



Kings Cove Conservation Restriction Area MCP Response Action

Weymouth MA

Single Environmental Impact Report

EOEEA#16955

SUBMITTED TO

Executive Office of Energy and Environmental Affairs
MEPA Office
100 Cambridge Street, Suite 900
Boston, MA 02114

PRODUCED BY



SUBMITTED BY

Algonquin Gas Transmission, LLC
890 Winter Street, Suite 300
Waltham, Massachusetts 02451

October 2025



October 31, 2025

Rebecca Tepper, Secretary
Executive Office of Energy and Environmental Affairs
Attn: Tori Kim, MEPA Director
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: Kings Cove Conservation Restriction Area MCP Response Action, Weymouth, MA
Single Environmental Impact Report, EEA #16955

Dear Secretary Tepper:

On behalf of Algonquin Gas Transmission, LLC (the Proponent), we are pleased to submit the enclosed Single Environmental Impact Report (SEIR) for the Massachusetts Contingency Plan (310 CMR 40.0000) (MCP) Remedial Action (the "Project") to be implemented in the southeastern portion of the Kings Cove Conservation Restriction Area (KCCRA) in Weymouth, Massachusetts (the "Project Site"). This SEIR provides additional details on the Project as requested in the Certificate of the Secretary of Energy and Environmental Affairs (the "EEA Secretary's Certificate") on the Expanded Environmental Notification Form (EENF), issued June 30, 2025, and provides direct responses to agency and public comments submitted on the EENF.

The Project includes the excavation and replacement of approximately 630 cubic yards (CY) of fill and sediment, extensions of an existing rip rap revetment, and placement of clean cobble to create a gradual surficial transition between the revetment and the area in which fill and sediment will be replaced. The purpose of the Project is to achieve a Permanent Solution under the MCP.

Please publish notice of availability of the SEIR for public review in the November 7, 2025 edition of The Environmental Monitor. We understand that comments will be due by December 8, 2025, and a certificate will be issued on December 15, 2025. This filing has been distributed electronically, and hard copies will be made available at the Weymouth Public Library in Weymouth, MA, as well as by request.

We look forward to your review of this Project. Please contact me at 617-607-6172 or ejohnson@vhb.com if you have any questions.

Sincerely,

A handwritten signature in brown ink, appearing to read "Erika Johnson".

Erika Johnson, AICP, LEED AP BD+C, ENV SP
Senior Environmental Planner

Kings Cove Conservation Restriction Area MCP Response Action

Weymouth, Massachusetts

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The Executive Office of Energy and
Environmental Affairs
MEPA Office
100 Cambridge Street, Suite 900
Boston, MA 02114

SUBMITTED BY

Algonquin Gas Transmission, LLC
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October 31, 2025

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Project Summary

In accordance with the Massachusetts Environmental Policy Act (MEPA), Massachusetts General Laws (MGL) Chapter 30, Section 61-62I, and the regulations promulgated thereunder at 301 CMR 11.00, Algonquin Gas Transmission, LLC (the “Proponent”) respectfully submits this Single Environmental Impact Report (SEIR) for the Massachusetts Contingency Plan (310 CMR 40.0000) (MCP) Remedial Action (the “Project”) to be implemented at the Kings Cove Conservation Restriction Area (KCCRA) in Weymouth, Massachusetts (the “Project Site”). This SEIR provides additional details on the Project as requested in the Certificate of the Secretary of Energy and Environmental Affairs on the Expanded Environmental Notification Form (EENF), issued June 30, 2025, (the “EEA Secretary’s Certificate”) and provides direct responses to agency and public comments submitted on the EENF.

Chapter 1, *Project Summary*, provides an overview of the existing site context and site conditions, describes the proposed work activities, summarizes Project-related public benefits, impacts, and mitigation measures, and provides the status of permits and approvals necessary to implement the Project, and agency and community coordination. **Chapter 2, *Environmental Justice, Public Involvement, and Public Health***, describes surrounding Environmental Justice (EJ) populations and measures taken to promote public involvement by EJ populations, provides updates on the Project’s Public Involvement Plan, expands on efforts to ensure that no EJ populations are reasonably likely to be adversely impacted by the Project, and discusses the Project activities and management strategies that will be employed to avoid and minimize potential impacts on public health. **Chapter 3, *Chapter 91 Waterways***, documents the Project’s compliance with the Massachusetts Waterways Regulations (310 CMR 9.00) because a Chapter 91 license application for the Project is being submitted concurrently with the submission of this SEIR pursuant to the Waterways Regulations at 310 CMR 9.11(2)(b)(4). **Chapter 4, *Mitigation and Draft Section 61 Findings***, includes a summary of the mitigation measures to be implemented to avoid, minimize, and mitigate environmental impacts of the Project and Draft Section 61 Findings for all State Permits and Agency Actions. **Chapter 5, *Response to Comments***, provides direct responses to comments received on the EENF.

Specifically, as requested in the EEA Secretary’s Certificate on the EENF, this chapter provides the following documentation with references to specific SEIR sections in **bold**:

- › The SEIR should identify any changes to the project since the filing of the EENF (**Section 1.3**).
- › It should identify and describe state, federal and local permitting and review requirements associated with the project and provide an update on the status of each of these pending actions. The SEIR should include a description and analysis of applicable statutory and

regulatory standards and requirements, and a discussion of the project's consistency with those standards. (**Section 1.6**)

- › The SEIR should include detailed site plans for existing and post-development conditions at a legible scale. Plans should clearly identify buildings, interior and exterior public areas, impervious areas, transportation improvements, pedestrian and bicycle accommodations, and stormwater and utility infrastructure. (**Figures 1.2, 1.3, and 1.4a-c**)
- › The Single EIR should provide detailed plans, sections, and elevations to accurately depict existing and proposed conditions, including proposed above- and below-ground structures, on- and-off-site open space, and resiliency and other mitigation measures. (**Figures 1.3 and 1.4**)
- › The SEIR should provide additional details regarding the site-specific modeling that was conducted to evaluate the resiliency of the proposed revetment to sea level rise/storm surge. (**Section 1.2.3.2**)
- › It should identify the flood water elevation of the 2070 100-year storm evaluated by the Proponent as related to the level of scour protection provided by the proposed revetment extension. (**Section 1.2.3**)
- › The SEIR should identify the top elevation of the revetment, and compare this to the recommendations of the MA Resiliency Design Tool. (**Section 1.2.3.2**)
- › The SEIR should address the requests for incorporation of tree plantings and native landscaping in the upland portion of the park to mitigate extreme heat. (**Section 1.2.3.3**)
- › It should clarify whether the existing barbed wire fence on the site will be removed as part of the project. (**Section 1.2.5**)
- › The SEIR should identify any assessments/reports undertaken in accordance with the MCP prior to Phase II Comprehensive Site Assessment, and clarify when Release Tracking Number 4-28186 was assigned to the Disposal Site. (**Section 1.2.4**)
- › It should identify publicly accessible data that is available from the previous site assessments/soil sampling, and how it can be accessed. (**Section 1.2.4.1**)
- › The SEIR should clarify if there is an existing Activity and Use Limitation (AUL) on-site, and if so, what activities it restricts. It should clarify which activities will be restricted through the proposed AUL in the Upland Portion of the site. (**Section 1.2.4.3**)
- › The SEIR should provide an update on any coordination with the Massachusetts Department of Environmental Protection since the filing of the EENF. It should identify reporting requirements during project construction, who will be responsible for submitting these reports, and the frequency within which they are expected to occur. (**Section 1.2.4.2**)
- › The SEIR should clarify whether the fill to be reused will be required to remain below certain numeric levels of contamination and/or will otherwise need to demonstrate that reuse will be adequately protective of public health and safety. (**Section 1.2.1.2**)
- › For sediment to be removed off-site, the SEIR should identify the disposal locations determined to date and discuss what level of permitting will be required for approval of those disposal locations. (**Section 1.2.1.3**)
- › The SEIR should provide a table with updated impacts to coastal resource areas. (**Table 1-1** in **Section 1.5**)

1.1 Site Context and Existing Conditions

The Project Site is located in the southern portion of the KCCRA, north of Bridge Street. The Project Site is comprised of a part of the Upland Portion of the KCCRA, which includes the grassed and paved areas of the KCCRA and eroding fill adjacent to the Shore Portion of the Site, and a part of the Shore Portion of the KCCRA which is an intertidal area with gravel-sized and cobble-sized pieces of coal slag and other fill material such as bricks mixed with small amounts of natural sand and gravel.

At the northern limit of the Project Site there is an existing rip rap revetment which extends north to the northern end of the peninsula.

The Mean Low Water (MLW) line at the Project Site is -5.3 feet in the North American Vertical Datum of 1988 (NAVD88) and the Mean High Water (MHW) line is located at elevation 4.3 feet NAVD88. Topography at the Project Site slopes steeply down to the edge of the water. Refer to **Figure 1.1** for the Site Location Map and **Figure 1.2** for the Project Site Context map. Refer to **Figure 1.3** for Existing Site Conditions.

1.2 Project Description

The Project includes excavating and replacing approximately 630 cubic yards (CY) of fill and sediment within the Shore Portion of the Project Site, extending the existing rip rap revetment to contain eroding fill in the Upland Portion of the Project Site, and placing cobble to create a gradual surficial transition between the area of the Shore Portion of the Project Site to be excavated and the revetment as extended. The volume of soil to be excavated from the Upland Portion of the Project Site during the extension of the revetment is estimated at approximately 200 CY. The Project has been designed to minimize potential impacts to the Upland area of the KCCRA through construction access directly from Bridge Street, rather than through the KCCRA. Each of these components and their associated work are described in more detail below. Refer to **Figure 1.4** for the Overall Site Plan, **Figure 1.5a** for the Proposed Conditions Site Plan, **Figure 1.5b** for the Proposed Grading Plan, and **Figure 1.5c** for Section Details.

A suite of mitigation measures will prevent short- and long-term adverse environmental and related public health impacts of the Project. Refer to **Chapter 4, *Mitigation and Draft Section 61 Findings***, for additional detail on proposed measures to avoid, minimize, and mitigate any adverse impacts of the Project.

1.2.1 Work Description

1.2.1.1 Excavation

As summarized in Chapter 1 of the EENF, an area of fill below the MHW line in the Shore Portion of the Project Site contains nickel and vanadium at concentrations exceeding the Site-specific ecological Apparent Effects Thresholds for those metals. The Project includes the removal of 630 CY of fill and sediment in the areas below the MHW line determined to contain elevated concentrations of nickel and vanadium.

1.2.1.2 Rip Rap Revetment

The Project also includes containment and armoring of the eroding portions of the Upland Portion of the Project Site with a rip rap revetment. The erosion is exposing fill impacted with Hazardous Materials, as defined in the MCP, that was placed landward of the bulkhead in the 1920s. The construction of the revetment will occur “in the dry” because a sandbag cofferdam will be established along the length of the Shore Portion of the Project Site between the proposed construction access at Bridge Street and the edge of the existing revetment.

Fill and sediment excavated in the course of the Project will be reused behind the revetment to the extent practicable based on the geotechnical quality of the fill and sediment and space available. A Human Health Risk Characterization respecting the fill and sediment concluded that a Condition of No Significant Risk as defined in the MCP will be achieved following completion of the Project (including reuse of fill and sediment) and the imposition of an Activity and Use Limitation (AUL). The revetment and associated geotextile materials will prevent future exposure to the reused material. The revetment will be maintained and inspected as required by the AUL. Fill or sediment excavated during the Project will not be reused other than behind the revetment. Reuse of fill and sediment will not require permitting or approvals other than the Project-related approvals identified in **Table 1-2 in Section 1.6**.

1.2.1.3 Sediment and Dewatering Effluent Disposal

Prior to being exported from the KCCRA, fill and sediment will be sampled and characterized to facilitate the identification of an appropriate off-site disposal/recycling facility that is licensed, permitted, or approved to accept such materials in accordance with state and federal regulations and policies. The Licensed Site Professional (LSP) of Record is responsible for reviewing fill/sediment data in relation to a particular facility’s acceptance criteria, and the facility must also review and approve the fill/sediment based on information and data provided by the LSP. The approving facility will issue its approval in writing. There is no specific permit required to facilitate this process, other than the permit maintained by the facility.

Fill or sediment containing oil and/or hazardous materials at levels equal to or greater than the release notification thresholds specified in the MCP, and which are not otherwise hazardous waste, will be managed under the Bill of Lading (BOL) process if they are transported from the KCCRA. A copy of each BOL, including the analytical data associated with the fill/sediment subject to off-site disposal covered by the BOL, will be made publicly available through the EEA Data Portal associated with Release Tracking Number (RTN) 4-26230 (<https://eeaonline.eea.state.ma.us/portal/dep/wastesite/viewer/4-0026230>). Copies of the BOLs will also be provided in the Phase IV Final Inspection Report/Completion Statement submitted to the Massachusetts Department of Environmental Protection (DEP).

Should groundwater dewatering be required to facilitate revetment construction, the dewatering effluent will be pumped to and contained within tanks on-site prior to being characterized. Based on the results of this characterization, the effluent will either be transported off-site for disposal at a disposal/recycling facility that is licensed, permitted, or approved to accept such liquid waste in accordance with state and federal regulations and policies, or it will be recharged on the Project Site. Shipment of dewatering effluent would be documented using a manifest and any manifests and a summary of dewatering effluent shipped off-site will be provided in the Phase IV Final Inspection Report/Completion Statement to be submitted to DEP.

1.2.2 Project Schedule

Implementation of the Project is anticipated in 2026. The Project will consist of the following general activities:

- › Before any work begins, installing erosion and sedimentation controls according to the Project Plans, including controls for in-water work;
- › Excavating fill and sediment during low tide cycles and placing the excavated fill and sediment within designated stockpile areas awaiting reuse or disposal;
- › Placing clean cobble cover;
- › Constructing the rip rap revetment, including placing dewatered excavated fill behind the armor stone;
- › Removal of remaining excavated fill and sediment for off-site disposal;
- › Restoration of disturbed construction access and staging areas (loaming and seeding);
- › Removing erosion and sedimentation controls.

1.2.3 Resiliency

1.2.3.1 Revetment Elevation

The Project includes an extension of the existing rip rap revetment southerly approximately 140-feet to protect eroding fill as detailed in the EENF. The top of the proposed revetment will align with existing grading within the KCCRA to create a smooth transition between the upland area and the proposed revetment.

The northern limit of the Project revetment is at the southern end of the existing revetment. The top of the revetment elevation is approximately 15 NAVD 88. As the revetment extends southward, the revetment will maintain a top elevation of 15 for approximately 75-linear feet before gradually lowering in elevation to align with existing grades at the KCCRA. The revetment will ultimately reach elevation 8 at the southern terminus where the rip rap will be placed below grade to create a smooth transition to a vegetated bank and create a stable toe for long-term shoreline protection.

1.2.3.2 Coastal Hydraulic Analysis

A coastal hydraulic analysis was completed to evaluate wave impacts to the Project Site from extreme storm events and to calculate the stone size to be used to construct the Project revetment. The Project team used the United States Army Corps of Engineers (USACE) Automated Coastal Engineering System (ACES) modeling software for this coastal hydraulic analysis. The modeling included the following inputs:

- › **Bathymetry** – The Project team used a site-specific survey of the KCCRA and intertidal area (to approximately MLW) for the near shore and utilized USACE survey data and NOAA nautical chart data in Weymouth Fore River and Hingham Bay as inputs into the hydraulic modeling.
- › **Sea-Level Rise (SLR)** – The Project team used projections from the Northeast Climate Adaptation Science Center (NECASC) consistent with the Resilient Massachusetts Action

Team (RMAT) design tool. The projections used are for the “High” scenario for 2070, resulting in 4.2-feet of Sea Level Rise.

- › **Extreme Water Levels** – The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) for Norfolk County dated July 3, 2025 included one transect (Transect 33) in Kings Cove, which reports a stillwater elevation of 9.5 in NAVD 88 for a one-percent annual chance storm. Water level inputs into the modeling were for a 100-year coastal event plus 2070 high SLR, resulting in a water elevation of 13.7 NAVD 88.
- › **Wind Speeds** – The Project team used 100-year wind speeds in the modeling inputs developed by the ASCE 7 Hazard Tool which provides a 3-second wind gust of 99 miles per hour at the Project Site.
- › **Wave Fetch** – The Project Site is generally sheltered by Kings Cove and the Weymouth Fore River. The Project Team conservatively assumed a maximum restricted wave fetch of 1.9 miles in the Northeast Direction

The ACES model calculated a maximum wave height for the current 100-year and 2070 100-year storms of 3.9 feet seaward of the revetment. The Project team used this wave height to size the revetment using the Hudson and Van deer Meer equations and the rock sizing calculator built into ACES. These calculations resulted in the selection of a D50 stone size of 1.75 feet for the revetment.

The revetment structure is strategically designed with two distinct elevation levels to align with the adjacent upland topography. The northern crest is elevated to 15 feet NAVD88, while the southern crest is at 10 feet NAVD88. Both elevations surpass the current 100-year stillwater elevation of 9.5 feet NAVD88. However, only the northern section, with its higher elevation, is projected to remain above the future stillwater elevation, taking into account sea level rise. The anticipated 100-year storm stillwater elevation, including sea level rise, is estimated at 13.7 feet NAVD88, exceeding the southern section's crest by 3.7 feet. This design of the lower section effectively dissipates energy from waves that are three feet in height so as to protect the structure and the Upland Portion of the Project Site from erosion. Overall, the structure's construction is focused on mitigating the impact of larger waves, thus safeguarding upland areas both now and in future projected scenarios.

1.2.3.3 Tree Protection and Planting

Existing trees along the Project shoreline will be maintained to the extent practicable and disturbed areas will be loamed and seeded after completion of the work with native cover. In accordance with the Project's Order of Conditions from the Weymouth Conservation Commission, the Project Site will be monitored for two years for the establishment of native cover in disturbed areas, survival of any shrubs or trees planted, and the management of invasive species.

1.2.4 Hazardous Materials

As detailed in the EENF, the following releases of Hazardous Materials, as defined in the MCP, have been reported at the Project Site:

- › RTN 4-26230 was issued in July 2016 following the identification of evidence of a historical release of petroleum in soil at the Compressor Station portion of the Disposal Site located

north of the Project Site. Subsequent RTNs have been linked to this primary RTN 4-26230. A Phase II Comprehensive Site Assessment (CSA) Report for the KCCRA portion of the Disposal Site was filed in January 2022. A Phase III Remedial Action Plan (RAP) was filed for the KCCRA portion of the Disposal Site in August 2023. A Phase IV Remedy Implementation Plan (RIP) was filed for the KCCRA portion of the Disposal Site in July 2024 and is discussed throughout the EENF and this SEIR.

- › RTN 4-28186 was assigned in April 2020 in response to the identification of a potential Imminent Hazard (IH) condition due to concentrations of arsenic in shallow soil in the KCCRA portion of the Disposal Site. An IH evaluation concluded that these arsenic concentrations did not present an IH condition, and that the arsenic identified was associated with the use of coal ash as fill.
- › RTN 4-28615 was assigned in December 2021 in response to the identification of a potential IH condition due to concentrations of arsenic and total chromium in the top six inches of the fill material below MHW at the KCCRA. An IH evaluation concluded that the concentrations of arsenic and chromium in fill material below MHW at the Project Site did not present an IH condition.
- › RTN 4-28676 was assigned in January 2021 in response to the identification of a potential IH condition associated with concentrations of arsenic in the top 12 inches of fill within the Upland Portion of the KCCRA. An IH evaluation concluded that the concentrations of arsenic in the top 12 inches of fill within the Upland Portion of the Project Site did not present an IH condition.

