the Constitution of the Commonwealth to any purpose not in accordance with Article 97? ___ Yes X No; if yes, describe:

E. Is any part of the project site currently subject to a conservation restriction, preservation restriction, agricultural preservation restriction or watershed preservation restriction? ___ Yes X No; if yes, does the project involve the release or modification of such restriction? ___ Yes ___ No; if yes, describe:

F. Does the project require approval of a new urban redevelopment project or a fundamental change in an existing urban redevelopment project under M.G.L.c.121A? ___ Yes X No; if yes, describe:

G. Does the project require approval of a new urban renewal plan or a major modification of an existing urban renewal plan under M.G.L.c.121B? Yes ___ No X ; if yes, describe:

H. Describe the project's stormwater impacts and, if applicable, measures that the project will take to comply with the standards found in DEP's Stormwater Management Policy:

The project is a redevelopment project and will not increase stormwater runoff from the site. There are two new storm drain outfalls proposed at the site. To provide water quality treatment to the stormwater prior to discharge, stormceptors will be provided. No infiltration is proposed as groundwater is tidal saltwater.

I. Is the project site currently being regulated under M.G.L.c.21E or the Massachusetts Contingency Plan? Yes ___ No X ; if yes, what is the Release Tracking Number (RTN)?

J. If the project is site is within the Chicopee or Nashua watershed, is it within the Quabbin, Ware, or Wachusett subwatershed? ___ Yes X No; if yes, is the project site subject to regulation under the Watershed Protection Act? ___ Yes ___ No

K. Describe the project's other impacts on land: None

III. Consistency

- A. Identify the current municipal comprehensive land use plan and the open space plan and describe the consistency of the project and its impacts with that plan(s):

The proposed use is consistent with City zoning and the Salem Municipal Harbor Plan.

- B. Identify the current Regional Policy Plan of the applicable Regional Planning Agency and describe the consistency of the project and its impacts with that plan:

The Metropolitan Area Planning Council, Metro Plan recommends that development be concentrated and supports infill development in and around existing downtown area. The Project achieves these goals. Furthermore the project advances the state goals of encouraging water-dependent industrial uses in state Designated Port Areas and encouraging water transportation.

- C. Will the project require any approvals under the local zoning by-law or ordinance (i.e. text or map amendment, special permit, or variance)? Yes ☒ No ☐ ; if yes, describe:
Planning Board Planned Unit Development

- D. Will the project require local site plan or project impact review?
☐ Yes ☒ No; if yes, describe: Planning Board Site Plan Review

RARE SPECIES SECTION

I. Thresholds / Permits

- A. Will the project meet or exceed any review thresholds related to **rare species or habitat** (see 301 CMR 11.03(2))? ☐ Yes ☒ No; if yes, specify, in quantitative terms:

- B. Does the project require any state permits related to **rare species or habitat**? ☐ Yes ☒ No

C. If you answered "No" to both questions A and B, proceed to the **Wetlands, Waterways, and Tidelands Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Rare Species section below.

II. Impacts and Permits

- A. Does the project site fall within Priority or Estimated Habitat in the current Massachusetts Natural Heritage Atlas (attach relevant page)? ☐ Yes ☒ No. If yes,

1. Which rare species are known to occur within the Priority or Estimated Habitat (contact: Environmental Review, Natural Heritage and Endangered Species Program, Route 135, Westborough, MA 01581, allowing 30 days for receipt of information):

2. Have you surveyed the site for rare species? ☐ Yes ☒ No; if yes, please include the results of your survey.

3. If your project is within Estimated Habitat, have you filed a Notice of Intent or received an Order of Conditions for this project? ☐ Yes ☐ No; if yes, did you send a copy of the Notice of Intent to the Natural Heritage and Endangered Species Program, in accordance with the Wetlands Protection Act regulations? ☐ Yes ☐ No

