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Job No. 2018-0231

Secretary Kathleen Theoharides  
Executive Office of Energy and Environmental Affairs  
Attn: MEPA Office  
100 Cambridge Street, Suite 900  
Boston, MA 02114

**Re: Request for EIR Waiver & Greenhouse Gas Emissions Policy De Minimis Exemption**

Beach and Dune Nourishment for Towns of Marshfield and Duxbury, MA  
Rexhame Public Beach, Winslow Ave. Beach, Fieldston and Sunrise Beaches, and Bay Ave. and  
Gurnet Road Beaches

Dear Secretary Theoharides,

On behalf of the Towns of Marshfield and Duxbury, we are hereby submitting this Expanded Environmental Notification Form (EENF) with a request for a waiver from the requirement for preparation of an Environmental Impact Report (EIR) for the above referenced project. The project includes beach and/or dune nourishment at four (4) key locations along the Marshfield and Duxbury shorelines. The nourishment will restore sediment to critically eroded beaches and dunes, provide storm damage protection for existing resources and shore protection structures, reduce wave overtopping, and enhance the shorebird habitat and recreational values of the beaches. The Towns are focused on mitigating long-term and severe erosion of the beaches caused by coastal armoring along most of the ocean facing developed shorelines.

The project is categorically included for preparation of an EIR pursuant to 301 CMR 11.03(1)(a)1 and 301 CMR 11.03(3)(a)1.b, as the beach and dune nourishment will directly alter more than 50 acres of land, and a state Permit is needed for the project which will alter more than ten acres of wetland, other than salt marsh or bordering vegetated wetland. Additionally, the engineering design and permitting for the project has been partially funded by the Massachusetts Office of Coastal Zone Management.

**Request for Waiver from EIR**

The Towns of Marshfield and Duxbury are proposing beach and/or dune nourishment at vulnerable locations along the Towns' east facing shorelines. While 83% of the shoreline in Marshfield contains hard shore protection structures and 91% of the developed shoreline in Duxbury has hard shore protection structures, the beaches in front of the structures are critically eroded. This beach erosion has left the structures vulnerable to undermining and failure, and increased the vulnerability of public, commercial, and residential properties to damaging wave overtopping and flooding.



The proposed project includes beach and/or dune nourishment over 91 acres at the following four (4) locations: Rexhame Public Beach, Winslow Ave. Beach, Fieldston and Sunrise Beaches, and Bay Ave. and Gurnet Rd. Beaches. The project will increase resiliency to coastal storms and sea level rise by restoring sediment to critically eroded beaches that have been adversely impacted by the seawalls and revetments. The Towns are currently seeking permits for beach and/or dune nourishment at the four (4) locations, while sources of sediment needed to restore the beaches are being identified, investigated, and permitted under separate efforts. Once permits for the nourishment sites are in place, the Towns will be able to pursue sources of compatible sediment from the upland or from nearby dredging projects looking for beneficial reuse opportunities. With additional investigations, they may also identify an offshore borrow site(s) that could be permitted in the future.

According to the MEPA Regulations (310 CMR 11.11), the Secretary may grant a waiver from any provision of the regulations provided that compliance with the requirements would:

- “result in an undue hardship for the Proponent”
- “not serve to avoid or minimize Damage to the Environment”

The Towns of Marshfield and Duxbury contend that the requirement for preparation of an EIR would result in an undue hardship. The extra time required to prepare the EIR would delay issuance of the permits that would result in lost opportunities for accepting sediment as beneficial reuse from nearby dredging projects. The US Army Corps of Engineers dredges Green Harbor annually and places the dredged material in an offshore disposal site where it is lost from the littoral system. However, once the Towns have sites permitted for beach and/or dune nourishment, they will be able to accept the sediment dredged from Green Harbor for use in restoring their beaches and dunes. Every year that sediment dredged from Green Harbor and other nearby navigation projects like the South River is dumped offshore, or taken away from the Marshfield and Duxbury shoreline, results in a missed opportunity to replenish critically eroded beaches and to enhance shoreline resiliency. Additionally, the requirement to prepare an EIR would result in an undue hardship since the extra review time could lead to missed funding and other cost share opportunities that would be used to offset costs associated with project construction and monitoring.