RTNs 4-28186, 4-28615, and 4-28676 were administratively linked to primary RTN 4-26230. MCP activities associated with the Project and described in this SEIR are being performed under primary RTN 4-26230.

1.2.4.1 Site Assessment and Response Action History

Chapter 6 of the EENF contained a summary of previous reports/assessments associated with RTN 4-26230 from January 2022 (Phase II Comprehensive Site Assessment) through July 2024 (Phase IV Remedy Implementation Plan). The following reports and investigations pre-date the Phase II Comprehensive Site Assessment filed with DEP in January 2022:

- › Phase I Initial Site Investigation Report and Tier Classification, RTN 4-26230 and 4-26243, prepared by TRC, dated July 2017.
- › Final Permanent Solution with Conditions Statement Report, RTN 4-26230, prepared by TRC, dated December 2018 (Retracted January 2020).
- › Post Audit Completion Statement, RTN 4-26230, prepared by TRC, dated January 16, 2020.
- › Release Abatement Measure Status Report, Weymouth Compressor Station, 6 Bridge Street, Weymouth Massachusetts, RTN 4-26230, dated March 24, 2020.
- › Release Abatement Measure Status Report No. 2, Weymouth Compressor Station, 6 Bridge Street, Weymouth Massachusetts, RTN 4-26230, dated September 21, 2020.
- › Draft and Final Release Abatement Measure Completion Report, Weymouth Compressor Station, 54-56 Bridge Street, Weymouth Massachusetts, RTN 4-26230, Final dated June 11, 2021.

The reports listed above include data pertaining to the adjacent Weymouth Compressor Station property. All reports listed above (as well as those listed in the EENF) containing environmental data associated with the Project Site can be accessed online by the public via the EEA Data Portal (<https://eeaonline.eea.state.ma.us/portal/dep/wastesite/viewer/4-0026230>). In addition, MCP reports after the establishment of a site-specific Public Involvement Plan in 2018 can be reviewed at the document repository located at the Tufts Public Library (46 Broad Street, Weymouth, Massachusetts).

1.2.4.2 Other MCP-related Activities

As indicated in the EENF, the most recent MCP submittal pertaining to the Project was a Final Phase IV RIP submitted to DEP in July 2024. Since the filing of the EENF, there have been no MCP submittals associated with the KCCRA prepared or submitted to DEP under RTN 4-26230.

Following Project completion, an As-Built Construction Report and Phase IV Final Inspection Report/Completion Statement will be subject to public comment and then submitted to DEP. There are no status reports required by DEP between the submittal of the Phase IV RIP and the submittal of the Phase IV Final Inspection Report/Completion Statement.

1.2.4.3 Proposed Activity and Use Limitation (AUL)

There is currently no AUL on the KCCRA. Following completion of the Project, an AUL will be recorded to support a Permanent Solution under the MCP. The AUL will specify use limitations and conditions to maintain a Condition of No Significant Risk at the KCCRA as defined in the MCP. In accordance with 310 CMR 40.1074, the AUL will include the following:

- › A Legal Description of the property subject to the AUL and the AUL Boundaries
- › Description of Restricted Uses and Activities
- › Description of Permitted Uses and Activities
- › Descriptions of Obligations and Conditions required to maintain the AUL

The AUL will be finalized following completion of the Project. However the following restrictions or requirements will likely be included the AUL:

- › Prohibition of residential, school, or daycare uses
- › Prohibition of future excavation without the development and implementation of an appropriate Health and Safety and Soil Management Plan
- › Requirements for periodic inspection and maintenance of the revetment

1.2.5 Fence Along KCCRA Access Road

A fence is located outside of the Project Site along the KCCRA access road. Maintenance of the KCCRA is the responsibility of the Town of Weymouth through its Conservation Commission under the Conservation Restriction on the KCCRA. The Proponent appreciates that members of the public would like this fence removed and agrees to remove it if the Weymouth Conservation Commission and the owner of the KCCRA agree to its removal.

1.3 Changes Since the EENF

There have been no changes to the project since the filing of the EENF. Updates on the progress of permits and approvals needed to construct the Project are provided in **Section 1.6** below.

1.4 Summary of Project Benefits

The Project will achieve a Permanent Solution as defined in the MCP. It will also enhance the KCCRA by stabilizing the Upland Portion of the KCCRA and improving surface conditions in the Shore Portion of the KCCRA.

1.5 Summary of Potential Impacts to Wetland Resource Areas

The Project will result in the positive impacts summarized in **Section 1.4** above but also have other potential impacts to Coastal Beach, Coastal Bank, Land Containing Shellfish (LCS), and Land Subject to Coastal Storm Flowage (LSCSF), all of which are Wetland Resource Areas as defined in the Wetland Protection Act Regulations at 310 CMR 10.00, *et seq.* (collectively "Wetland Resource Areas"), as summarized below in **Table 1-1**.

Table 1-1 Potential Impacts to Wetland Resource Areas

Wetland Resource Area	Impacts
Coastal Beach/LCS	37,105 SF
Coastal Bank	590 LF
LSCSF	46,385 SF

All square footages are approximate values as they have been rounded to the nearest value of five (most values were rounded up).

LF = linear feet

SF = square feet

The construction access drive is located within Coastal Bank and Land Subject to Coastal Storm Flowage. There is also a temporary stockpile located outside of coastal resources along the MWRA driveway. The Project's impact to Wetland Resource Areas was reviewed by the Weymouth Conservation Commission at two public meetings following the public notice specified by the applicable regulations. An Order of Conditions approving the Project was issued on September 5, 2024.

1.6 Anticipated Permits, Approvals, and Reviews

Table 1-2 below presents a list of federal, state, and local permits and approvals anticipated for the Project.

Table 1-2 List of Permits and Approvals

Agency Name	Permit / Review / Approval	Status
Federal		
US Army Corps of Engineers (USACE)	Section 404 Pre-Construction Notification (PCN)	PCN Submitted July 3, 2025
US Environmental Protection Agency (EPA)	National Pollution Discharge Elimination System (NPDES) general permits for construction stormwater and dewatering	Coverage may be obtained if required
State		
Executive Office of Energy and Environmental Affairs	Review under the Massachusetts Environmental Policy Act (MEPA)	EENF submitted on May 14, 2025. SEIR is submitted herein.
Massachusetts Department of Environmental Protection (DEP)	Chapter 91 License	Application is made concurrent with this SEIR
	401 Water Quality Certification (WQC) for intertidal dredging/fill	To be obtained
Massachusetts Department of Transportation (MassDOT)	Transportation Access Permit for construction access to Bridge Street	To be obtained
Massachusetts Water Resources Authority (MWRA)	8(m) Permit for work within MWRA Sewer Easements	To be obtained
Local		
Weymouth Conservation Commission	Wetlands Protection Act Order of Conditions for work within jurisdictional resource areas. Includes review by the Department of Marine Fisheries (DMF)	Issued Sept. 5, 2024 DEP File No. 81-1320

1.6.1 Federal

USACE Section 404 Pre-Construction Notification

A PCN application was submitted in July 2025 to USACE for authorization pursuant to Section 10 of the Rivers and Harbors Act (33 U.S.C. 403) and Section 404 (33 U.S.C. 1344) of the Clean Water Act (CWA) under Massachusetts General Permit (GP) 13.

EPA NPDES General Permits

The EPA NPDES Construction General Permit contains requirements related to EPA's Construction and Development Effluent Limitations Guideline and New Source Performance Standards. These standards include Erosion and Sediment Controls; Soil Stabilization; Dewatering; Pollution Prevention Measures; Prohibited Discharges; and Surface Outlets. To comply with these standards during the construction period, the Project would include the installation of erosion and sedimentation controls to protect against the discharge of any sediment material into on-site drainage systems and implement a Stormwater Pollution Prevention Plan, along with additional requirements. Coverage under the NPDES General Permits may be obtained if required.

1.6.2 State

MEPA Review

MEPA and the regulations promulgated thereunder set forth impact reporting requirements for projects undertaken by agencies, departments, boards, commissions, or authorities of the Commonwealth, projects seeking financial assistance from or the issuance of a permit by an agency of the Commonwealth and projects otherwise subject to the reporting requirements of MEPA. The Project is subject to MEPA review because it requires permits from state agencies and because it exceeds review thresholds pursuant to:

- › 301 CMR 11.03(3)(b)(1)(a) – Alteration of coastal bank
- › 301 CMR 11.03(3)(b)(1)(e) – New fill in a velocity zone
- › 301 CMR 11.03(3)(b)(1)(f) – Alteration of ½ or more acres of any other wetlands

The Project requires a Chapter 91 License and 401 WQC from DEP, the Transportation Access Permit for construction access to Bridge Street from DOT, and an 8(m) permit from MWRA.

DEP Chapter 91

The Project Site contains filled tidelands and flowed tidelands subject to the licensure requirements of the Public Waterfront Act, MGL Chapter 91 ("Chapter 91") as implemented by DEP through the Waterways Regulations (310 CMR 9.00). The regulations at 310 CMR 9.05(1)(a), *Activities Requiring a License*, require a new or amended license for the Project because it includes "construction, placement, excavation, addition, improvement, maintenance, repair, replacement, reconstruction, demolition or removal of any fill or structures, not previously authorized, or for which a previous grant or license is presently valid."

A Chapter 91 License Application for the Project is being submitted concurrently with the submission of this SEIR pursuant to the Waterways Regulations at 310 CMR 9.11(2)(b)(4). Refer to **Chapter 3, Chapter 91 Waterways**, for information regarding the Project's compliance with the Waterways Regulations.

DEP 401 Water Quality Certification

Section 401 of the Clean Water Act (33 U.S.C. 1341) requires any applicant for a federal license or permit to conduct any activity that may result in a discharge of a pollutant into Waters of the United States to obtain a certification from the state in which the discharge originates or would

originate, that the discharge will comply with the applicable effluent limitations and water quality standards. In addition, projects including excavating more than 100 CY of material require Water Quality Certification, pursuant to the Massachusetts Clean Waters Act (M.G.L. c. 21 §§ 26 – 53). The Project will require issuance of a Section 401 Water Quality Certification from DEP because it will result in greater than 100 CY of excavated and fill material and has been designed in compliance with the applicable regulatory criteria and performance standards detailed in 314 CMR 9.00.

MassDOT Transportation Access Permit

MassDOT Highway access permits are required when physical work or activities take place within, or impact, the State Highway Right-of-Way or property owned or under the custody and control of MassDOT-Highway. The Project Site is located north of Bridge Street (Route 3A). The Project's impacts to existing transportation infrastructure will be temporary in nature and will not impact regional transportation planning. An Access Permit will be obtained for the Project.

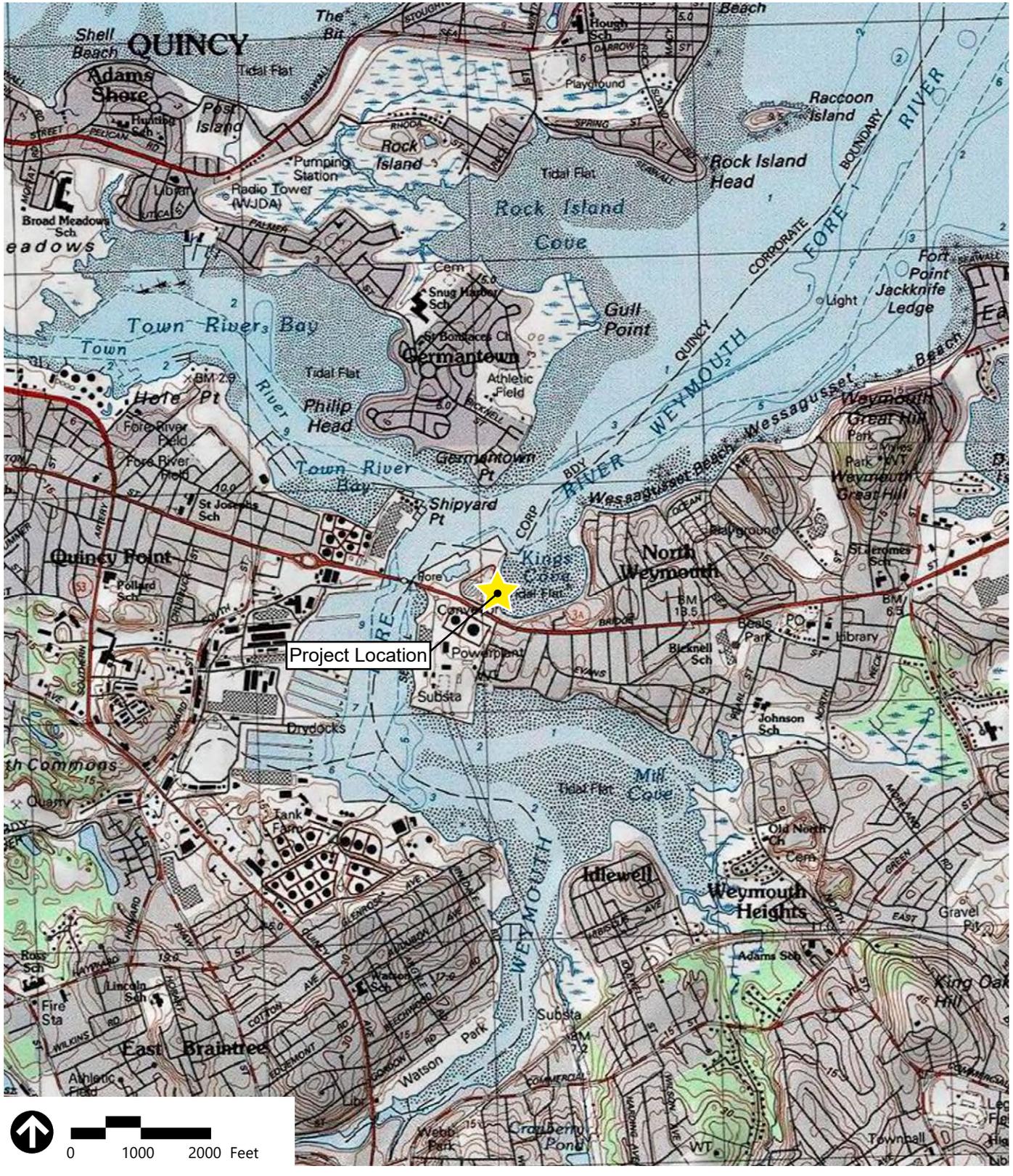
MWRA 8(m) Permit

To protect MWRA infrastructure, projects involving construction, excavation, or projects that cross within or near an easement or other property interest held by the MWRA require an 8(m) permit. Due to the proximity of MWRA infrastructure to the Project Site, the Project will coordinate with MWRA and obtain an 8(m) permit.

1.6.3 Local

Weymouth Conservation Commission

The Wetlands Protection Act regulations establish performance standards for work proposed within Coastal Beach, Coastal Bank, and LCS and require a review of any work proposed within 100 feet of a wetland resource to determine if that work will result in the alteration of wetland resources. The Project received an Order of Conditions (DEP File #81-1320) on September 5, 2024, indicating that the Project, as conditioned in the Order of Conditions, meets the applicable performance standards for the Wetland Resource Areas. Because the Project is an MCP Response Action, it satisfies the requirements of the Wetland Protection Act Regulations at 310 CMR 10.24(7)(c)(6), and it was approved as a Limited Project under the applicable regulations.