- B. Will the project "take" an endangered, threatened, and/or species of special concern in accordance with M.G.L. c.131A (see also 321 CMR 10.04)? ☐ Yes ☒ No; if yes, describe:

- C. Will the project alter "significant habitat" as designated by the Massachusetts Division of Fisheries and Wildlife in accordance with M.G.L. c.131A (see also 321 CMR 10.30)? ☐ Yes ☒ No; if yes, describe:

- D. Describe the project's other impacts on rare species including indirect impacts (for example, stormwater runoff into a wetland known to contain rare species or lighting impacts on rare moth habitat): N/A

WETLANDS, WATERWAYS, AND TIDELANDS SECTION

I. Thresholds / Permits

A. Will the project meet or exceed any review thresholds related to **wetlands, waterways, and tidelands** (see 301 CMR 11.03(3))? ☒ Yes No; if yes, specify, in quantitative terms:

The facility will require dredging of 8.3 acres/209,000 cubic yards of material; alter approximately 850 linear feet of coastal bank; alter more than ½ acre of wetland resources from the proposed dredging activities; and expand pile supported structures from 2,500 sf to 39,385 sf in base area.

B. Does the project require any state permits (or a local Order of Conditions) related to **wetlands, waterways, or tidelands**? ☒ Yes ☐ No; if yes, specify which permit:

Chapter 91 License, 404 Water Quality Certificate and Order of Conditions under state wetland regulations

C. If you answered "No" to both questions A and B, proceed to the **Water Supply Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Wetlands, Waterways, and Tidelands Section below.

II. Wetlands Impacts and Permits

A. Describe any wetland resource areas currently existing on the project site and indicate them on the site plan:

Wetlands resource areas include Land Under Ocean, Coastal Beach (including tidal flats), Coastal Bank and Land Subject to Coastal Storm Flowage. The Site is located in a state Designated Port Area (see Figure 3, Wetlands and Waterways resource areas).

B. Estimate the extent and type of impact that the project will have on wetland resources, and indicate whether the impacts are temporary or permanent:

Coastal Wetlands	Area (in square feet) or Length (in linear feet)
Land Under the Ocean	317,000 sf Temporary
Designated Port Areas	362,000 sf Temporary
Coastal Beaches	45,000 sf Permanent
Coastal Dunes	
Barrier Beaches	
Coastal Banks	850 linear feet Permanent
Rocky Intertidal Shores	0
Salt Marshes	0
Land Under Salt Ponds	0
Land Containing Shellfish	0
Fish Runs	0
Land Subject to Coastal Storm Flowage	88,900sf

Inland Wetlands

Bank	n/a
Bordering Vegetated Wetlands	n/a
Land under Water	n/a
Isolated Land Subject to Flooding	n/a
Bordering Land Subject to Flooding	n/a
Riverfront Area	n/a

C. Is any part of the project

1. a limited project? ☐ Yes ☒ No

2. the construction or alteration of a dam? ☐ Yes ☒ No; if yes, describe:
3. fill or structure in a velocity zone or regulatory floodway? ☐ Yes ☒ No
4. dredging or disposal of dredged material? ☒ Yes ☐ No; if yes, describe the volume of dredged material and the proposed disposal site:

Dredging of approximately 209,000 cubic yards of harbor sediments is required. The U.S. Army Corps recently issued a determination that the sediments are suitable for open ocean disposal in the Mass Bay Disposal Site.

5. a discharge to Outstanding Resource Waters? ☐ Yes ☒ No
6. subject to a wetlands restriction order? ☐ Yes ☒ No; if yes, identify the area (in square feet):

D. Does the project require a new or amended Order of Conditions under the Wetlands Protection Act (M.G.L. c.131A)? ☒ Yes ☐ No; if yes, has a Notice of Intent been filed or a local Order of Conditions issued? ☐ Yes ☒ No; if yes, list the date and DEP file number: _____. Was the Order of Conditions appealed? ☐ Yes ☒ No. Will the project require a variance from the Wetlands regulations? ☐ Yes ☒ No.