The project will result in public benefits to the Towns of Marshfield and Duxbury by enhancing storm damage protection, reducing costs associated with emergency response during storms, and minimizing expenditures required for post storm recovery. Without implementation of the proposed resiliency measures, costs over the next 30 years for FEMA repetitive loss claims, repair of damaged shore protection structures and emergency services during storms are projected to be \$73.6 and \$27.1 million for Marshfield and Duxbury, respectively. By nourishing critically eroded beaches and dunes, the Towns are taking pro active steps to enhance public safety and reduce future costs associated with coastal storms. The Towns feel strongly that a requirement to prepare an EIR would delay realization of the project benefits which would result in an undue hardship for both public and private stakeholders.

Presumptions for categorically included projects are that an EIR is necessary to fully investigate and document existing resources and alternatives, and that there will be a significant impact to the environment as a result of the project. In requesting a Waiver from the requirement to file a mandatory EIR, the Expanded ENF filing includes a project description, a detailed description of the existing



environmental conditions, an analysis of alternatives considered and associated impacts, as well as mitigation measures that will be employed to limit environmental impacts. The project site has been studied thoroughly, and the proposed designs were developed expressly to avoid and minimize impacts to the environment, while also achieving the project goals to increase resiliency to coastal storms and sea level rise by restoring sediment to critically eroded beaches and dunes impacted by miles of hard coastal engineering structures.

The Towns of Marshfield and Duxbury believe the planning, investigative and procedural reviews undertaken in the preparation of the Expanded ENF provide an extensive and through investigation of resources, and the resulting project for restoring sediment to critically eroded beaches and dunes will minimize impacts to the natural resources. The project will undergo environmental review during the application processes for local Order of Conditions from Marshfield and Duxbury, Department of Environmental Protection (DEP) Chapter 91 Waterways Permits, Coastal Zone Management Federal Consistency Determinations, and US Army Corps of Engineers Individual Permits. As such, the Towns of Marshfield and Duxbury request that the categorical requirement for an EIR be waived.

#### **Request for Greenhouse Gas Emissions Policy De Minimis Exemption**

The MEPA Review process requires under the Greenhouse Gas (GHG) Emissions Policy and Protocol that the emission of greenhouse gases be assessed when determining if a project will result in damage to the environment. The goal of the beach and dune nourishment project for the Towns of Marshfield and Duxbury is to enhance the resiliency of the coastline by restoring sediment to the littoral system. The beach and dune nourishment will reduce risks associated with storm flooding and wave overtopping, provide protection for the existing seawalls and revetments, and enhance the recreational and wildlife habitat values of the sites. The GHG emissions associated with this project will be limited to indirect emissions during the construction period of the project, including the placement and spreading of sand on beaches and dunes at selected sites in the Towns of Marshfield and Duxbury. During construction, the Towns will incorporate alternative measures to avoid and minimize GHG emissions, such as limiting idling and using bio-fuels in off-road construction equipment. Upon completion of the project there will be no further sources of greenhouse gases. This project will contribute to the resiliency of the shoreline in the face of expected sea level rise and increasing severity and frequency of storms. Therefore, in regards to the Revised MEPA Greenhouse Gas Emissions Policy and Protocol, a de minimus exemption from the Policy is requested.

If you have any questions or require any additional information, please contact me at 508-495-6225 or via email at [lfields@whgrp.com](mailto:lfields@whgrp.com).

Sincerely,

Leslie Fields  
Coastal Geologist/Project Manager



MLF/beg

Enclosure

cc: Distribution List  
Greg Guimond, Marshfield Town Planner  
Valerie Massard, Duxbury Town Planner