Source: USGS, MassGIS, VHB

Figure 1.1
Site Location Map

**KCCRA - MCP Response Action
Weymouth, MA**

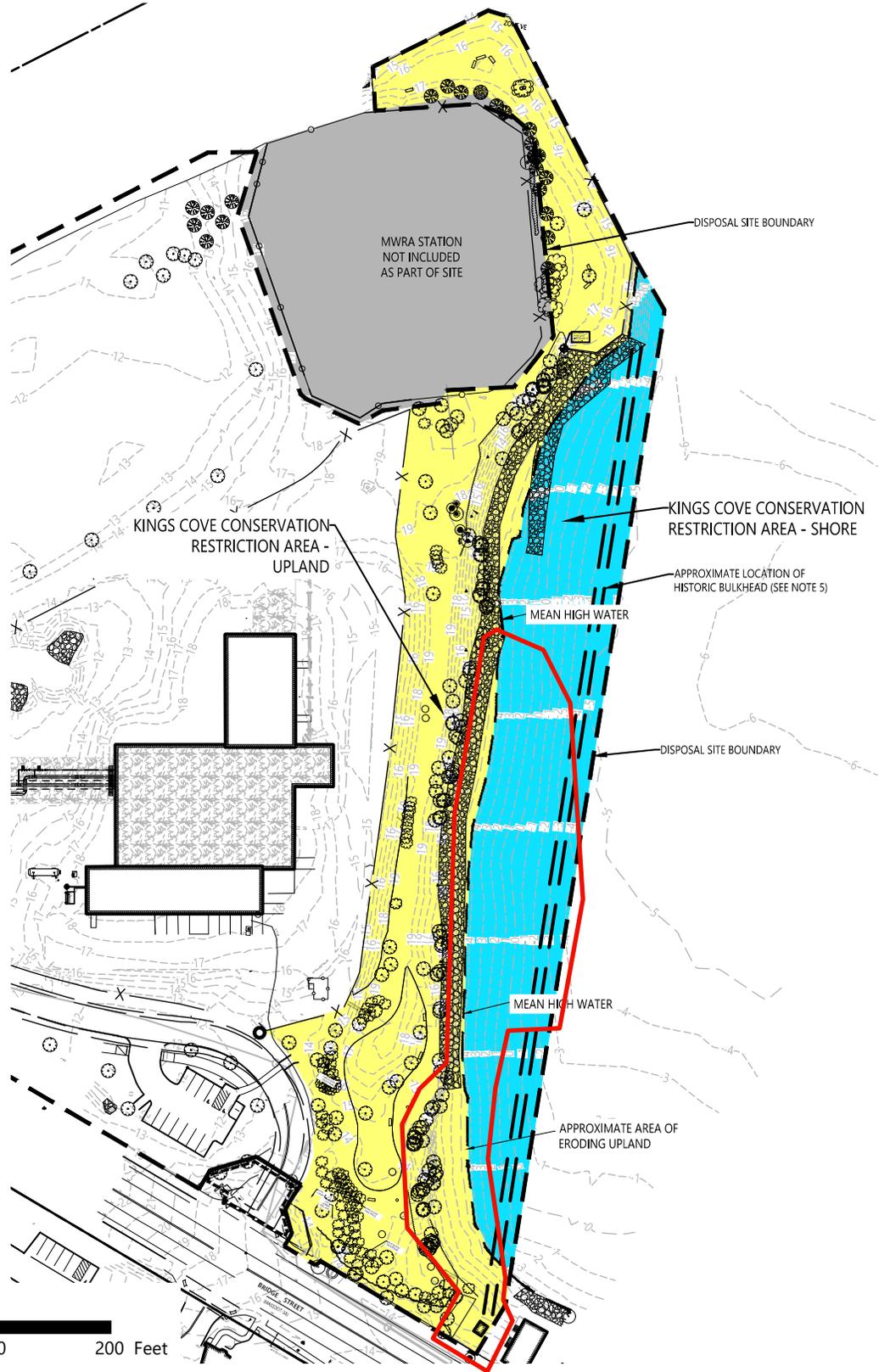


Source: USGS, MassGIS, VHB

 Limit of Work

Figure 1.2
Project Site Context

**KCCRA - MCP Response Action
Weymouth, MA**



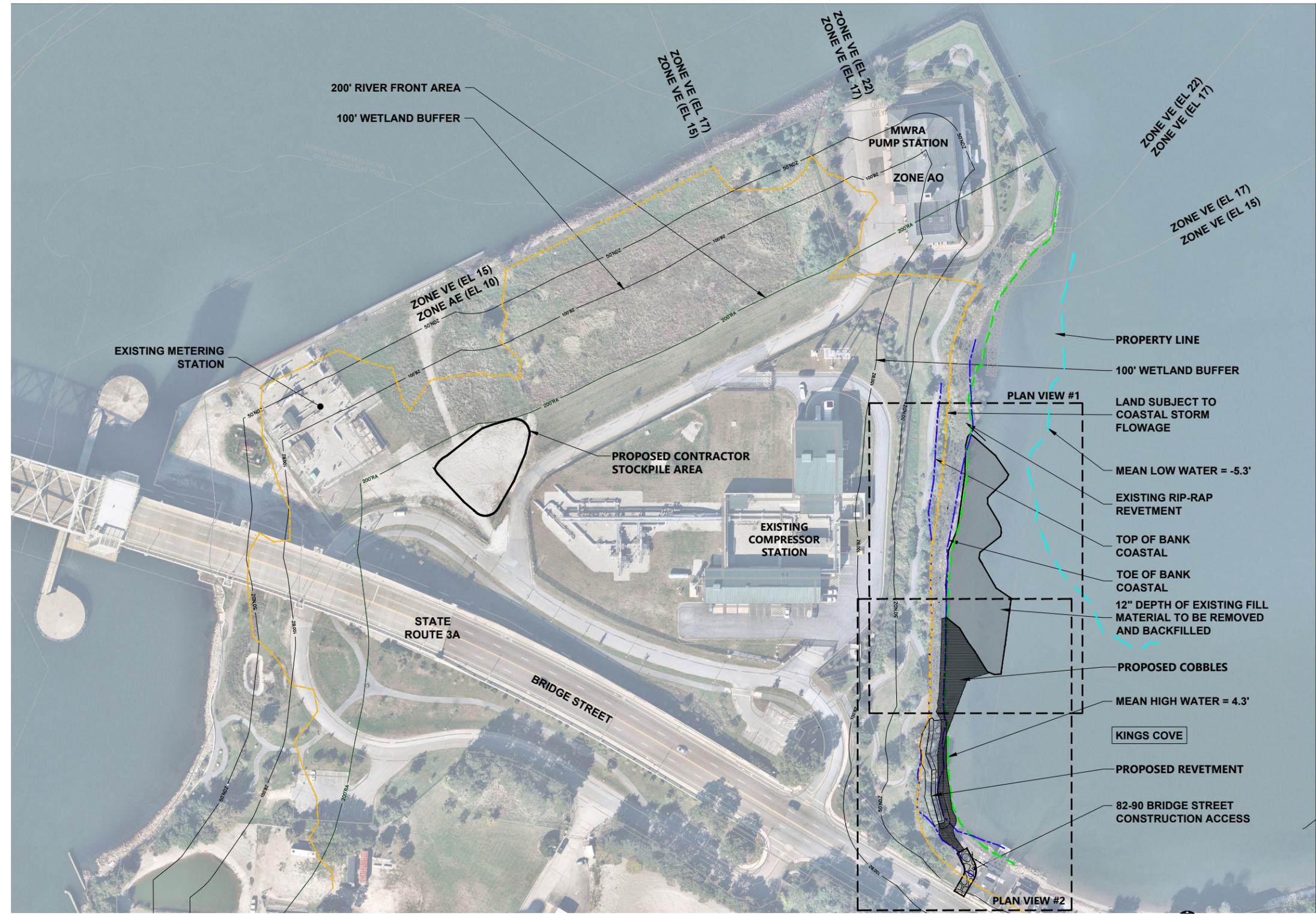
Source: VHB, Algonquin Gas Transmission, LLC

- | | | | |
|-------------------------------------------------------------------------------------|----------------|-------------------------------------------------------------------------------------|---------------------------------|
|  | Limit of Work |  | Tree Line |
|  | KCCRA - Shore |  | Topo. Bathymetric Contours |
|  | KCCRA - Upland |  | ≈ Location of Historic Bulkhead |
|  | Rip Rap |  | Disposal Site Boundary |
| | |  | MassDOT Parcel |

Figure 1.3
Existing Site Conditions

**KCCRA - MCP Response Action
Weymouth, MA**

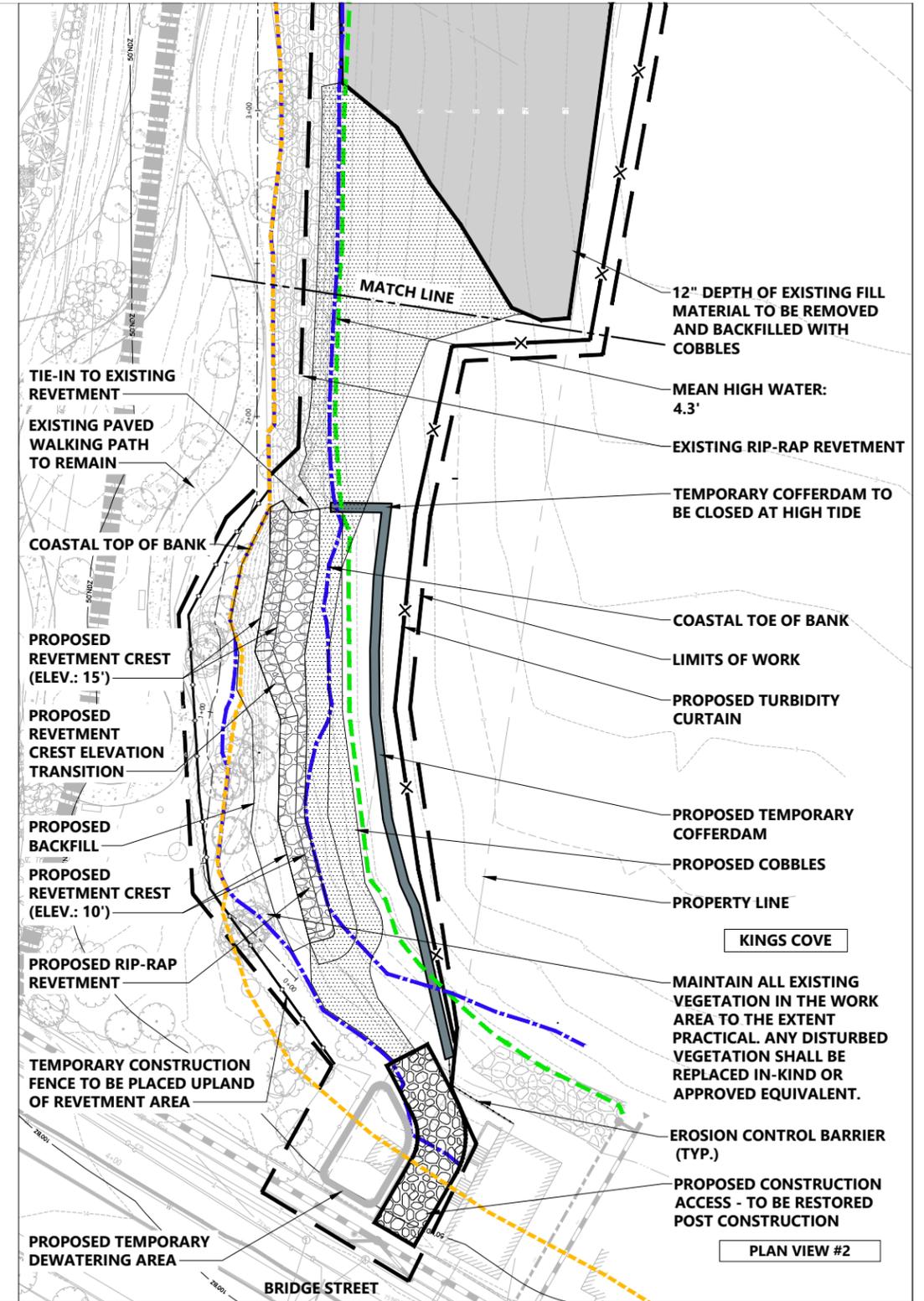
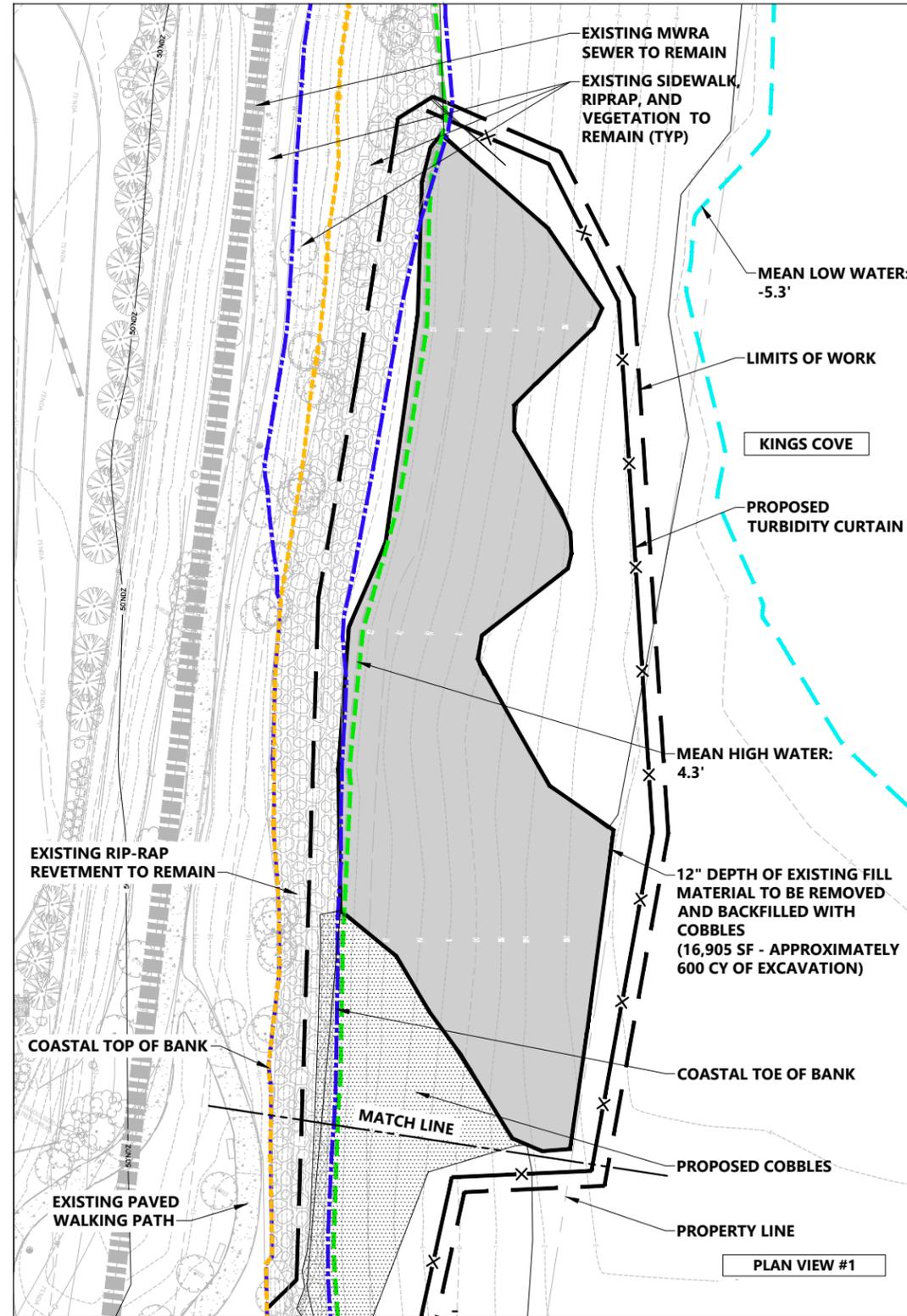
LEGEND	
Exist.	Prop.
	COASTAL BANK
	LAND SUBJECT TO COASTAL STORM FLOWAGE
	MEAN LOW WATER
	MEAN HIGH WATER
	PROPERTY LINE
	FEMA FLOOD ZONE DELINEATION
	50' NO DISTURB ZONE
	100' WETLAND BUFFER ZONE
	200' RIVERFRONT AREA
	EDGE OF PAVEMENT
	BUILDING
	EROSION CONTROL
	MINOR CONTOUR
	MAJOR CONTOUR
	CONCRETE
	RIPRAP
	MATCHLINE
	PATH
	TREE LINE
	CHAIN LINK FENCE
	EXISTING MATERIAL TO BE REMOVED AND BACKFILLED WITH COBBLES
	COBBLE BEACH



Source: VHB, Nearmap

Figure 1.4
Overall Site Plan

Exist.	Prop.	
		COASTAL BANK
		LAND SUBJECT TO COASTAL STORM FLOWAGE
		MEAN LOW WATER
		MEAN HIGH WATER
		PROPERTY LINE
		FEMA FLOOD ZONE DELINEATION
		50' NO DISTURB ZONE
		100' WETLAND BUFFER ZONE
		200' RIVERFRONT AREA
		EDGE OF PAVEMENT
		BUILDING
		EROSION CONTROL
		MINOR CONTOUR
		MAJOR CONTOUR
		CONCRETE
		RIPRAP
		MATCHLINE
		PATH
		TREE LINE
		CHAIN LINK FENCE
		EXISTING MATERIAL TO BE REMOVED AND BACKFILLED WITH COBBLES
		COBBLE BEACH

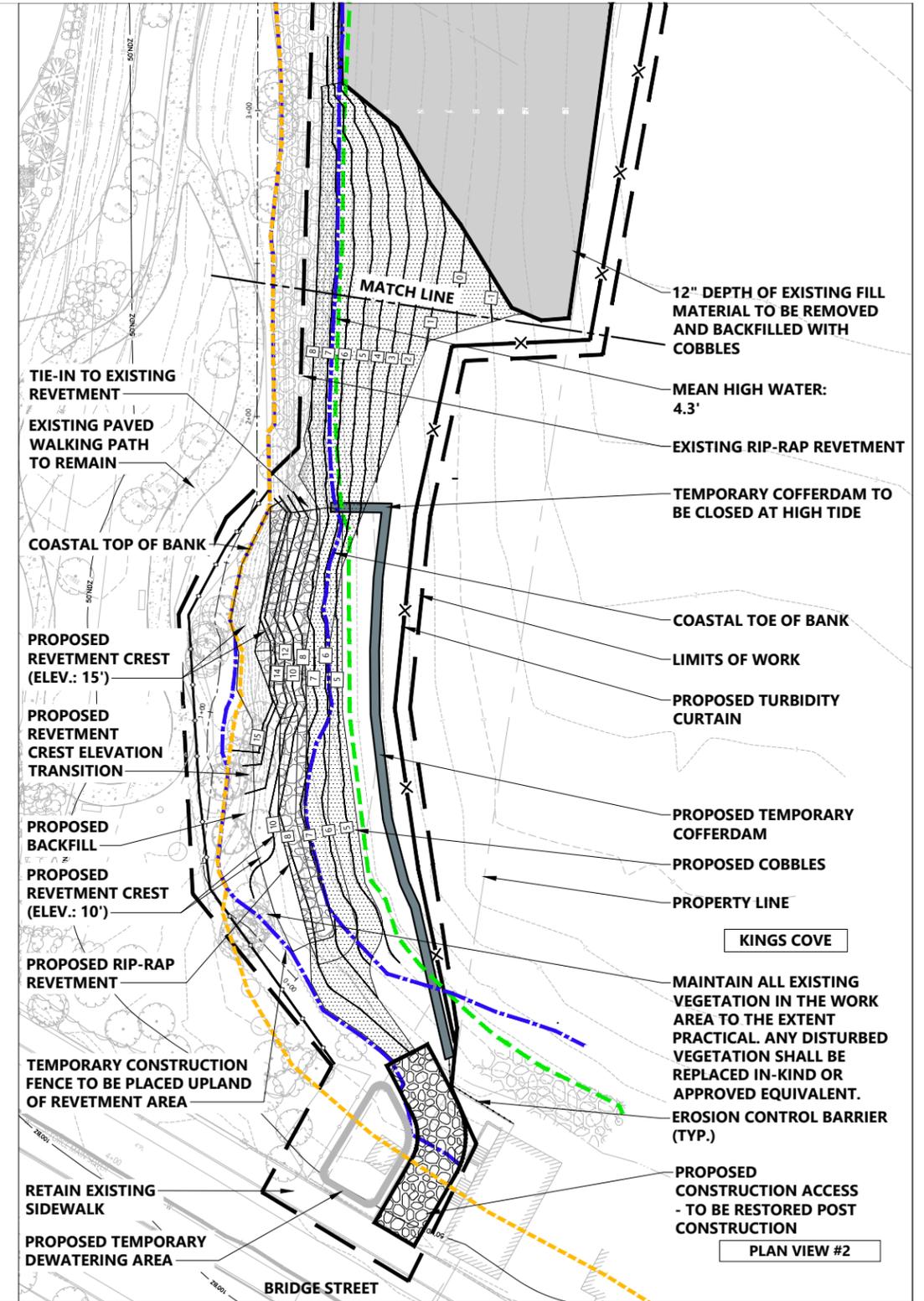
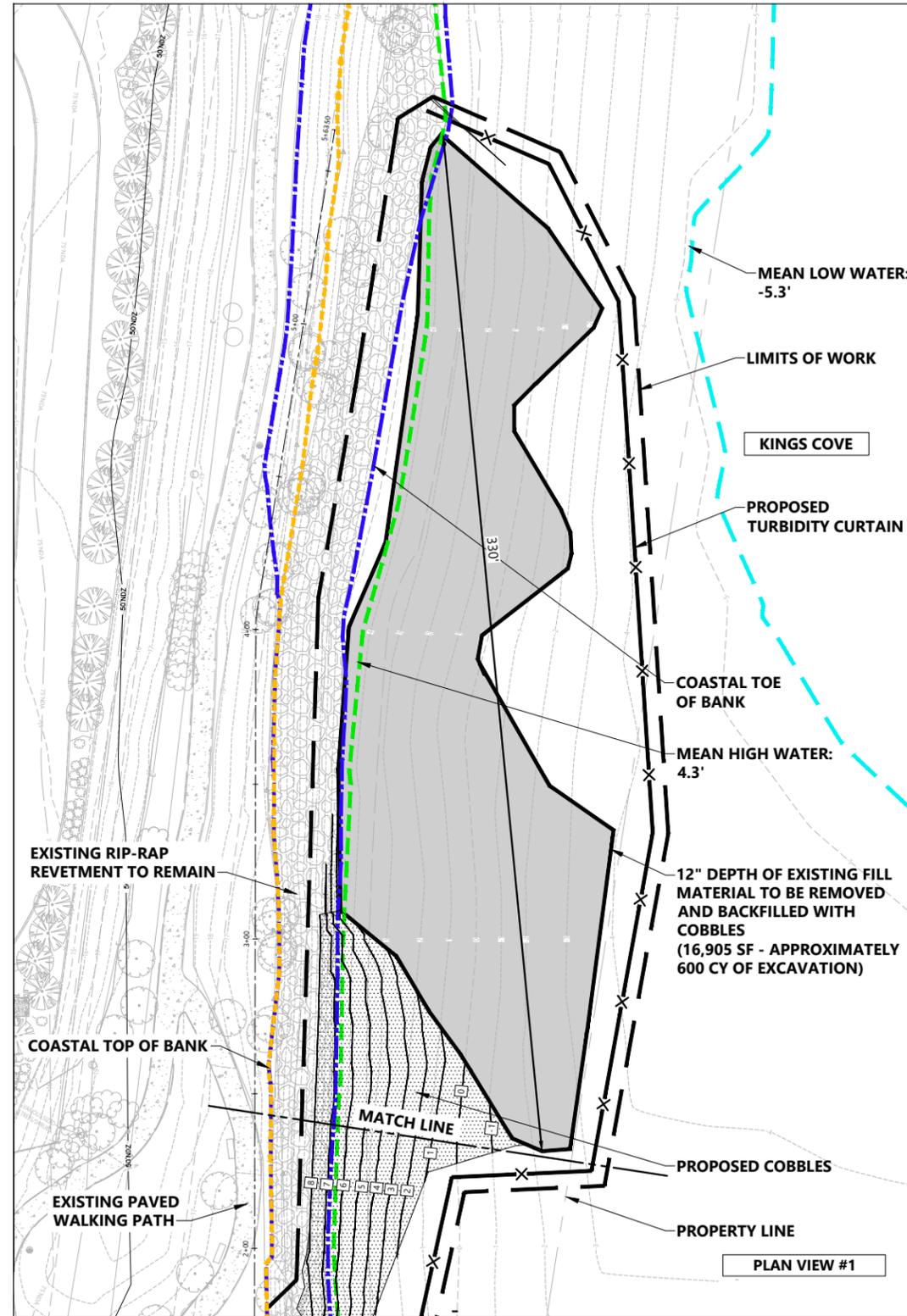