E. Will the project:

1. be subject to a local wetlands ordinance or bylaw? ☐ Yes ☒ No
2. alter any federally-protected wetlands not regulated under state or local law?
☐ Yes ☒ No; if yes, what is the area (in s.f.)?

F. Describe the project's other impacts on wetlands (including new shading of wetland areas or removal of tree canopy from forested wetlands):

Project includes pile supported structures within wetland resource areas, however the piles are being placed within the dredged footprint and/or coastal bank, and therefore do not present an additional impacts over that previously described.

III. Waterways and Tidelands Impacts and Permits

A. Is any part of the project site waterways or tidelands (including filled former tidelands) that are subject to the Waterways Act, M.G.L.c.91? ☒ Yes ☐ No; if yes, is there a current Chapter 91 license or permit affecting the project site? ☒ Yes ☐ No; if yes, list the date and number: No. 174 and 174A issued 1921; 3849 issued 1956; 4548 issued 1962; 4916 issued 1996.

B. Does the project require a new or modified license under M.G.L.c.91? ☒ Yes ☐ No; if yes, how many acres of the project site subject to M.G.L.c.91 will be for non-water dependent use?
Current 0sf Change 0sf Total 0,sf

C. Is any part of the project

1. a roadway, bridge, or utility line to or on a barrier beach? ☐ Yes ☒ No; if yes, describe:
2. dredging or disposal of dredged material? ☒ Yes ☐ No; if yes, volume of dredged material 209,000 cubic yards
3. a solid fill, pile-supported, or bottom-anchored structure in flowed tidelands or other waterways? ☒ Yes ☐ No; if yes, what is the base area? Proposed = 27,485 square feet (sf) (pile supported) +14,000 sf floats= 41,885 sf Exist =500 sf pile supported + 2000 sf floats=2,500 sf Change = +39,385 sf.
4. within a Designated Port Area? ☒ Yes ☐ No

D. Describe the project's other impacts on waterways and tidelands:
See Project Description.

IV. Consistency:

- A. Is the project located within the Coastal Zone? ☒ Yes ☐ No; if yes, describe the project's consistency with policies of the Office of Coastal Zone Management:
The Project is located in the Salem Harbor state Designated Port Area. The Project compliance with the CZM Policies governing ports are noted below.

PORTS POLICY #1 - Ensure that dredging and disposal of dredged material minimize adverse effects on water quality, physical processes, marine productivity and public health.

The City will work with relevant local, state and federal agencies as part of the dredge permitting process to ensure that the proposed dredging activities will minimize impacts on water quality, physical processes, marine productivity and public health.

PORTS POLICY #2 - Obtain the widest possible public benefit from channel dredging, ensuring that designated ports and developed harbors are given highest priority in the allocation of federal and state dredging funds. Ensure that this dredging is consistent with marine environment policies.

The proposed dredge basins and docking facilities have been designed to provide the widest possible public benefit. The vessel types programmed for the site include commuter ferry, water taxi, commercial fishing, excursion vessels and work boats. The Project Site is located in a state Designated Port Area and is in close proximity to the federal channel that was recently dredged by the U.S. Army Corps of Engineers.

PORTS POLICY #3 - Preserve and enhance the capacity of Designated Port Areas (DPAs) to accommodate water-dependent industrial uses, and prevent the exclusion of such uses from tidelands and any other DPA lands over which a state agency exerts control by virtue of ownership, regulatory authority, or other legal jurisdiction.

The Project Site is located in the Salem Harbor state Designated Port Area. The Project is a multi use water transportation facility that will accommodate water-dependent industrial uses.

PORTS MANAGEMENT PRINCIPLE #1 - Encourage, through technical and financial assistance, expansion of water dependent uses in designated ports and developed harbors, re-development of urban waterfronts, and expansion of visual access.

The Project will significantly expand water dependent uses in a state designated port and developed harbor. The Project will re-develop and existing urban waterfront and provide a critical link to the downtown area. Visual access to Salem Harbor will be provided by re-using a portion of the existing docking facility as a viewing/fishing pier.

- B. Is the project located within an area subject to a Municipal Harbor Plan? ☒ Yes ☐ No; if yes, identify the Municipal Harbor Plan and describe the project's consistency with that plan:

The City of Salem's Municipal Harbor Plan which was updated in 2008, recommends the redevelopment of the Project Site into a multi use water transportation facility.

WATER SUPPLY SECTION

I. Thresholds / Permits

- A. Will the project meet or exceed any review thresholds related to **water supply** (see 301 CMR 11.03(4))? ☐ Yes ☒ No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to **water supply**? ____ Yes X No; if yes, specify which permit:

C. If you answered "No" to both questions A and B, proceed to the **Wastewater Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Water Supply Section below.

WASTEWATER SECTION

I. Thresholds / Permits

A. Will the project meet or exceed any review thresholds related to **wastewater** (see 301 CMR 11.03(5))? ____ Yes X No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to **wastewater**? ____ Yes X No; if yes, specify which permit:

C. If you answered "No" to both questions A and B, proceed to the **Transportation -- Traffic Generation Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Wastewater Section below.

TRANSPORTATION -- TRAFFIC GENERATION SECTION

I. Thresholds / Permits

A. Will the project meet or exceed any review thresholds related to **traffic generation** (see 301 CMR 11.03(6))? ____ Yes X No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to **state-controlled roadways**? ____ Yes X No; if yes, specify which permit:

C. If you answered "No" to both questions A and B, proceed to the **Roadways and Other Transportation Facilities Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Traffic Generation Section below.

ROADWAYS AND OTHER TRANSPORTATION FACILITIES SECTION

I. Thresholds

A. Will the project meet or exceed any review thresholds related to **roadways or other transportation facilities** (see 301 CMR 11.03(6))? ____ Yes X No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to **roadways or other transportation facilities**? ____ Yes X No; if yes, specify which permit:

C. If you answered "No" to both questions A and B, proceed to the **Energy Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Roadways Section below.

ENERGY SECTION

I. Thresholds / Permits

A. Will the project meet or exceed any review thresholds related to **energy** (see 301 CMR 11.03(7))? ___ Yes X No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to **energy**? ___ Yes X No; if yes, specify which permit:

C. If you answered "No" to both questions A and B, proceed to the **Air Quality Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Energy Section below.

AIR QUALITY SECTION

I. Thresholds

A. Will the project meet or exceed any review thresholds related to **air quality** (see 301 CMR 11.03(8))? ___ Yes X No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to **air quality**? ___ Yes X No; if yes, specify which permit:

C. If you answered "No" to both questions A and B, proceed to the **Solid and Hazardous Waste Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Air Quality Section below.

SOLID AND HAZARDOUS WASTE SECTION

I. Thresholds / Permits

A. Will the project meet or exceed any review thresholds related to **solid or hazardous waste** (see 301 CMR 11.03(9))? ___ Yes X No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to **solid and hazardous waste**? ___ Yes X No; if yes, specify which permit:

C. If you answered "No" to both questions A and B, proceed to the **Historical and Archaeological Resources Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Solid and Hazardous Waste Section below.

HISTORICAL AND ARCHAEOLOGICAL RESOURCES SECTION

I. Thresholds / Impacts

A. Is any part of the project site a historic structure, or a structure within a historic district, in either case listed in the State Register of Historic Places or the Inventory of Historic and Archaeological Assets of the Commonwealth? ___ Yes X No; if yes, does the project involve the demolition of all or any exterior part of such historic structure? ___ Yes X No; if yes, please describe:

B. Is any part of the project site an archaeological site listed in the State Register of Historic Places or the Inventory of Historic and Archaeological Assets of the Commonwealth? ___ Yes X No; if

yes, does the project involve the destruction of all or any part of such archaeological site? ____ Yes
X No; if yes, please describe:

C. If you answered "No" to all parts of both questions A and B, proceed to the **Attachments and Certifications** Sections. If you answered "Yes" to any part of either question A or question B, fill out the remainder of the Historical and Archaeological Resources Section below.