Scale: VHB

Figure 1.5a
Proposed Site Plan

KCCRA - MCP Response Action
Weymouth, MA

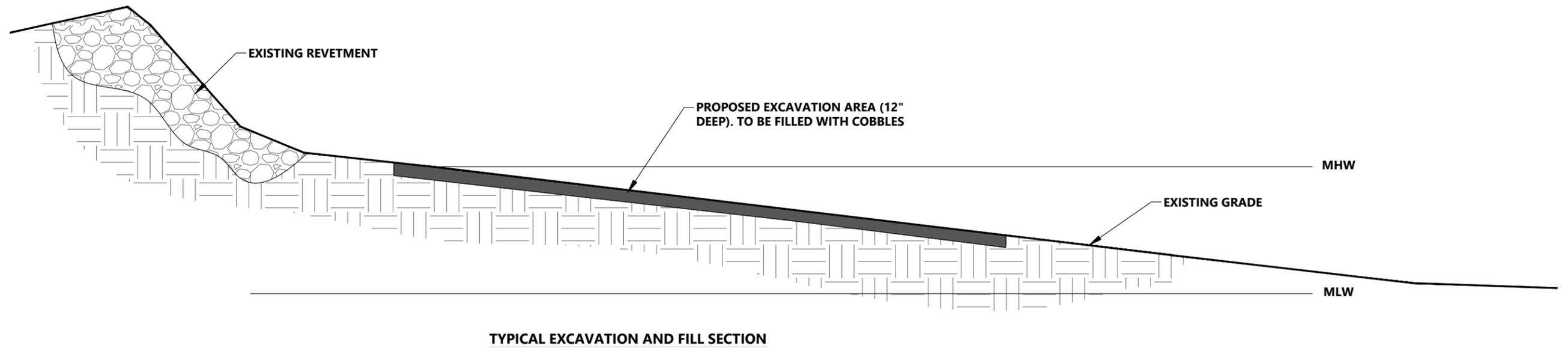
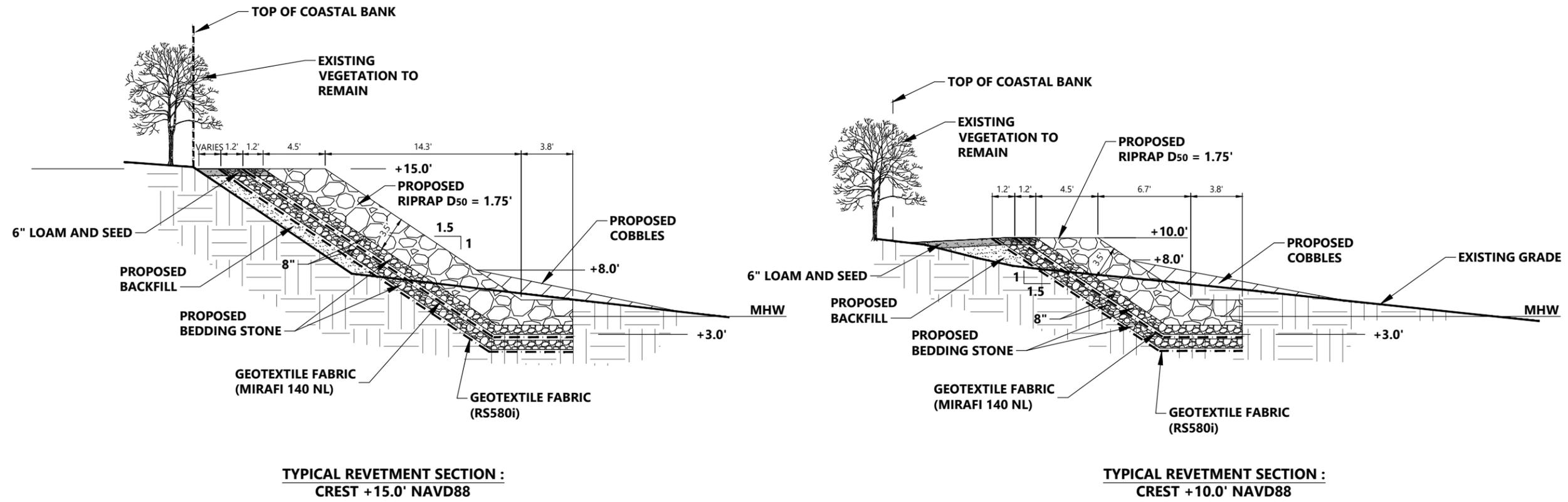
Exist.	Prop.	
		COASTAL BANK
		LAND SUBJECT TO COASTAL STORM FLOWAGE
		MEAN LOW WATER
		MEAN HIGH WATER
		PROPERTY LINE
		FEMA FLOOD ZONE DELINEATION
		50' NO DISTURB ZONE
		100' WETLAND BUFFER ZONE
		200' RIVERFRONT AREA
		EDGE OF PAVEMENT
		BUILDING
		EROSION CONTROL
		MINOR CONTOUR
		MAJOR CONTOUR
		CONCRETE
		RIPRAP
		MATCHLINE
		PATH
		TREE LINE
		CHAIN LINK FENCE
		EXISTING MATERIAL TO BE REMOVED AND BACKFILLED WITH COBBLES
		COBBLE BEACH



Source: VHB

Figure 1.5b
Proposed Grading Plan

KCCRA - MCP Response Action
Weymouth, MA



2

Environmental Justice, Public Involvement, and Public Health

This chapter summarizes the public outreach activities that have been and will be conducted by the Proponent respecting the Project. It also describes the development of the Public Involvement Plan (PIP) group distribution list for the Project and provides an analysis of the construction-period traffic impacts on EJ populations. The second part of this Chapter summarizes the public health conditions on and near the Project Site and discusses construction-related activities and management strategies to avoid and minimize any potential negative impacts of Project implementation on public health.

Specifically, as requested in the EEA Secretary's Certificate on the EENF, this chapter provides the following documentation in response to the 'Environmental Justice' and 'Public Health' sections of the SEIR Scope, with references to specific SEIR sections in **bold**:

- › Include a separate section on "Environmental Justice" that contains a full description of measures the Proponent intends to undertake to promote public involvement by such EJ populations during the remainder of the MEPA review process, including a discussion of any of the best practices listed in the MEPA EJ Public Involvement Protocol that will be employed (**Section 2.1**).
- › Describe any outreach that will be conducted as part of local review processes (**Section 2.1**).
- › Provide an update on any outreach conducted since the filing of the EENF and a description of any changes made to the project (including mitigation measures) in response to this outreach (**Section 2.1**).
- › Provide more detail on the PIP group that was used for outreach prior to filing, including how it was developed, who is included, and how it is maintained (**Section 2.1.1**).
- › Assess the number of diesel-generated vehicle trips generated during project construction and routes of travel that would result from the project, including during the construction period, and identify whether these routes will travel through EJ populations within the Designated Geographic Area (**Section 2.3.1**).
- › Include a separate section on "Public Health," and discuss any known or reasonably foreseeable public health consequences that may result from the environmental impacts of the project (**Section 2.2**).
- › Assess the public health conditions in the immediate vicinity of the project site through other publicly available data, including through the Department of Public Health EJ Tool, in

accordance with 301 CMR 11.07(6)(g)10, and analyze project impacts that could materially exacerbate such conditions (**Section 2.2.1**).

- › Identify where the data from the proposed real-time air quality monitoring during transport of sediments will be made available (**Section 2.2.2**).
- › Provide additional information regarding reporting of sediment and waste management during project construction to DEP and/or the City, including the frequency of this reporting, if this data is publicly accessible, and where it can be found (**Section 2.3.2**).
- › Provide specific discussion of standards from any required Permits and how the project intends to meet or exceed them to protect public health (**Section 2.3**).
- › Identify the municipalities associated with the census tracts that exhibited vulnerable health EJ criteria (178.02, 179.01, and 227.00) as described in the EENF (**Section 2.2.1**).
- › Provide further details to explain how the determination will be made as to the extent of fill to remain on site for beneficial reuse, and clarify whether the reuse of this sediment requires any additional permitting, such as a Beneficial Use Determination from DEP (**Section 2.3.3**).
- › Identify the disposal locations determined to date for sediment to be removed off-site, discuss what level of permitting will be required for approval of those disposal locations, and identify any EJ populations located within one mile of any such locations (**Sections 2.3.1 and 2.3.3**).
- › Include measures to reduce construction period impacts (e.g., noise, dust, odor, solid waste management) and emissions of air pollutants from equipment, including anti-idling measures in accordance with the Air Quality regulations (310 CMR 7.11) (**Section 2.3**).
- › Use construction equipment with engines manufactured to Tier 4 federal emission standards, or select project contractors that have installed retrofit emissions control devices or vehicles that use alternative fuels (**Section 2.3.2**).
- › Conduct all construction activities in compliance with the conditions of all State and local permits (**Section 2.3**).
- › Reuse or recycle construction and demolition (C&D) debris to the maximum extent (**Section 2.3.3**).

2.1 Environmental Justice and Public Outreach

The Proponent has engaged with the community through each step of understanding Project Site conditions and designing the Project, receiving public comment on each MCP submittal relating to the Project. The Project Notice of Intent to the Weymouth Conservation Commission was also subject to public comment. Prior to the EENF filing, the Proponent proactively engaged with potentially impacted communities at each stage of the MCP remedy selection process in accordance with the PIP (which was provided in Appendix B of the EENF), completed a 45-day Advance Notice, met with the MEPA office for a pre-filing meeting, and published the public notice of the EENF submission. Since the filing of the EENF, the Proponent also held two site consultation meetings with the community during the MEPA public comment period on the EENF, including an on-site and a virtual meeting, distributed the English and translated (Simplified Chinese) notifications of the EENF public meeting and site consultation to the MEPA distribution list and the PIP group, and provided translation services to the community during the public meetings. Additionally, enhanced public involvement occurred in connection with the

permitting of the Weymouth Compressor Station, including relating to the Proponent's Chapter 91 license application, the Proponent's application for a Certificate of Public Convenience and Necessity from the Federal Energy Regulatory Commission, and in connection with Algonquin's Non-Major Comprehensive Plan Application under the applicable DEP regulations.

During the remainder of MEPA review and the process of obtaining the Project's Chapter 91 license, the Proponent will continue to promote meaningful public involvement by updating the MEPA distribution list to include the commentors who are interested in the Project and maintaining the PIP group distribution list. Notification of this SEIR has also been distributed to said lists. Translation services will be available upon request for any summaries of supplemental information submitted to the MEPA office, or any other relevant notices or materials generated during the course of MEPA review.

Given the extensive public involvement already conducted regarding the KCCRA Response Action, and the positive response the KCCRA Response Action has already received, including from DEP and the Weymouth Conservation Commission, the opportunities for public comment provided in 301 CMR 11.06 and 11.08, supplemented by the provisions of the PIP, will satisfy the requirements for enhanced public outreach specified at Massachusetts Laws Chapter 30, section 62J, and the MEPA regulations at 301 CMR 11.05.

2.1.1 Public Involvement Plan Development and Updates

A PIP was established in 2018 as a result of the filing of a petition by a group of residents in the community pursuant to the regulation at 310 CMR 40.1404 (see Appendix B of the EENF). As part of the PIP's development, a draft PIP was published for comment and a public comment period held to solicit public input. From this process (i.e., initial petition, comment period, and public meeting), the initial distribution list was amassed by Algonquin and TRC (previous LSP-of-Record). Since that time, the list has been updated by the Proponent and their LSP-of-Record as additional members have requested to be included.

Anyone who wishes to be placed on the PIP distribution list may be added by emailing the Project team at: WeymouthCompressorStation@vhb.com or expressing that wish during a comment period or public meeting respecting the Project. Those seeking to be removed may email their request to the Project email address above. The mailing list will be used to announce upcoming public meetings, distribute fact sheets, provide notices of public comment periods on, and the availability of documents in the information repositories, and similar relevant information about the Project. The Proponent will maintain the mailing list and update it as necessary.

Since the filing of the EENF, there have been no changes made to the PIP.

2.2 Public Health

2.2.1 Vulnerable Health Criteria

As described in Section 3.2.1 of the EENF's Chapter 3, *Environmental Justice and Public Health*, Vulnerable Health EJ Criteria, as defined by the Massachusetts Department of Public Health EJ Tool (DPH EJ Tool), were identified within the community to understand potential health vulnerabilities faced by EJ populations within the study area. The DPH EJ Tool indicates that the

City of Weymouth does not meet the Vulnerable Health EJ criteria for heart attack, childhood blood lead, low birth weight, or childhood asthma at the municipality level. Census-tract-level data is only available for childhood blood lead and low birth weight on the DPH EJ Tool. Within a 1-mile radius of the Project Site, the Designated Geographic Area (the "DGA"), one census tract (25,021,417,802 in Quincy) exceeds the childhood blood lead criterion, and two census tracts (25,021,417,901 in Quincy and 25,021,422,700 in Weymouth) exceed the low birth weight criterion. Among the three census tracts, census tract 227.00 in Quincy is located directly south of the Project Site. However, census tract 228.00, where the Project Site is located, does not exceed these two criteria.

2.2.2 Impacts on Public Health

The Project is not anticipated to result in adverse impacts to public health and is not required to obtain any permits that contain performance standards intended to protect public health. It will achieve a Permanent Solution as defined in the MCP while enhancing the KCCRA by stabilizing eroding fill along the Upland Portion of the KCCRA and improving surface conditions in the Shore Portion of the KCCRA. Measures to avoid temporary construction period impacts to public health and the environment are detailed below in **Section 2.3**.

Dust and air monitoring procedures, as well as corrective actions to minimize fugitive dust associated with soils/sediments excavated as part of the Project, are detailed in Section 3.2.7.2 and 3.2.7.3 of the Final Phase IV RIP. The dust and air monitoring data, as well as records of corrective actions implemented to mitigate fugitive dust, will be publicly available at the EEA Data Portal¹ as part of the Phase IV Final Inspection Report/Completion Statement for the Project.

2.3 Construction Activities Management

All construction activities will be undertaken in compliance with the federal, state, and local permits or authorization referenced in **Section 1.6** of this SEIR and in accordance with applicable DEP's regulations regarding Air Pollution Control (310 CMR 7.01, 7.09-7.10), and Solid Waste Facilities (310 CMR 16.00 and 310 CMR 19.00, including the waste ban provision at 310 CMR 19.017).

The Proponent will coordinate construction activities with all appropriate utility companies and regulatory agencies. The work will be performed consistent with the Order of Conditions for the Project to control construction-related impacts, including erosion, sedimentation, and other pollutant sources during construction and any land disturbance activities. The Proponent's LSP and/or LSP Representative will be present periodically throughout the construction period to verify the contractor's compliance with the Phase IV RIP. The contractor will be required to complete the excavation during low tides only and install the clean cobble cover in the same tide cycle.

¹ DEP EEA Data Portal for RTN 4-26230 is accessible at: <https://eeaonline.eea.state.ma.us/portal/dep/wastesite/viewer/4-0026230>

2.3.1 Construction-period Vehicle Trips and Routes

The construction will span approximately two to three months of five-day workweeks and involves the use of diesel vehicles for various tasks.² The Project is expected to operate over a maximum of 60 working days resulting in an average of one daily trip between the staging area and workspace (Route #1), which will not pass through any EJ populations, and an average of only 3 daily trips to and from the contractor facilities and disposal location through EJ populations (Routes #2 and #3). Due to the Site's location, the Proponent anticipates that trucks will travel to the site via major roadways including Route 3, I-93, and I-95. These major roadways already facilitate regional access for trucking; therefore, the Proponent does not anticipate that the Project will alter existing travel patterns and the minimal number of trips per day will not meaningfully impact any of the EJ communities within the DGA. The Proponent also does not anticipate that the Project will introduce additional diesel truck trips onto minor roadways or residential neighborhoods. The primary routes for anticipated construction period vehicular trips are summarized below.

Route #1 is designated for the short trips needed for staging and workspace activities. It involves one short trip daily, resulting in 60 total trips during the construction. This route will not pass through any EJ populations.

Route #2 accommodates trips to and from the anticipated contractor facilities north of Boston, along Washington Street (Route 3A). This route will see an average of 1.5 trips per day, leading to approximately 75 total trips and does pass through two Minority EJ populations (block group 1, census tract 4179.01 and block group 6, census tract 4179.01) and two Minority and Income EJ populations (block group 3, census tract 4179.01 and block group 2, census tract 4179.01) in the DGA.

Route #3 will provide for material removal to the to be determined disposal location to the south, traveling north on Bridge Street (Route 3A), then along South Street and East Howard Street, which requires another average 1.5 trips per day for a total of 75 trips. This route focuses on moving materials off-site for processing and disposal and passes through 2 Minority EJ populations (group 1, census tract 4179.01, and block group 6, census tract 4179.01) in the DGA. While unanticipated, if a disposal location is identified to the north, these trips will follow Route #2.

Refer to **Figure 2.1** for Construction Vehicle Routes.

2.3.2 Air Quality

The Project will implement several mitigation measures and monitoring practices to manage dust and assess air quality during the construction of the Project. Dust and air monitoring procedures, as well as corrective actions to minimize fugitive dust related to the soil/sediments excavated during the Project, are detailed in Section 3.2.7.2 and 3.2.7.3 of the Final Phase IV RIP.

Construction equipment will either meet Tier 4 emissions standards or use construction equipment that has been retrofitted with appropriate emissions reduction equipment. Off-road

²The emission controls on said diesel vehicles are discussed in **Section 2.3.2** below.

vehicles will use ultra-low sulfur diesel fuel. Idling of construction equipment is not anticipated but any such idling will comply with applicable DEP regulatory requirements. The Project contractor will ensure that vehicles do not idle longer than 5 minutes and proper training will be provided to the drivers as needed.

2.3.3 Construction and Solid Waste Management

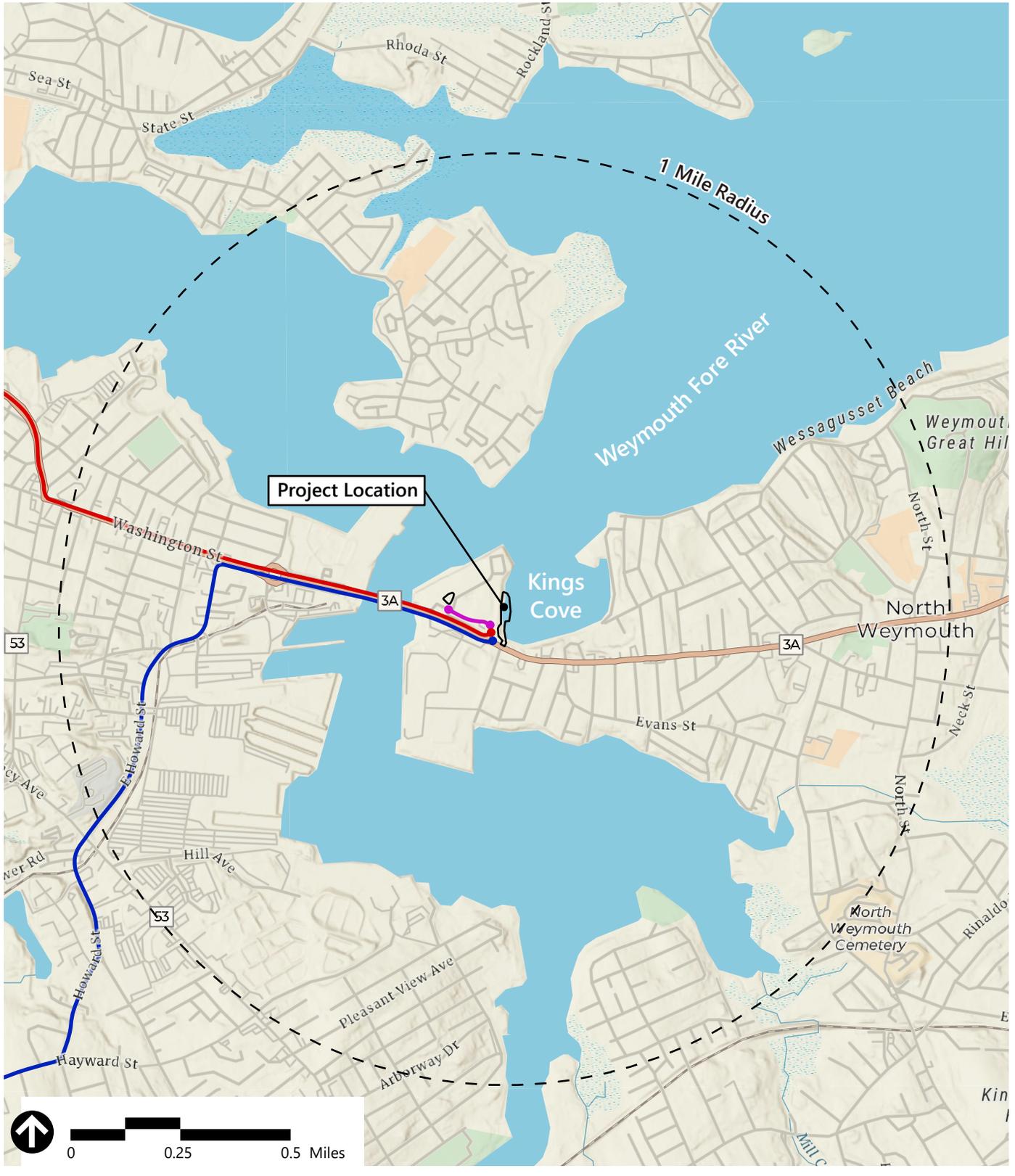
As documented in the Phase III Remedial Action Plan for the KCCRA Response Action, and discussed in Section 2.3 of the EENF, maximizing the on-site reuse of fill excavated from the Shoreline Portion of the KCCRA to support the revetment to be extended in the Upland Portion of the KCCRA best meets the Project Goals, including by avoiding GHG emissions associated with off-site disposal, and by preserving off-site landfill capacity. Any on-site reuse of fill will comply with the MCP and DEP MCP guidance including the Similar Soils Provision Guidance dated September 4, 2014, as applicable. The Massachusetts Solid Waste Regulations, including its provisions relating to the Beneficial Use of Solid Waste, are not applicable to the reuse of fill in the course of the KCCRA Response Action.

As discussed in the Phase IV RIP, the Project LSP and the Project Engineer will determine the suitability of any fill for reuse as it relates to the MCP and revetment design specifications. Fill will only be reused if it can be accommodated behind the new revetment to be protected with geotextile and the revetment itself.

As noted in **Section 1.2.1.3 of Chapter 1, *Project Summary***, the need for, or locations of permitted facilities to receive fill or sediment to be disposed off-site have not yet been identified but there is no shortage of such facilities. Refer to **Chapter 1, *Project Summary***, for additional details regarding the management and disposal of fill and sediments.

2.3.4 Spill/Release Prevention and Reporting

Implementation of the Project will require the use of heavy equipment. Therefore, there is a small risk of accidental discharge due to mechanical/physical failures of excavation and trucking equipment. Standard operating procedures to prevent accidental releases will include daily inspection of hydraulic lines and reservoirs, and general inspection of equipment that contains fuel, oils and lubricants. Absorbent materials and containers will be kept on-site during construction to contain incidental spills and/or accidental discharges from excavation and trucking equipment or stockpile staging areas. Refer to Chapter 6 of the EENF for additional detail.



Source: MassGIS, VHB

-  Limit of Work
-  Route 1 - Site to Staging Area
-  Route 2 - Rt 3a North
-  Route 3 - To the Mass Pike Westbound

Figure 2.1
Construction Vehicle Routes

**KCCRA - MCP Response Action
Weymouth, MA**

3

Chapter 91 Waterways

The Project Site contains filled tidelands and flowed tidelands subject to the licensure requirements of the Public Waterfront Act, Massachusetts General Laws Chapter 91 (“Chapter 91”) as implemented by DEP through the Waterways Regulations (310 CMR 9.00). This chapter details how the Project is compliant with Chapter 91 and the Waterways Regulations, and provides a draft Public Benefit Determination. Refer to **Appendix C** for the Draft Chapter 91 Application Form and the Draft License Plans.

In addition, as requested in the EEA Secretary’s Certificate on the EENF, this chapter provides the following documentation (references to the related specific SEIR sections and figures are in **bold lettering**):

- › Provide updated plans which identify the historic high water (HHW) line/delineates the tidelands present on-site (**Figure 3.1**).
- › Provide additional information regarding the Designated Port Area (DPA) designation including the Project Site, and the Project’s consistency with the Designated Port Area Master Plan (**Section 3.2.1**).
- › Identify the public benefits of the Project in accordance with 301 CMR 13.00 (**Section 3.3**).

3.1 Jurisdiction

There are approximately 20,199 Square Feet (SF) of filled tidelands and approximately 33,768 SF of flowed tidelands within the Project Site. The limits of Chapter 91 jurisdiction on the Project Site are shown in **Figure 3.1**. The filled tidelands on the Project Site are private tidelands because they are privately owned and subject to a license or grant of the Commonwealth.

The Waterways Regulations at 310 CMR 9.05(1)(a), *Activities Requiring a License*, require a new or amended license for the Project because it includes “construction, placement, excavation, addition, improvement, maintenance, repair, replacement, reconstruction, demolition or removal of any fill or structures, not previously authorized, or for which a previous grant or license is presently valid.”

As stated in Chapter 4, Section 4.2, of the EENF, the Project is regulated as a water-dependent use project according to 310 CMR 9.12 (2)(a) 9, 11, and 14, which directs DEP to find water-dependent the following uses:

- › 310 CMR 9.12 (2)(a)9, “dredging for navigation channels, boat basins, and other water-dependent purposes, and subaqueous disposal of the dredged materials below the low water mark;”

- › 310 CMR 9.12 (2)(a)11, “shore protection structures, such as seawalls, bulkheads, revetments, dikes, breakwaters, and any associated fill which are necessary either to protect an existing structure from natural erosion or accretion, or to protect, construct, or expand a water-dependent use;” and
- › 310 CMR 9.12 (2)(a)14, “facilities and activities undertaken or required by a public agency for purposes of decontamination, capping, or disposal of polluted aquatic sediments”.

3.2 Regulatory Compliance

Chapter 91, and the Waterways Regulations, regulate activities in filled and flowed tidelands. The Project includes work in both filled and flowed private tidelands. The Project meets the definition of a water-dependent project in accordance with 310 CMR 9.12(2)(a)9,11, and 14.

The Waterways Regulations at 310 CMR 9.31(1) require DEP to determine that all projects requiring a license comply with requirements for license eligibility. **Table 3-1** lists the requirements of the Waterways Regulations potentially applicable to the Project, states why certain requirements are not applicable to the Project and demonstrates how the Project complies with the requirements of the Waterways Regulations that are applicable.

Table 3-1 Regulatory Requirements

Regulation 310 CMR	Standard	Applicable?	Compliance Summary
9.31 (1)	Basic Requirements	Yes	The Project meets all applicable requirements as described in this table.
9.31 (2)(a)	Categorical Restrictions on Fill and Structures	Yes	Since the Project Site is part of the KCCRA, a water-dependent use, the Waterways Regulations presumption at 310 CMR 9.31(2)(a) that the Project serves a proper public purpose is applicable. Section 3.3 describes the public benefits of the Project.
9.32	Categorical Restrictions on Fill and Structures	Yes	The Project is eligible for a license because the licensed fill and structures are for the use specified at 310 CMR 9.32(2)(a).
9.33	Environmental Protection Standards	Yes	The Project complies with all the requirements of applicable Commonwealth environmental regulatory programs and standards. In addition to a Waterways License, the environmental permits required for the Project include an Order of Conditions from the Weymouth Conservation Commission and compliance with the Massachusetts Stormwater Management Standards. Section 1.6 of Chapter 1, Project Summary , specifies all of the environmental permits and approvals anticipated.
9.34 (1)	Conformance with Municipal Zoning	Yes	The Project is located within the General Industrial zoning district. The Project does not include any change in use or new buildings. The Project has received an Order of Conditions from the Weymouth Conservation Commission confirming consistency with the local wetlands ordinance.

Regulation 310 CMR	Standard	Applicable?	Compliance Summary
9.34 (2)	Conformance with Municipal Harbor Plan	No	The Project is not subject to a Municipal Harbor Plan.
9.35 (2)	Public Rights Applicable to All Waterways	Yes	The Project does not interfere with public rights of navigation, free passage over and through the water, or access to any Town Landings.
9.35 (3)	Public Rights Applicable to Tidelands and Great Ponds	Yes	The Project does not interfere with public rights of fishing, fowling, or on-foot passage. The Project will restore and improve the Project Site.
9.35 (4)	Compensation for Interference with Public Rights in Commonwealth Tidelands and Great Ponds	No	The Project does not include any fill or structures for private use of Commonwealth tidelands. All work is proposed in private tidelands above MLW.
9.35 (5)	Management of Areas Accessible to the Public	Yes	Long-term management and public use of the Project Site is specified in a Conservation Restriction held by the Town of Weymouth. The Project, once completed, will improve the existing accessibility of the Project Site to the public. The Conservation Restriction is recorded in Book 26454, Page 446 of the Norfolk County Registry of Deeds.
9.36 (2)	Private Access to Littoral or Riparian Property	Yes	The Project Site does not include any riparian property. The Project will not interfere with any littoral property owners' right to approach their property from a waterway, and to approach the waterway from their property.
9.36 (3)	Disruption of Water-Dependent Use in Operation	Yes	The Project will not disrupt any water-dependent use of any property outside the Project Site.
9.36 (4)	Displacement of Previous Water-Dependent Use	Yes	The Project will not displace any previous water-dependent use that has occurred at the Project Site in the last five years.
9.36 (5)	Fill and/or Structures within a DPA	Yes	Portions of the Project Site above MHW are located within the Weymouth Fore River Designated Port Area (DPA). The Project does not preempt any future water-dependent industrial use.
9.37	Engineering and Construction Standards	Yes	<p>The Project has been designed and certified by a Registered Professional Engineer. A portion of the Project is located within the FEMA Flood Zone VE at elevation 15 ft NAVD88 but the Project does not include any buildings.</p> <p>The Project includes the extension of the rip rap revetment on the south side of the Project Site, which will be landward of MHW. Chapter 2 of the EENF, <i>Alternative Analysis</i>, provides detailed information regarding alternatives to the Project. The extended rip rap revetment structure will be compatible with the existing rip rap structure in terms of design, size, function, and materials.</p>
9.38	Use Standards for Recreational Boating Facilities	No	The Project does not include recreational boating facilities.

Regulation 310 CMR	Standard	Applicable?	Compliance Summary
9.39	Standards for Marinas, Boatyards, and Boat Ramps	No	The Project does not include a marina, boat yard, or boat ramp.
9.40 (1)	Limitations on Dredging and Disposal Activity	Yes	Portions of the Project Site are located within the Weymouth Fore River DPA but the Project is not located within an Area of Critical Environmental Concern (ACEC). The Project does not involve any dredging of channels, mooring basins, or turnaround basins to a MLW depth greater than 20 feet.
9.40 (2)	Resource Protection Requirements	Yes	<p>The Project will not interfere with anadromous/catadromous fish runs and it will not have adverse impacts on shellfish beds, fishery resource areas, or submerged aquatic vegetation. The Project will comply with the time-of-year restrictions recommended by DMF that are now conditions of the Project's Order of Conditions.</p> <p>As described in the Phase III RAP, shellfish productivity on the Project Site is impaired by poor water quality and poor substrate quality. The Project will not negatively impact shellfish productivity on the Project Site.</p>
9.40 (3)	Operational Requirements for Dredging	Yes	<p>The Project will meet all applicable operational requirements. Excavation in the Shore Portion of the Project Site will occur only during low tide. A turbidity curtain will also be installed to control the migration of suspended fine materials away from excavated areas. Machinery will access the work area from the beach to remove and transport fill excavated to the proposed dewatering location(s) located onsite near Bridge Street. The excavated fill will be replaced with an equal amount of clean cobble stone to restore the excavated area to the preexisting elevation.</p>
9.40 (4)	Operational Requirements for Dredged Material Disposal	Yes	To the extent practicable, excavated material will be beneficially reused behind the revetment to be constructed. All excavated material that cannot be reused onsite will be sampled and transported to an offsite disposal facility.
9.40 (5)	Supervision of Dredging and Disposal Activity	Yes	The Proponent will inform DEP in writing at least three days before commencing the Project. The Project will also identify an inspector for the Department's approval, provide a Department-approved inspector for excavated fill disposal, and submit a report to the Department within 30 days after the completion of the excavation.
9.51- 53	Conservation of Water Dependent Use; Utilization of Shoreline for Water Dependent Use; Activation of Commonwealth Tidelands for Public Use	No	Pursuant to 310 CMR 9.55, these requirements do not apply to projects meeting the definition of a water-dependent use project.

Regulation 310 CMR	Standard	Applicable?	Compliance Summary
9.54	Consistency with Coastal Zone Management Policies	No	The Project is not a nonwater-dependent project.
9.55	Standards for Nonwater-Dependent Infrastructure Facilities	No	The Project is not a nonwater-dependent infrastructure facility.
9.56	Standards for Facilities of Limited Accommodation	No	The Project does not include Facilities of Limited Accommodation.

3.2.1 Designated Port Area

The purpose of the DPA program is to promote water-dependent industries and to prevent the loss of areas that have key characteristics for water-dependent industrial uses.³

Portions of the Project Site above MHW are located within the Weymouth Fore River DPA. Proposed activities above MHW include extending the existing riprap revetment south and placing cobble stones to provide a gradual surficial transition to the Shore Portion of the KCCRA. These activities will not preempt water-dependent-industrial use within the Weymouth Fore River DPA. As specified in the Waterways Regulations at 310 CMR 9.36(5), DEP is required to a) determine that the proposed fill or structures on the Project Site do not occupy tidelands deemed necessary by DEP to accommodate a competing party intending to develop such tidelands for water-dependent industrial use, and b) that reasonable arrangements have been made to prevent commitments of space that would significantly discourage present or future water-dependent industrial activity in the DPA. The Project does not include fill or structures on tidelands necessary to accommodate a water-dependent industrial use, or that could discourage future water-dependent industrial activity in the DPA. In fact, as is discussed above, the Project Site is subject to a Conservation Restriction held by the Weymouth Conservation Commission that permanently prohibits any such industrial use of the Project Site.

3.3 Draft Public Benefit Determination

The Project is subject to the requirements of the 2007 statute "*An Act Relative to Licensing Requirements for Certain Tidelands*" (2007 Mass. Acts Ch. 168, sec 8) because it is within filled tidelands and requires the filing of an Environmental Impact Report due to its location within one mile of EJ Populations. The Act requires the Secretary to consider the following criteria when making a Public Benefit Determination:

- › Purpose and effect of the development,
- › The impact on abutters and the surrounding community,
- › Enhancement of the property,

³ Massachusetts Office of Coastal Management. (2024). *Designated Port Area (DPA) Fact Sheet Overview and Contact Information*.

- › Benefits to the public trust rights in tidelands or other associated rights,
- › Community activities on the site,
- › Environmental protection and preservation,
- › Public health and safety, and the general welfare.

According to 310 CMR 13.04 (1), *Water-dependent Projects*, water-dependent projects are presumed to meet the criteria specified in the Act and repeated in the Public Benefit Determination regulations at 301 CMR 13.04, and therefore provide adequate public benefit. Because the Project is water-dependent, this presumption applies. The purpose of the Project is to achieve a Permanent Solution under the MCP respecting Hazardous Materials in fill on the Project Site, which will provide a benefit to the environment, public health, safety, and public welfare.



Source: VHB, MassGIS, US Coast Survey Plan

-  Limit of Work
-  Historic High Water*
-  Approx. Mean High Water Line

* Historic High Water Mark: U.S. Coast Survey Plan, Quincy Bay, Sheet 2, Dated 1847. U.S. Coast Survey and Geodetic Survey Plan, Boston Harbor, Town Bay to Nantasket Beach, Dated 1892.

Figure 3.1
Chapter 91 Jurisdiction

**KCCRA - MCP Response Action
Weymouth, MA**

4

Mitigation and Draft Section 61 Findings

This chapter includes a summary of proposed mitigation measures to avoid, minimize, and mitigate any adverse environmental impacts of the Project, and the Draft Section 61 Findings for required State Permits. Specifically, as requested in the EEA Secretary's Certificate on the EENF, this chapter provides the following documentation in response to the 'Mitigation and Draft Section 61 Findings' section of the SEIR Scope with references to specific SEIR sections in **bold**:

- › A comprehensive list of all commitments made by the Proponent to avoid, minimize and mitigate any adverse environmental and related public health impacts of the project (**Table 4-1**)
- › Separate Draft Section 61 Findings for each Agency Action (**Section 4.2**)

4.1 Proposed Mitigation

The Project will not cause any damage to the environment. To achieve a Permanent Solution under the MCP, the Project will improve approximately 46,385 sf feet of LSCSF, including Coastal Beach and Coastal Bank. The Proponent commits to the measures summarized in Table 8-1 below in connection with the Project. Implementation is the responsibility of the Proponent. Construction costs for mitigation are estimated at \$2 million. All costs associated with mitigation measures are inherent to the Project.