ATTACHMENTS:

1. Plan, at an appropriate scale, of existing conditions of the project site and its immediate context, showing all known structures, roadways and parking lots, rail rights-of-way, wetlands and water bodies, wooded areas, farmland, steep slopes, public open spaces, and major utilities.
2. Plan of proposed conditions upon completion of project (if construction of the project is proposed to be phased, there should be a site plan showing conditions upon the completion of each phase).
3. **Original** U.S.G.S. map or good quality **color** copy (8-½ x 11 inches or larger) indicating the project location and boundaries
4. List of all agencies and persons to whom the proponent circulated the ENF, in accordance with 301 CMR 11.16(2).
5. Other:

CERTIFICATIONS:

1. The Public Notice of Environmental Review has been/will be published in the following newspapers in accordance with 301 CMR 11.15(1):

<u>Salem Evening News</u>	<u>Wed April 23,2007</u>
(Name)	(Date)

2. This form has been circulated to Agencies and Persons in accordance with 301 CMR 11.16(2).

Date Signature of Responsible Officer
 or Proponent

Kimberley Driscoll
Name (print or type)

Mayor, City of Salem,
Firm/Agency

Salem City Hall 93 Washington Street
Street

Salem, MA 01970
Municipality/State/Zip

(978) 978-745-9595 ext. 5600
Phone

Date Signature of person preparing
 ENF (if different from above)

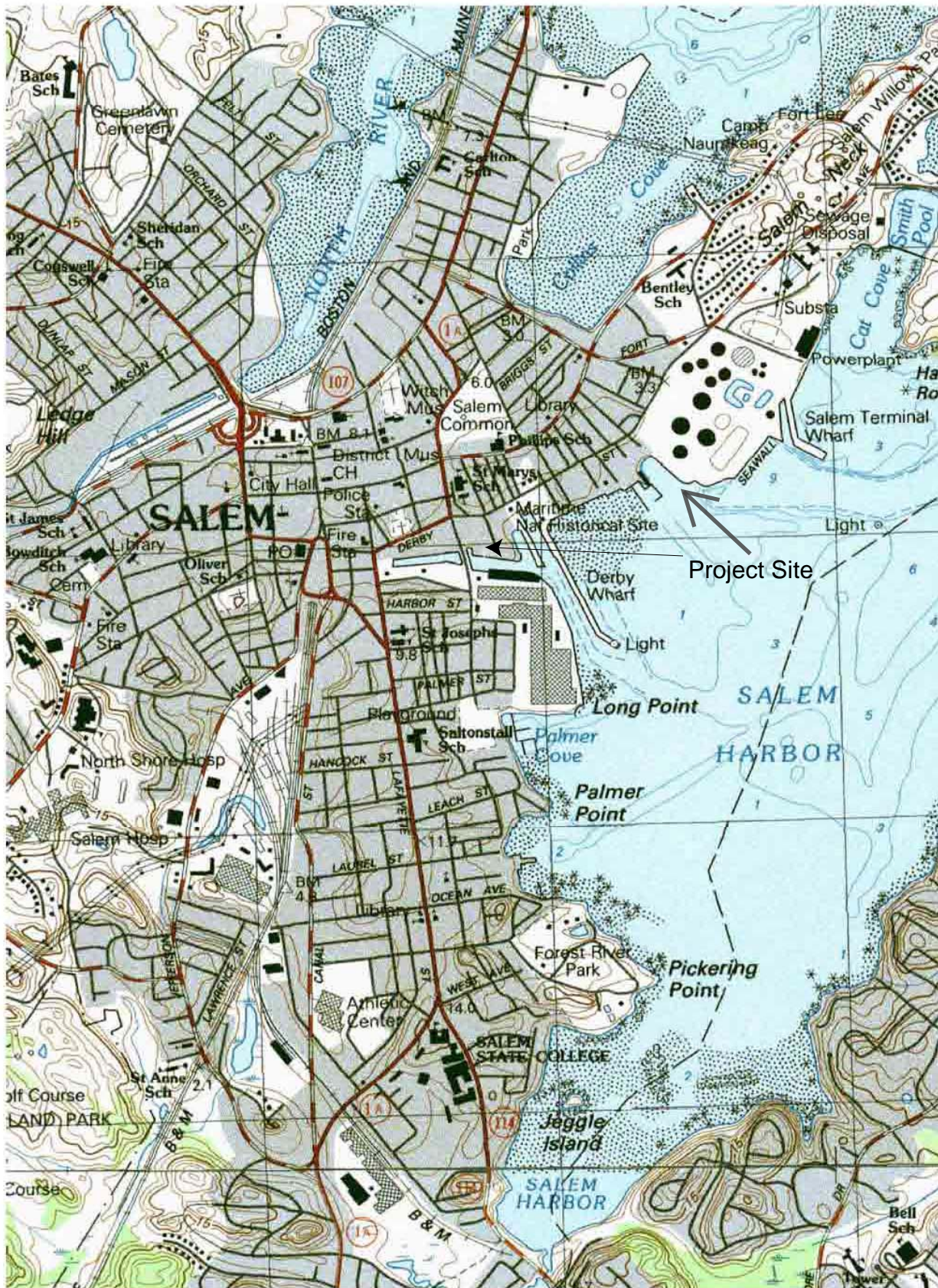
Susan St. Pierre
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Firm/Agency