Table 4-1 Summary of Mitigation Measures

Mitigation Measure	Responsible Parties	Timing/Phasing /Schedule	State Permit/Action
Beneficial Measures			
Remove fill in specified areas of the Project Site determined to contain elevated concentrations of nickel and vanadium.	Proponent, Contractor	Construction	DEP 401 WQC
Place clean cobble to connect the excavated area and the new rip rap revetment.	Proponent, Contractor	Construction	Chapter 91 License
Prevent future exposure to fill containing Hazardous Materials, as defined by the MCP, in the Upland Portion of the Project Site by the construction of a revetment.	Proponent, Contractor	Construction, Post-Construction	None

Mitigation Measure	Responsible Parties	Timing/Phasing /Schedule	State Permit/Action
Prevent erosion from large storm events by the construction of the revetment.	Proponent, Contractor	Construction, Post-Construction	Chapter 91 License
Achieve a Permanent Solution as defined under the MCP.	Proponent	Post-Construction	None
Coastal Wetlands			
Implement an erosion and sedimentation control program in accordance with DEP's "Massachusetts Erosion and Sediment Control Guidelines for Urban and Suburban Areas"	Proponent, Contractor	Construction	DEP 401 WQC
Utilize sediment and turbidity controls, including a turbidity curtain, for in-water work	Proponent, Contractor	Construction	DEP 401 WQC
Install stone anti-tracking pads at the southern construction access point to the Shore Portion of the Project Site to prevent the off-site transport of sediment by construction vehicles.	Proponent, Contractor	Construction	DEP 401 WQC
Comply with the Order of Conditions for the Project, including the time of year restriction recommended by DMF for the proposed excavation and placement of cobble.	Proponent, Contractor	Construction	DEP 401 WQC
Construction Impact Mitigation			
Develop and implement a Construction Management Plan.	Proponent, Contractor	Design, Construction	None
Comply with air quality regulations at 310 CMR 7.01, 7.09-7.10	Proponent	Construction, Post-Construction	None
Enforce the Commonwealth of Massachusetts anti-idling law	Proponent, Contractor	Construction	None

4.2 Draft Section 61 Findings

Each agency of the Commonwealth that is taking an Agency Action (e.g., issuing a permit, financial assistance) must make a finding, pursuant to MGL Chapter 30, Section 61, that all feasible measures have been taken by the Proponent to avoid damage to the environment, or, to the extent damage to the environment cannot be avoided, to minimize and mitigate damage to the environment to the maximum extent practicable. These Section 61 Findings specify the entity responsible for funding and implementing any such mitigation measures, and the anticipated mitigation implementation schedule.

The proposed mitigation measures for the Project are described in this Single Environmental Impact Report (SEIR), which was filed with the MEPA Office on October 31, 2025. The following sections provide a summary of possible impacts of the Project. The proposed impact avoidance, minimization, and mitigation measures are the basis upon which Section 61 Findings may be made by MassDEP, MWRA, and MassDOT. All impact minimization measures outlined herein will be funded or implemented by the Proponent.

4.2.1 Massachusetts Department of Environmental Protection

DRAFT ONLY

Findings Pursuant to

MGL Chapter 30, Section 61

Project Name: Kings Cove Conservation Restriction Area MCP Response Action

Project Location: Weymouth, MA

Project Proponent: Algonquin Gas Transmission, LLC

EEA Number: 16955

Project Description

The Project will include excavating 630 cubic yards (CY) of fill and sediment containing Hazardous Materials, as defined in the Massachusetts Contingency Plan (MCP, 310 CMR 40.0000), and extending the existing rip rap revetment in the northern area of the Project Site to achieve a Permanent Solution as defined under the MCP.

Project Impacts

The Project will achieve a Permanent Solution as defined under the MCP. It will also enhance the KCCRA by stabilizing the Upland Portion of the KCCRA and improving surface conditions in the Shore Portion of the KCCRA.

Mitigation Measures

The Proponent will develop and implement a plan to control construction-related impacts including emissions, dust, noise, erosion, sedimentation, transportation, and contamination impacts during construction and any land disturbance activities. During construction, public safety will be prioritized and construction will not impact pedestrians, bicyclists, or transit riders outside of the Project Site.

Section 61 Findings

The environmental and public health benefits of the Project specified in this SEIR are incorporated by reference into this Section 61 Finding. Throughout the planning and environmental review processes, the Proponent has developed measures to mitigate impacts of the Project. With the mitigation carried out in cooperation with state agencies, the Department of Environmental Protection finds that there are no significant unmitigated impacts.

For the reasons stated above, the Department of Environmental Protection hereby finds, pursuant to MGL c. 30, § 61, that construction of the Project as described above, will mean that all practicable means and measures will have been taken to avoid or minimize adverse environmental impacts related to the Project.

Agency: _____

Commissioner: _____

Date: _____

4.2.2 Massachusetts Water Resources Authority

DRAFT ONLY

Findings Pursuant to

MGL Chapter 30, Section 61

Project Name: Kings Cove Conservation Restriction Area MCP Response Action

Project Location: Weymouth, MA

Project Proponent: Algonquin Gas Transmission, LLC

EEA Number: 16955

Project Description

The Project will include excavating 630 cubic yards (CY) of fill and sediment containing Hazardous Materials, as defined in the Massachusetts Contingency Plan (MCP, 310 CMR 40.0000), and extend the existing rip rap revetment in the northern area of the Project Site to achieve a Permanent Solution as defined under the MCP.

Project Impacts

The Project will achieve a Permanent Solution as defined under the MCP. It will also enhance the KCCRA by stabilizing the Upland Portion of the KCCRA and improving surface conditions in the Shore Portion of the KCCRA.

Mitigation Measures

The Proponent will develop and implement a plan to control construction-related impacts including emissions, dust, noise, erosion, sedimentation, transportation, and contamination impacts during construction and any land disturbance activities. During construction, public safety will be prioritized and construction will not impact pedestrians, bicyclists, or transit riders outside of the Project Site.

Section 61 Findings

The potential environmental and public health benefits of the Project specified in this SEIR are incorporated by reference into this Section 61 Finding. Throughout the planning and environmental review processes, the Proponent has developed measures to mitigate impacts of the Project. With the mitigation carried out in cooperation with state agencies, Massachusetts Water Resources Authority finds that there are no significant unmitigated impacts.

For the reasons stated above, Massachusetts Water Resources Authority hereby finds, pursuant to MGL c. 30, § 61, that construction of the Project as described above, will mean that all practicable means and measures will have been taken to avoid or minimize adverse environmental impacts related to the Project.

Agency: _____

Commissioner: _____

Date: _____

4.2.3 Massachusetts Department of Transportation

DRAFT ONLY

Findings Pursuant to

MGL Chapter 30, Section 61

Project Name: Kings Cove Conservation Restriction Area MCP Response Action

Project Location: Weymouth, MA

Project Proponent: Algonquin Gas Transmission, LLC

EEA Number: 16955

Project Description

The Project will include excavating 630 cubic yards (CY) of fill and sediment containing Hazardous Materials, as defined in the Massachusetts Contingency Plan (MCP, 310 CMR 40.0000), and extend the existing rip rap revetment in the northern area of the Project Site to achieve a Permanent Solution as defined under the MCP.

Project Impacts

The Project will achieve a Permanent Solution as defined under the MCP. It will also enhance the KCCRA by stabilizing the Upland Portion of the KCCRA and improving surface conditions in the Shore Portion of the KCCRA.

Mitigation Measures

The Proponent will develop and implement a plan to control construction-related impacts including emissions, dust, noise, erosion, sedimentation, transportation, and contamination impacts during construction and any land disturbance activities. During construction, public safety will be prioritized and construction will not impact pedestrians, bicyclists, or transit riders outside of the Project Site.

Section 61 Findings

The potential environmental and public health benefits of the Project specified in this SEIR are incorporated by reference into this Section 61 Finding. Throughout the planning and environmental review processes, the Proponent has developed measures to mitigate impacts of the Project. With the mitigation carried out in cooperation with state agencies, Massachusetts Department of Transportation finds that there are no significant unmitigated impacts.

For the reasons stated above, Massachusetts Department of Transportation hereby finds, pursuant to MGL c. 30, § 61, that construction of the Project as described above, will mean that all practicable means and measures will have been taken to avoid or minimize adverse environmental impacts related to the Project.

Agency: _____

Commissioner: _____

Date: _____

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5

Response to Comments

This chapter provides responses to the comments received on the EENF. A copy of the EEA Secretary's Certificate on the EENF and a copy of each comment letter received during the public review period are provided in **Appendix B**.

Specifically, as requested in the EEA Secretary's Certificate on the EENF, this chapter provides the following documentation in response to the 'Response to Comments' section of the SEIR Scope with references to specific SEIR sections in **bold**:

- › A copy of the ENF Certificate and a copy of each comment letter received (**Appendix B**)
- › Direct responses to the scope items in the ENF Certificate and direct responses to comments to the extent that they are within MEPA jurisdiction (**Section 5.2**)

5.1 List of Comment Letters

Each comment letter from an agency or organization received during the public comment period is listed below. The ENF Certificate is assigned a letter and all other comment letters are assigned a number (**Table 5-1**).

Table 5-1 List of EENF Comment Letters

Letter No.	Commenter	Affiliation	Date Received
C	Secretary Rebecca L. Tepper	Massachusetts Office of Energy and Environmental Affairs	06/30/2025
1	Daniel J. McKiernan	Massachusetts Division of Marine Fisheries	06/23/2025
2	Colleen Rizzi	Massachusetts Water Resources Authority	06/23/2025
3	Jonathan E. Hobill	Massachusetts Department of Environmental Protection	06/23/2025
4	Robert Kearns	-	06/16/2025
5	Trish O'Hagan	-	06/21/2025
6	Margaret Bellafiore	Public Involvement Program (Representative)	06/22/2025
7	Kacey Bongarzone	-	06/23/2025
F	Nathan Phillips	Boston University	06/21/2025
	Noelle O'Rourke	-	06/23/2025

Letter No.	Commenter	Affiliation	Date Received
	Susan Deshler	-	06/23/2025
	Stephen Shinney	-	06/23/2025

5.2 Response to Comments

The responses provided in **Table 5-2** directly address the issues raised in each comment letter and aim to refer to specific sections of the SEIR for further information, where appropriate.

Table 5-2 Responses to Comments

#	Commenter	Comment	Response
C.01	MEPA	I hereby grant the request to file a Single EIR, which the Proponent should submit in accordance with the Scope included in this Certificate.	The Single EIR is submitted herein. Scope items addressed in the chapters are identified at the beginning of each chapter with reference to the appropriate section.
C.02	MEPA	To address the potential for contamination from the upland area, the project includes the extension of the existing stone revetment, as well as recording an Activities and Use Limitation (AUL) in the Registry of Deeds on the KCCRA site (this should be further described in the Single EIR).	Information regarding the proposed AUL is provided in Section 1.2.4.3 of Chapter 1, <i>Project Summary</i> .
C.03	MEPA	Comments submitted on the project express support for the proposed Response Action, and include specific suggestions for project design for the Proponent's consideration. These comments should be addressed in the Single EIR.	Chapter 5, <i>Response to Comments</i> , includes the responses to all comments on the EENF.
C.04	MEPA	Comments received on the project express support for the proposed Response Action. Comments also request that efforts are made to keep the KCCRA park open to the public during construction, that the Proponent consider incorporating tree plantings and native plantings into the project and/or the addition of a loop trail connecting to an adjacent parcel owned by MWRA, and that the Proponent conduct ongoing air quality monitoring during project construction. Comments also request that the Proponent clarify whether an existing barbed wire fence on the site will be removed. These comments should be addressed in the Single EIR.	Chapter 5, <i>Response to Comments</i> , includes the responses to all comments on the EENF.
C.05	MEPA	The Single EIR should address the public benefits of the project in accordance with 301 CMR 13.00.	Information about the public benefits in accordance with 301 CMR 13.00 is provided in Section 3.3 of Chapter 3, <i>Chapter 91 Waterways</i> .
C.06	MEPA	...the Proponent should consider incorporating tree planting into the project.	Refer to Section 1.2.3.3 of Chapter 1, <i>Project Summary</i> , for details on tree protection and planting.
C.07	MEPA	Further details regarding the elevation of the revetment should be provided in the Single EIR.	Elevation details are provided in Section 1.2.3.1 of Chapter 1, <i>Project Summary</i> .

#	Commenter	Comment	Response
C.08	MEPA	All construction and demolition activities should be managed in accordance with applicable MassDEP's regulations regarding Air Pollution Control (310 CMR 7.01, 7.09-7.10), and Solid Waste Facilities (310 CMR 16.00 and 310 CMR 19.00, including the waste ban provision at 310 CMR 19.017).	The Proponent will comply with the regulations. Refer to Section 1.2 of Chapter 1, <i>Project Summary</i> , and Section 2.3 of Chapter 2, <i>Environmental Justice, Public Involvement, and Public Health</i> , for detailed information on the temporary construction activities and mitigation during the construction period.
C.09	MEPA	The project should include measures to reduce construction period impacts (e.g., noise, dust, odor, solid waste management) and emissions of air pollutants from equipment, including anti-idling measures in accordance with the Air Quality regulations (310 CMR 7.11). I encourage the Proponent to require that its contractors use construction equipment with engines manufactured to Tier 4 federal emission standards, or select project contractors that have installed retrofit emissions control devices or vehicles that use alternative fuels to reduce emissions of volatile organic compounds (VOCs), carbon monoxide (CO) and particulate matter (PM) from diesel-powered equipment. Off-road vehicles are required to use ultra-low sulfur diesel fuel (ULSD).	Noted. Refer to Section 1.2 of Chapter 1, <i>Project Summary</i> , and Section 2.3 of Chapter 2, <i>Environmental Justice, Public Involvement, and Public Health</i> , for detailed information on the temporary construction activities and mitigation during the construction period.
C.10	MEPA	If oil and/or hazardous materials are found during construction, the Proponent should notify MassDEP in accordance with the Massachusetts Contingency Plan (310 CMR 40.00).	The Proponent will comply with all applicable regulations, including 310 CMR 40.00.
C.11	MEPA	All construction activities should be undertaken in compliance with the conditions of all State and local permits.	Refer to Section 1.2 of Chapter 1, <i>Project Summary</i> , and Section 2.3 of Chapter 2, <i>Environmental Justice, Public Involvement, and Public Health</i> , for detailed information on the temporary construction activities and mitigation during the construction period.
C.12	MEPA	I encourage the Proponent to reuse or recycle construction and demolition (C&D) debris to the maximum extent.	Refer to Section 1.2.1.3 of Chapter 1, <i>Project Summary</i> , and Section 2.3.3 of Chapter 2, <i>Environmental Justice, Public Involvement, and Public Health</i> , for detailed information on the temporary construction activities and mitigation during the construction period.

#	Commenter	Comment	Response
C.13	MEPA	The Single EIR should follow Section 11.07 of the MEPA regulations for outline and content and provide the information and analyses required in this Scope. It should clearly demonstrate that the Proponent has sought to avoid, minimize and mitigate Damage to the Environment to the maximum extent practicable.	The Single EIR follows Section 11.07 of the MEPA regulations for outline and content and provides the information and analyses required in this Scope. The Proponent has sought to avoid, minimize and mitigate Damage to the Environment to the maximum extent practicable. Refer to Chapter 4, Mitigation and Draft Section 61 Findings for the Project's mitigation commitments as outlined in the Massachusetts Contingency Plan (310 CMR 40.0000) (MCP) Remedial Action to be implemented at the Project Site.
C.14	MEPA	The Single EIR should identify any changes to the project since the filing of the EENF.	There have been no changes to the project since the filing of the EENF.
C.15	MEPA	It should identify and describe State, federal and local permitting and review requirements associated with the project and provide an update on the status of each of these pending actions. The Single EIR should include a description and analysis of applicable statutory and regulatory standards and requirements, and a discussion of the project's consistency with those standards.	Section 1.6 of Chapter 1, Project Summary , provides an update on the status of the anticipated permits, approvals, and reviews and describes the applicable regulatory requirements and how the Project complies with them.
C.16	MEPA	The Single EIR should include detailed site plans for existing and post-development conditions at a legible scale. Plans should clearly identify buildings, interior and exterior public areas, impervious areas, transportation improvements, pedestrian and bicycle accommodations, and stormwater and utility infrastructure.	Refer to Figure 1.3 for the Existing Site Conditions and Figure 1.5a-c for the Proposed Site Conditions.
C.17	MEPA	The Single EIR should provide detailed plans, sections, and elevations to accurately depict existing and proposed conditions, including proposed above- and below-ground structures, on- and-off-site open space, and resiliency and other mitigation measures.	Refer to Figure 1.3 for the Existing Site Conditions, Figure 1.4 for the Overall Site Plan, and Figures 1.5a-c for the Proposed Site Plan, Proposed Grading Plan, and Section Details.

#	Commenter	Comment	Response
C.18	MEPA	The information and analyses identified in this Scope should be addressed within the main body of the Single EIR and not in appendices. In general, appendices should be used only to provide raw data, such as drainage calculations, traffic counts, capacity analyses and energy modelling, that is otherwise adequately summarized with text, tables and figures within the main body of the Single EIR. Information provided in appendices should be indexed with page numbers and separated by tabs, or, if provided in electronic format, include links to individual sections. Any references in the Single EIR to materials provided in an appendix should include specific page numbers to facilitate review.	The information and analyses identified in the Scope are provided in the main body of the Single EIR, while supporting information and data are included in the appendices.
C.19	MEPA	The Single EIR should include a separate section on "Environmental Justice" that contain a full description of measures the Proponent intends to undertake to promote public involvement by such EJ populations during the remainder of the MEPA review process including a discussion of any of the best practices listed in the MEPA EJ Public Involvement Protocol that will be employed.	A separate section on "Environmental Justice" can be found in Section 2.1 of Chapter 2, Environmental Justice, Public Involvement, and Public Health . This section provides details about the measures the Proponent will undertake to promote public involvement.
C.20	MEPA	To the extent further updates to the project's PIP is made, the revised document should be attached to the Single EIR with narrative describing the changes made.	No changes were made to the PIP since the filing of EENF.
C.21	MEPA	The Single EIR should describe any outreach that will be conducted as part of local review processes.	Refer to Section 2.1 of Chapter 2, Environmental Justice, Public Involvement, and Public Health , for information on community outreach during the local review processes.
C.22	MEPA	The Single EIR should include an update on any outreach conducted since the filing of the EENF and a description of any changes made to the project (including mitigation measures) in response to this outreach.	An update on the outreach conducted since the filing of the EENF can be found in Chapter 2, Environmental Justice, Public Involvement, and Public Health . No changes were made to the Project since the filing of the EENF.
C.23	MEPA	The Single EIR, or a summary thereof, should be distributed to the "EJ Reference List," with any updates to the list provided by the MEPA Office upon request.	The Single EIR was distributed to the 'EJ Reference List' from the MEPA Office. Refer to Appendix A for the full SEIR distribution list.

#	Commenter	Comment	Response
C.24	MEPA	It should provide more detail on the PIP group that was used for outreach prior to filing, including how it was developed, who is included, and how it is maintained.	Detailed information about the Public Involvement Plan is provided in Section 2.1.1 of Chapter 2, <i>Environmental Justice, Public Involvement, and Public Health</i> .
C.25	MEPA	The Proponent is also directed to continue to provide translation services in Chinese as part of future outreach.	The Proponent has provided and will continue to provide translation services in Chinese, as requested, in future outreach efforts.
C.26	MEPA	The Single EIR should assess the number of diesel-generated vehicle trips generated during project construction and routes of travel that would result from the project including during the construction period, and identify whether these routes will travel through EJ populations within the DGA.	Refer to Section 2.3.1 of Chapter 2, <i>Environmental Justice, Public Involvement, and Public Health</i> , for information on the projected number and routes of travel of diesel-powered vehicle trips during the construction period.
C.27	MEPA	The Single EIR should address the requests for incorporation of tree plantings native landscaping in the Upland Portion of the park to mitigate extreme heat.	Refer to Section 1.2.3.3 of Chapter 1, <i>Project Summary</i> , for details on tree protection and planting.
C.28	MEPA	It should clarify whether the existing barbed wire fence on the site will be removed as part of the project.	Refer to Section 1.2.5 of Chapter 1, <i>Project Summary</i> , for information on the existing fence located outside of the Project Site.
C.29	MEPA	The Single EIR should include a separate section on “Public Health,” and discuss any known or reasonably foreseeable public health consequences that may result from the environmental impacts of the project.	Refer to Section 2.2.2 of Chapter 2, <i>Environmental Justice, Public Involvement, and Public Health</i> , for the discussion of project impacts on public health.
C.30	MEPA	Particular focus should be given to any impacts that may materially exacerbate “vulnerable health EJ criteria,” in accordance with the MEPA Interim Protocol for Analysis of EJ Impacts. In addition, other publicly available data, including through the DPH EJ Tool, should be surveyed to assess the public health conditions in the immediate vicinity of the project site, in accordance with 301 CMR 11.07(6)(g)10. Any project impacts that could materially exacerbate such conditions should be analyzed.	As stated in Chapter 3, <i>Environmental Justice and Public Health</i> , of the EENF and Section 2.2 of Chapter 2, <i>Environmental Justice, Public Involvement, and Public Health</i> , the DPH EJ tool was explored and used to evaluate the Vulnerable Health EJ Criteria within a 1-mile radius of the Project Site. The Project will not result in negative impacts to public health; instead, the Project will provide various benefits to the environment and public health by achieving a Permanent Solution as defined in the MCP.
C.31	MEPA	The Single EIR should identify where the data from the proposed real-time air quality monitoring during transport of sediments will be made available.	Refer to Section 2.2.2 of Chapter 2, <i>Environmental Justice, Public Involvement, and Public Health</i> , for the discussion of real-time air quality monitoring.

#	Commenter	Comment	Response
C.32	MEPA	It should provide additional information regarding reporting of sediment and waste management during project construction to MassDEP and/or the City, including the frequency of this reporting, if this data is publicly accessible, and where it can be found.	Refer to Section 2.3.2 of Chapter 2, <i>Environmental Justice, Public Involvement, and Public Health</i> , for the discussion on sediment/waste management and reporting.
C.33	MEPA	To the extent any required Permits for the project contain performance standards intended to protect public health, the Single EIR should contain specific discussion of such standards and how the project intends to meet or exceed them.	Refer to Section 1.6 of Chapter 1, <i>Project Summary</i> , for a discussion of how the Project meets regulatory performance standards.
C.34	MEPA	The Single EIR should identify the municipalities associated with the census tracts that exhibited vulnerable health EJ criteria (178.02, 179.01, and 227.00) as described in the EENF.	Census tracts 178.02 and 179.01 are in Quincy and census tract 227.00 is in Weymouth.
C.35	MEPA	The Single EIR should provide further details to explain how the determination will be made as to the extent of fill to remain on site for beneficial reuse. Given that the excavated sediment necessarily meets the "apparent effects thresholds" (as defined by the MCP) and therefore requires remediation. The Single EIR should clarify whether the reuse of this sediment requires any additional permitting, such as a Beneficial Use Determination (BUD) from MassDEP.	Refer to Section 2.3.3 of Chapter 2, <i>Environmental Justice, Public Involvement, and Public Health</i> , for a discussion on the sediment reuse process.
C.36	MEPA	For sediment to be removed off-site, the Single EIR should identify the disposal locations determined to-date, identify any EJ populations located within one miles of any such locations, and discuss what level of permitting will be required for approval of those disposal locations.	Refer to Section 1.2.1.3 of Chapter 1, <i>Project Summary</i> , and Section 2.3.3 of Chapter 2, <i>Environmental Justice, Public Involvement, and Public Health</i> , for a discussion of soil disposal location identification.
C.37	MEPA	The Single EIR should identify any assessments/reports undertaken in accordance with the MCP prior to Phase II CSA, and clarify when RTN 4-28186 was assigned to the Disposal Site.	Information regarding the previous assessments/reports and date of RTN 4-28186 notification is provided in Sections 1.2.4 and 1.2.4.1 of Chapter 1, <i>Project Summary</i> .
C.38	MEPA	It should identify publicly accessible data that is available from the previous site assessments/soil sampling, and how it can be accessed.	Reference to MCP reports and how to access previous data is noted in Section 1.2.4.1 of Chapter 1, <i>Project Summary</i> .

#	Commenter	Comment	Response
C.39	MEPA	The Single EIR should clarify if there is an existing AUL on-site, and if so, what activities it restricts. It should clarify which activities will be restricted through the proposed AUL in the Upland Portion of the site.	Information regarding the proposed AUL is provided in Section 1.2.4.3 of Chapter 1, <i>Project Summary</i> .
C.40	MEPA	The Single EIR should provide an update on any coordination with MassDEP since the filing of the EENF. It should identify reporting requirements during project construction, who will be responsible for submitting these reports, and the frequency within which they are expected to occur.	Information regarding the MCP Project reporting is provided in Section 1.2.4.2 of Chapter 1, <i>Project Summary</i> . There are no reporting requirements as part of the Phase IV during Project construction.
C.41	MEPA	The Single EIR should clarify whether the fill to be reused will be required to remain below certain numeric levels of contamination and/or will otherwise need to demonstrate that reuse will be adequately protective of public health and safety.	Information regarding the fill reuse is provided in Section 1.2.1.2 of Chapter 1, <i>Project Summary</i> .
C.42	MEPA	As noted above, for sediment to be removed off-site, the Single EIR should identify the disposal locations determined to date and discuss what level of permitting will be required for approval of those disposal locations.	Information regarding the sediment disposal is provided in Section 1.2.1.3 of Chapter 1, <i>Project Summary</i> .
C.43	MEPA	The Single EIR should provide a table with updated impacts to coastal resource areas.	Refer to Table 1-1 in Section 1.5 of Chapter 1, <i>Project Summary</i> , for information on potential impacts to coastal resource areas.
C.44	MEPA	It should clarify whether the construction access drive is located within coastal resources, and whether there is any temporary alteration associated with site preparation, material storage/laydown, and/or access that were not identified in the EENF.	The construction access drive is located within coastal bank and Land Subject to Coastal Storm Flowage. There is also a temporary stockpile located outside of coastal resources along the MWRA driveway. The construction access drive impacts are accounted for in the areas presented within Section 1.5 of Chapter 1, <i>Project Summary</i> . Refer to Figure 1.5a to see the location of the access drive.
C.45	MEPA	The Single EIR should provide updated plans which identify the historic high water (HHW) line/delineates the tidelands present on-site.	Refer to Figure 3.1 for a map of Chapter 91 Jurisdiction, which includes the historic high water line present on the Project Site.
C.46	MEPA	It should provide additional information regarding the DPA designation on-site, and the project's consistency with the DPA.	Information about the DPA designation on-site and compliance with DPA standards is provided in Section 3.2.1 of Chapter 3, <i>Chapter 91 Waterways</i> .

#	Commenter	Comment	Response
C.47	MEPA	The Single EIR should address the public benefits of the project in accordance with 301 CMR 13.00.	Information about the public benefits in accordance with 301 CMR 13.00 is provided in Section 3.3 of Chapter 3, Chapter 91 Waterways .
C.48	MEPA	The Single EIR should provide additional details regarding the site-specific modeling that was conducted to evaluate the resiliency of the proposed revetment to sea level rise/storm surge.	Section 1.2.3.2 of Chapter 1, Project Summary , describes the site-specific modeling conducted to evaluate the resilience of the proposed revetment to sea level rise and storm surge. The modeling used the United States Army Corps of Engineers (USACE) Automated Coastal Engineering System (ACES) and included inputs such as bathymetry, sea-level rise projections, extreme water levels, wind speeds, and wave fetch.
C.49	MEPA	It should identify the flood water elevation of the 2070 100-year storm evaluated by the Proponent as related to the level of scour protection provided by the proposed revetment extension.	The anticipated 100-year storm Stillwater elevation, including sea level rise, is estimated at 13.7 feet NAVD88, Refer to Section 1.2.3.2 of Chapter 1, Project Summary , for additional information.
C.50	MEPA	The Single EIR should identify the top elevation of the revetment, and compare this to the recommendations of the MA Resiliency Design Tool.	Elevation details are provided in Section 1.2.3.1 of Chapter 1, Project Summary .
C.51	MEPA	As noted above, the Proponent should evaluate incorporating tree plantings and/or native plantings in the project design.	Refer to Section 1.2.3.3 of Chapter 1, Project Summary , for details on tree protection and planting.
C.52	MEPA	The Single EIR should include a separate chapter summarizing all proposed mitigation measures including construction-period measures.	Chapter 4, Mitigation and Draft Section 61 Findings , summarizes the proposed mitigation measures, including the construction-period measures.

#	Commenter	Comment	Response
C.53	MEPA	This chapter should also include a comprehensive list of all commitments made by the Proponent to avoid, minimize and mitigate the environmental and related public health impacts of the project, and should include a separate section outlining mitigation commitments relative to EJ populations. The filing should contain clear commitments to implement these mitigation measures, estimate the individual costs of each proposed measure, identify the parties responsible for implementation, and contain a schedule for implementation. The list of commitments should be provided in a tabular format organized by subject matter (environmental justice, coastal wetlands, climate change, construction period, etc.) and identify the Agency Action or Permit associated with each category of impact.	Chapter 4, Mitigation and Draft Section 61 Findings , includes a comprehensive list of commitments made by the Proponent with estimated mitigation costs, responsibilities, and schedule provided in a tabular format and organized by subject matter.
C.54	MEPA	Draft Section 61 Findings should be separately included for each Agency Action to be taken on the project.	Draft Section 61 Findings are included in Section 4.2 of Chapter 4, Mitigation and Draft Section 61 Findings .
C.55	MEPA	The filing should clearly indicate which mitigation measures will be constructed or implemented based upon project phasing to ensure that adequate measures are in place to mitigate impacts associated with each development phase.	Table 4-1 of Chapter 4, Mitigation and Draft Section 61 Findings , provides the information on mitigation to be implemented during each development phase.
C.56	MEPA	The Single EIR should contain a copy of this Certificate and a copy of each comment letter received.	Refer to Appendix B for a copy of the Certificate and each comment letter received on the EENF.
C.57	MEPA	The Single EIR should contain a direct response to the scope items in this Certificate. To ensure that the issues raised by commenters are addressed, the Single EIR should also include direct responses to comments to the extent that they are within MEPA jurisdiction.	Chapter 5, Response to Comments , provides comprehensive responses to comments on the ENF with appropriate references.

#	Commenter	Comment	Response
C.58	MEPA	The Proponent should circulate the Single EIR to each Person or Agency who previously commented on the EENF, each Agency from which the Project will seek Permits, Land Transfers or Financial Assistance, and to any other Agency or Person identified in the Scope. The Proponent may circulate copies of the Single EIR to commenters other than Agencies in a digital format (e.g., CD-ROM, USB drive) or post to an online website. However, the Proponent should make available a reasonable number of hard copies to accommodate those without convenient access to a computer to be distributed upon request on a first-come, first-served basis. A copy of the Single EIR should be made available for review in the Weymouth Public Library.	The Proponent circulated the Single EIR to each Person or Agency who previously commented on the EENF. The SEIR Distribution List is provided in Appendix A . Hard copies can be obtained upon request. A hard copy of the Single EIR was sent to the Weymouth Public Library for public review.
1.01	DMF	DMF concurs with proponent's plan to sequence the proposed dredging and fill to occur in the dry during low tide, use a turbidity curtain seaward of the dredge limits, and construct the proposed revetment in the dry behind a cofferdam to minimize turbidity and sedimentation impacts to the surrounding waters of Kings Cove and the Fore River.	The Proponent acknowledges this comment.
1.02	DMF	DMF concurs with the proponent's intent to adhere to our recommended time of year (TOY) restriction for the proposed dredging and placement of the clean cobble fill from May 1st to November 1st. Impacts from disturbance of the shore-zone to shore-zone fishes will be minimized by sequencing this work to occur in the late fall and winter when the shore-zone is less biologically active	The Proponent acknowledges this comment.

#	Commenter	Comment	Response
2.01	MWRA	The discharge of groundwater or stormwater to the MWRA sewer system from construction dewatering or draining activities is prohibited in this area pursuant to 360 C.M.R. 10.023(1), except in a combined area when permitted by the Authority and the Municipality. The Project has access to storm drains and is served by a separate municipal sewer. It is not located in a combined sewer area; therefore, the discharge of groundwater to the sanitary sewer system associated with this Project is prohibited. The Proponent instead will need to secure a USEPA-NPDES General Permit for Storm Water Discharges from its construction activities.	The coverage of the NPDES General Permit for construction stormwater and dewatering may be obtained if required. Section 1.6 of Chapter 1, <i>Project Summary</i> , provides an update on the status of the anticipated permits, approvals, and reviews and describes the applicable regulatory requirements and how the Project complies with them.
2.02	MWRA	Due to the proximity of MWRA infrastructure to the Project Site, an 8(m) permit will be required. The Proponent should coordinate with Kevin McKenna in the Operations Permitting Group at (617) 305-5956 or Kevin.McKenna@mwra.com for assistance.	The Proponent acknowledges this comment.
3.01	DEP	The Department has determined that the entire Project area is located within Chapter 91 jurisdiction as it is contained within the Historic High Water (HHW) line. Please ensure that the HHW line is depicted on the Chapter 91 plans submitted.	Refer to Figure 3.1 for a map of Chapter 91 Jurisdiction, which includes the historic high water line present on the Project Site.
3.02	DEP	The Proponent is advised to consult with Meridith Finegan at finegan.meridith@epa.gov or by phone at 617-918-1533 for questions regarding EPA's NPDES Construction General Permit requirements.	The Proponent acknowledges this comment.
3.03	DEP	In addition, the Proponent is reminded that local Planning Boards (and/or other local authorities) may require stormwater controls beyond that of the Wetlands protection Act. These controls are usually created to keep stormwater onsite so as not to create nuisance conditions offsite.	The Proponent acknowledges this comment.
3.04	DEP	All dewatering activities must submit an NOI for coverage as described at: https://www.epa.gov/npdes-permits/dewatering-and-remediation-general-permit-drp . The Proponent is advised to consult with Shauna Little (little.shauna@epa.gov-preferred); telephone: 617-918-1989; NPDES eReporting Help Desk email: NPDESeReporting@epa.gov; or by phone: Toll Free: 1-877-227-8965	The Proponent acknowledges this comment.

#	Commenter	Comment	Response
3.05	DEP	The Project Proponent is advised that if potentially impacted soil and/or sediment are encountered, dredged, excavated, removed, relocated and/or disposed of during the proposed project it must be conducted under the provisions of Chapter 21E (and, potentially, M.G.L. c. 21C) and all other applicable federal (including the Environmental Protection Agencies Toxic Substance Control Act - TSCA), state, and local laws, regulations, and bylaws. Contaminated media cannot be managed without prior submittal of appropriate plans to MassDEP (such as a Release Abatement Measure (RAM) Plan), which describes the proposed handling and disposal of any contaminated media encountered, and health and safety precautions for those conducting the work. If contamination at the site is known or suspected, the appropriate tests should be conducted in advance of the start of construction, and professional environmental consulting services should be readily available to provide technical guidance to facilitate any necessary permits. If contaminated media is encountered a Licensed Site Professional (LSP) must be employed or engaged to manage, supervise, or perform the necessary response actions at the Site.	Noted. This Project is being performed under a Phase IV Remedy Implementation Plan under RTN 4-26230.
3.06	DEP	The Project Proponent is advised that a spills contingency plan addressing prevention and management of potential releases of oil and/or hazardous materials from construction activities should be presented to workers at the site and enforced. The plan should include but not be limited to, refueling of machinery, storage of fuels, and potential on-site activity releases.	A spill contingency plan will be developed by the contractor and relevant training will be provided for the construction staff.

#	Commenter	Comment	Response
3.07	DEP	MassDEP requests that all non-road diesel equipment rated 50 horsepower or greater meet EPA's Tier 4 emission limits, which are the most stringent emission standards currently available for off-road engines. If a piece of equipment is not available in the Tier 4 configuration, then the Proponent should use construction equipment that has been retrofitted with appropriate emissions reduction equipment. Emission reduction equipment includes EPA-verified, CARB-verified, or MassDEP-approved diesel oxidation catalysts (DOCs) or Diesel Particulate Filters (DPFs). The Proponent should maintain a list of the engines, their emission tiers, and, if applicable, the best available control technology installed on each piece of equipment on file for Departmental review.	The Proponent will comply with all applicable regulations.
3.08	DEP	MassDEP reminds the Proponent that unnecessary idling (i.e., in excess of five minutes), with limited exception, is not permitted during the construction and operations phase of the Project (Section 7.11 of 310 CMR 7.00). Regarding construction period activity, typical methods of reducing idling include driver training, periodic inspections by site supervisors, and posting signage. In addition, to ensure compliance with this regulation once the Project is occupied, MassDEP requests that the Proponent install permanent signs limiting idling to five minutes or less on-site.	The Proponent will comply with all applicable regulations, including Section 7.11 of 310 CMR 7.00.
3.09	DEP	If the Project Proponent anticipates the maintenance of vehicles onsite will generate hazardous waste and/or waste oil, that entity must be properly registered with the MassDEP in accordance with 310 CMR 30.000 for legally generating and managing regulated waste. The Proponent is advised to consult at this MassDEP website https://www.mass.gov/guides/hazardous-waste-generation-generators to determine if the Proponent qualifies as a generator of hazardous waste and/or waste oil.	The Proponent will comply with all applicable regulations, including 310 CMR 30.00.
3.10	DEP	In general, the reuse of dredge as beach nourishment or as beneficial use as fill (at most upland locations) are approved under 314 CMR 9.00 401 Water Quality Certification regulations.	The Proponent will submit a 401 WQC application for the Project.