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Policy Director
Undersecretary for Policy
100 Cambridge Street, Suite 900
Boston, MA 02114

Department of Environmental Protection

Commissioner's Office
One Winter Street
Boston, MA 02108

Department of Environmental Protection

Northeast Regional office
Attn: MEPA Coordinator
205B Lowell Street
Wilmington, MA 01887

Department of Environmental Protection

Waterways Regulatory Program
One Winter Street
Boston, MA 02108

Office of Coastal Zone Management

Attn: Project Review Coordinator
251 Causeway Street, Suite 800
Boston, MA 02114

Division of Marine Fisheries (North Shore)

Attn: Environmental Reviewer
30 Emerson Avenue Gloucester, MA 01930

Executive Office of Transportation

Attn: Environmental Reviewer
10 Park Plaza, Room 3510
Boston, MA 02116-3969

Massachusetts Highway Department

District 4 Office
Public/Private Development Unit
10 Park Plaza
Boston, MA 02116

Massachusetts Highway Department

Attn: MEPA Coordinator
519 Appleton Street
Arlington, MA 02476

Massachusetts Aeronautics Commission

Attn: MEPA Coordinator
10 Park Plaza, Suite 3510
Boston, MA 02116

Massachusetts Historical Commission

The MA Archives Building
220 Morrissey Boulevard
Boston, MA 02125

Metropolitan Area Planning Council

60 Temple Place/6th floor
Boston, MA 02111

Massachusetts Bay Transit Authority

Attn: MEPA Coordinator
10 Park Plaza, 6th Fl.
Boston, MA 02216-3966

CITY OF SALEM

City Council

93 Washington Street
Salem, MA 01970

Planning Board

120 Washington Street, 3rd Floor
Salem, MA 01970

Conservation Commission

120 Washington Street, 3rd Floor
Salem, MA

Board of Health

120 Washington Street, 4th Floor
Salem, MA 01970

Salem Public Library

Essex Street
Salem, MA 01970