#	Commenter	Comment	Response
3.11	DEP	<p>MassDEP's policy, "COMM-94-007: Reuse and Disposal of Dredge Sediment at Permitted Landfills, February 1995" (the "Policy"), Governs reuse or disposal of dredge at a lined landfill. For dredge projects that do not meet the criteria stated in the Policy, submittal of a BWP SW-22 Permit Application would be required for review and approval. Reuse or disposal of dredge at an unlined landfill requires MassDEP approval. If applicable, the Proponent should contact the Solid Waste Management Section for pre-application guidance. Webpage link to COMM-94-007: https://www.mass.gov/guides/interim-policy-comm-94-007-dredged-sediment-reuse-or-disposal</p> <p>The Project Proponent is reminded that Interim Policy COMM-94-007 has specific requirements that the Project Proponent should consult with when considering disposal of dredged sediments contaminated with heavy metals at lined/unlined landfills.</p>	The Proponent will manage sediment in accordance with COMM-94-007
3.12	DEP	Reuse of any demolition material requires submittal of MassDEP's BWP SW41 – Beneficial Use Determination – Restricted Applications.	The Proponent will comply with all applicable regulations.
3.13	DEP	Asphalt, brick and concrete (ABC) rubble, such as the rubble generated during construction, must be handled in accordance with the Solid Waste regulations. These regulations allow, and MassDEP encourages, the recycling/reuse of ABC rubble. The Proponent should refer to MassDEP's Information Sheet, entitled " Using or Processing Asphalt Pavement, Brick and Concrete Rubble, Updated February 27, 2017 ", that answers commonly asked questions about ABC rubble and identifies the provisions of the solid waste regulations that pertain to recycling/reusing ABC rubble.	The Proponent will comply with all applicable regulations.
3.14	DEP	Compliance with Waste Ban Regulations: Waste materials discovered during construction that are determined to be solid waste (e.g., construction and demolition waste) and/or recyclable material (e.g., metal, asphalt, brick, and concrete) shall be disposed, recycled, and/or otherwise handled in accordance with the Solid Waste Regulations including 310 CMR 19.017: Waste Bans.	The Proponent will comply with all applicable regulations.

#	Commenter	Comment	Response
3.15	DEP	MassDEP recommends the Proponent consider source separation or separating different recyclable materials at the job site. Source separation may lead to higher recycling rates and lower recycling costs.	Refer to Section 1.2.1.3 of Chapter 1, <i>Project Summary</i> , and Section 2.3.3 of Chapter 2, <i>Environmental Justice, Public Involvement, and Public Health</i> , for detailed information on the temporary construction activities and mitigation during the construction period.
3.16	DEP	For more information on how to prevent banned materials from entering the waste stream the Proponent should contact the RecyclingWorks in Massachusetts program at (888) 254-5525 or via email at info@recyclingworksma.com.	The Proponent thanks DEP for this information.
3.17	DEP	Pursuant to MEPA Regulations 301 CMR 11.12(5)(d), the Proponent will prepare Proposed Section 61 Findings to be included in the EIR in a separate chapter updating and summarizing proposed mitigation measures. In accordance with 301 CMR 11.07(6)(k), this chapter should also include separate updated draft Section 61 Findings for each State agency that will issue permits for the Project. The draft Section 61 Findings should contain clear commitments to implement mitigation measures, estimate the individual costs of each proposed measure, identify the parties responsible for implementation, and contain a schedule for implementation.	Draft Section 61 Findings are included in Section 4.2 of Chapter 4, <i>Mitigation and Draft Section 61 Findings</i> .
4.01	Robert Kearns	I'm writing to share my support for the cleanup and restoration work planned at Kings Cove in Weymouth.	The Proponent appreciates the support.
4.02	Robert Kearns	During construction, I hope efforts are made to keep as much of the park open and accessible as safely as possible.	The upland portions of the KCCRA outside of the limits of work will remain open to the public during construction.
4.03	Robert Kearns	As part of the restoration, I encourage you to consider adding more trees. An increased canopy would help manage heat, provide shade for visitors, and contribute to climate resilience. Including native and pollinator-friendly plants would also enhance the habitat and reduce long-term maintenance. There are other areas with coastal rose hip roses that could do well. Additionally, non-native coastal shrubs like hydrangeas would be a great addition to the park.	Existing trees along the Project shoreline will be maintained to the extent practicable, and disturbed areas will be loamed and seeded after completion of the work with native cover. In accordance with the Project's Order of Conditions from the Weymouth Conservation Commission, the Project Site will be monitored for two years for the establishment of native cover in disturbed areas, survival of any shrubs or trees planted, and the management of invasive species.

#	Commenter	Comment	Response
4.04	Robert Kearns	One detail I hope the project will clarify is whether the barbed wire fence near the sidewalk will be removed.	The Proponent appreciates that members of the public would like this fence removed and agrees to remove it if the Weymouth Conservation Commission and the owner of the KCCRA agree to its removal.
5.01	Trish O'Hagan	I support the project's efforts to clean up Kings Cove beach, prevent the erosion of contaminated materials, and place clean cobble to stabilize and restore the shoreline. This action will improve water quality, protect the shoreline, and support ecological resilience.	Noted. The Proponent appreciates the support.
5.02	Trish O'Hagan	Given the site's vulnerability to extreme heat and limited tree cover, I encourage the inclusion of a tree planting plan to enhance shade, reduce temperatures, and improve carbon sequestration.	Refer to response to Comment 4.3 .
5.03	Trish O'Hagan	Please consider planting native vegetation and incorporating pollinator-friendly species in the restored areas.	Refer to response to Comment 4.3 .
5.04	Trish O'Hagan	The Kings Cove cleanup is a critical opportunity to restore a damaged coastal area while improving public access and climate resilience. I urge the project team to continue engaging the public and incorporating these enhancements into final plans.	The Proponent has been and will continue to conduct public involvement and community outreach activities throughout the MEPA review process.
6.01	Margaret Bellafiore	I am in favor of the clean up of hazardous materials and restoration of the shoreline.	Noted. The Proponent appreciates the support.
6.02	Margaret Bellafiore	I am requesting that ongoing monitoring during the project of Particulate Matter, vanadium dust and arsenic be made accessible to the public.	Refer to Section 2.2.2 of Chapter 2, <i>Environmental Justice, Public Involvement, and Public Health</i> , for details regarding dust and air monitoring procedures
6.03	Margaret Bellafiore	I am requesting that a contact be made for the public to access during the project if there are any problems that arise that the public want action on.	The current email address for the site, WeymouthCompressorStation@vhb.com , is active and being monitored by the project team. A single point of contact will be established with the Public Involvement Plan group prior to the start of construction to ensure consistent communication.
6.04	Margaret Bellafiore	I request that the park be accessible to the public during construction whenever safely possible.	Refer to response to Comment 4.2 .
7.01	Kacey R Bongarzone	The construction has shown a need for more foliage and accessibility for myself and neighbors.	Refer to response to Comments 4.2 and 4.3 .

#	Commenter	Comment	Response
F.01 ¹	Form Letter	I support the project's efforts to clean up Kings Cove beach, prevent the erosion of contaminated materials, and place clean cobble to stabilize and restore the shoreline.	Noted. The Proponent appreciates the support.
F.02	Form Letter	Access to the park should be maintained throughout construction whenever safely possible. Any closures should be temporary and limited to areas where work is actively occurring.	Refer to response to Comment 4.2 .
F.03	Form Letter	Given the site's vulnerability to extreme heat and limited tree cover, I encourage the inclusion of a tree planting plan to enhance shade, reduce temperatures, and improve carbon sequestration.	Refer to response to Comment 4.3 .
F.04	Form Letter	Please consider planting native vegetation and incorporating pollinator-friendly species in the restored areas.	Refer to response to Comment 4.3 .
F.05	Form Letter	I support the removal of the barbed wire fence between the sidewalk and the road. It is a visual barrier and an unnecessary element in a public park. Can the project team please confirm that its removal is included in the site restoration plans?	Refer to response to Comment 4.4 .
F.06	Form Letter	I strongly support continued efforts by the Town, Calpine, and Enbridge to formalize public access to the North Parcel.	The Proponent, Algonquin Gas Transmission, LLC, does not control access to the North Parcel, but will continue to work with responsible parties to explore formalizing public access.
F.07	Form Letter	I also support the concept of creating a connector trail across MWRA property to link the West Waterfront Easement to the rest of the park.	The Proponent does not control the MWRA property but will continue to work with responsible parties to explore formalizing public access.
F.08	Form Letter	I urge the project team to continue engaging the public and incorporating these enhancements into final plans.	Refer to response to Comment 5.4

1. Commenters who submitted the Form Letter are listed in Table 5-1.

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SEIR Distribution List

SEIR Distribution List

Below is a list of state and municipal agencies from whom the Proponent will seek permits or approvals, and other parties, as specified in 301 CMR 11.16. Environmental Justice (EJ) Community-Based Organizations provided by the MEPA Office as part of the Project-specific EJ Reference List and parties who commented on the Expanded Environmental Notification Form are also listed below.

State and Regional Agencies and Officials

<p>Executive Office of Energy and Environmental Affairs Attn: Tori Kim, Director of the Massachusetts Environmental Policy Act Office 100 Cambridge Street Boston, MA 02114 MEPA@mass.gov tori.kim@mass.gov eva.vaughan@mass.gov</p>	<p>Executive Office of Energy and Environmental Affairs Attn: Environmental Justice Director 100 Cambridge Street Boston, MA 02144 MEPA-EJ@mass.gov</p>
<p>Massachusetts Department of Transportation Public/Private Development Unit 10 Park Plaza, Suite #4150 Boston, MA 02116 MassDOTPPDU@dot.state.ma.us</p>	<p>Massachusetts Water Resource Authority Attn: MEPA Coordinator 33 Tafts Avenue Deer Island Boston, MA 02128 Hillary.Monahan@mwra.com</p>
<p>Department of Environmental Protection One Winter Street Boston, MA 02108 helena.boccardo@mass.gov</p>	<p>Massachusetts Bay Transit Authority 10 Park Plaza Boston, MA 02116-3966 MEPAcoordinator@mbta.com</p>
<p>Massachusetts Department of Transportation District #6 185 Kneeland Street Boston, MA 02111 michael.garrity@dot.state.ma.us</p>	<p>Massachusetts Historical Commission¹ 220 Morrissey Boulevard Boston, MA 02125</p>
<p>DEP/Southeastern Regional Office Attn: MEPA Coordinator 20 Riverside Drive Lakeville, MA 02347 jonathan.hobill@mass.gov george.zoto@mass.gov</p>	<p>Metropolitan Area Planning Council 60 Temple Place Boston, MA 02111 afelix@mapc.org mpillsbury@mapc.org</p>

¹ A hardcopy of the SEIR will be mailed to the Massachusetts Historical Commission.

State and Regional Agencies and Officials

Coastal Zone Management Attn: Project Review Coordinator 100 Cambridge Street, Suite 900 Boston, MA 02144 sean.duffy@mass.gov patrice.bordonaro@mass.gov	DMF – North Shore Attn: Environmental Reviewer 30 Emerson Avenue Gloucester, MA 01930 DMF.EnvReview-North@mass.gov
Department of Public Health Director of Environmental Health 250 Washington Street Boston, MA 02115 dphtoxicology@massmail.state.ma.us	Massachusetts Division of Marine Fisheries Attn: Daniel J. McKiernan 30 Emerson Avenue Gloucester, MA 01930 Forest.Schenck@mass.gov

Town of Weymouth

Planning and Community Development Department Town Hall 75 Middle Street Weymouth, MA 02189 rluongo@weymouth.ma.us	Town Council Town Hall 75 Middle Street Second Floor Weymouth, MA 02189 towncouncil@weymouth.ma.us
Public Health Department Town Hall 75 Middle Street Weymouth, MA 02189 dmccormack@weymouth.ma.us	Conservation Commission Town Hall 75 Middle Street Weymouth, MA 02189 ahultin@weymouth.ma.us

Environmental Justice Community Based Organizations

Unitarian Universalist Mass Action Network	Mass Rivers Alliance
The Trust for Public Land	Browning the Green Space
Community Action Works	Appalachian Mountain Club
Conservation Law Foundation	Environmental League of Massachusetts
Environment Massachusetts	Mass Land Trust Coalition
Clean Water Action	Neighbor to Neighbor Mass.
Ocean River Institute	Sierra Club Massachusetts
Mass Audubon	Neponset River Watershed Association
Quincy Community Action Program	

Federal and State Tribal Organizations

Chappaquiddick Tribe of the Wampanoag Nation	Nipmuc Nation (Hassanamisco Nipmucs)
Massachusetts Commission on Indian Affairs	Herring Pond Wampanoag Tribe
Chappaquiddick Tribe of the Wampanoag Nation, Whale Clan	North American Indian Center of Boston
Pocasset Wampanoag Tribe	Massachusetts Tribe at Ponkapoag
Wampanoag Tribe of Gay Head (Aquinnah)	Mashpee Wampanoag Tribe

Other Interested Parties

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B

EENF Certificate and Comment Letters



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June 30, 2025

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
EXPANDED ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : KCCRA MCP Response Action
PROJECT MUNICIPALITY : Weymouth
PROJECT WATERSHED : Weir
EEA NUMBER : 16955
PROJECT PROPONENT : Algonquin Gas Transmission, LLC
DATE NOTICED IN MONITOR : May 23, 2025

Pursuant to the Massachusetts Environmental Policy Act (MEPA; M.G.L. c. 30, ss. 61-62L) and Section 11.06 of the MEPA Regulations (301 CMR 11.00), I have reviewed the Expanded Environmental Notification Form (EENF) and hereby determine that this project **requires** the submission of an Environmental Impact Report (EIR). In accordance with Section 11.06(8) of the MEPA regulations, the Proponent requested that I allow a Single EIR to be submitted in lieu of the usual two-stage Draft and Final EIR process. I hereby grant the request to file a Single EIR, which the Proponent should submit in accordance with the Scope included in this Certificate.

| C1

Project Description

As described in the Expanded Environmental Notification Form (EENF), the project consists of several measures (the "Response Action") at the Kings Cove Conservation Restriction Area (KCCRA) to address existing, historic contamination on-site. As described in the EENF, Release Tracking Number (RTN) 4-26230 was issued in July 2016 following the identification of evidence of a historical release of petroleum in soil at the Compressor Station north of the project site (referred to in the EENF as the "Disposal Site"). The proposed project, as specified in the Phase IV Remedy Implementation Plan (RIP) developed for the site in accordance with the Massachusetts Contingency Plan (MCP, 310 CMR 40.0000), includes the removal and replacement of 630 cubic yards (cy) of sediment/impacted fill within the intertidal area, the extension of an existing rip rap revetment in the northern area of the site, and the placement of cobble between the excavated area and the revetment.

As described in the EENF, prior to the 1900s, Kings Cove and what are now surrounding land areas were flowed tidelands. In 1922, a license to fill portions of Kings Cove was obtained by the Edison Electric Illuminating Company of Boston (Edison Electric) in order to construct a coal-fired power station located south of Bridge Street. By 1928, a north-south oriented bulkhead was approved and constructed within Kings Cove and the area behind the bulkhead was filled. The bulkhead is now obsolete (photographs indicate that it was no longer in place by 1955), and the fill has migrated onto the intertidal area. As stated in the EENF, Hazardous Materials, as defined in the MCP, are present in this fill. An area of the fill, now located below the mean high water (MHW) line, contains nickel and vanadium at concentrations exceeding the site-specific ecological apparent effects thresholds (as defined by the MCP) for those metals. To address contaminants within the intertidal area, approximately 630 cy of sediment below MHW will be excavated and then disposed off-site if necessary (based on additional testing during construction), with some fill remaining on site for beneficial use in the extension of the revetment in the upland portion of the site as described below. The excavation will occur during low tide, and a turbidity curtain will be installed within Kings Cove to control the migration of suspended fine materials. The excavated fill and sediment will be replaced with an equal amount of clean cobble stone to restore the excavated area to the preexisting elevation.

As described in the EENF, arsenic and chromium have been detected in eroded fill now located within the shoreline sediments, but not at levels that present a potential Imminent Hazard, which would require remediation or other response actions in accordance with the MCP. Further erosion of the upland portion of the project site could expose fill containing higher concentrations of arsenic (associated with the use of coal ash as fill). To address the potential for contamination from the upland area, the project includes the extension of the existing stone revetment, as well as recording an Activities and Use Limitation (AUL) in the Registry of Deeds on the KCCRA site (this should be further described in the Single EIR). The revetment extension is anticipated to prevent further erosion in this area (and in turn, additional release of the arsenic-contaminated fill). The construction of the revetment will occur “in the dry” through the use of a sandbag cofferdam along the length of the shoreline. In areas where backfill is required to support the revetment (landward of the rip rap revetment), fill excavated from the intertidal area will be reused for that purpose. The fill proposed to be reused will be contained behind a layer of geotextile fabric, followed by a layer of clean core stone and larger armor stones to match the design of the existing revetment proposed to be extended. The EENF indicates that approximately 200 cy of fill will be moved as part of the upland portion of the project (in addition to the 630 cy proposed to be dredged).

C2

The EENF notes that the Human Health Risk Characterization completed as part of the Comprehensive Site Assessment (CSA) concluded that a Condition of No Significant Risk to Human Health currently exists at the KCCRA (for both the intertidal area and the upland area). The project is proposed to address the potential for ecological impacts associated with the current contamination of the site, and to prevent additional release of contaminated sediments within the KCCRA in the future. The EENF states that the implementation of the project with an AUL would achieve a Permanent Solution with Conditions without “active” operation and maintenance systems, although future routine inspections and maintenance will be required per the AUL to confirm the integrity of the revetment.

Segmentation

The EENF indicates that the Proponent, who also owns and operates the abutting Weymouth Compressor Station, is responsible for the Response Action at the KCCRA, which is owned by a separate entity, Calpine Fore River Energy Corporation (Calpine). Calpine previously owned the lot the

Weymouth Compressor Station has since been built on. When the Proponent purchased the Weymouth Compressor Station site from Calpine, the Proponent agreed to assume any responsibility for response actions pursuant to the MCP at both the site of the Weymouth Compressor Station and at the KCCRA. However, as noted above, the contamination on-site is associated with historic industrial operations dating back to the 1920s, not the operation of the compressor station. Considering these factors, I find that this project may be treated as severable and not part of a common plan with the Compressor Station project, in accordance with the anti-segmentation provisions of 301 CMR 11.01(2)(e).

Project Site

As described in the EENF, the 1.5-acre project site is located in the southern portion of the KCCRA (which is a public park), located just north of Bridge Street, a Massachusetts Department of Transportation (MassDOT) roadway, and adjacent to the Weymouth Compressor Station (which is located to the west of the site). Kings Cove lies to the east of the project site. The site includes upland portions of the park and the adjacent intertidal area. The upland portion contains both grassed and paved areas, as well as the eroding fill. The intertidal area contains gravel- and cobble-sized pieces of coal slag and other fill material, such as bricks mixed with small amounts of natural sand and gravel. As noted above, there is an existing revetment at the northern limit of the project site, which extends north between the upland portion of the KCCRA and the intertidal area along the Kings Cove shoreline to the top of the peninsula. The project site does not contain *Estimated* and *Priority Habitat of Rare Species* as delineated by the Natural Heritage and Endangered Species Program (NHESP) in the 15th Edition of the Massachusetts Natural Heritage Atlas or an Area of Critical Environmental Concern (ACEC). The site does not contain any structures listed in the State Register of Historic Places or the Massachusetts Historical Commission's (MHC) Inventory of Historic and Archaeological Assets of the Commonwealth.

The project site contains areas mapped as Designated Port Areas (DPA), as well as Land Subject to Coastal Storm Flowage (LSCSF), Coastal Beach, Coastal Bank, and Land Containing Shellfish. Portions of the project site are mapped as Flood Zone VE (an area inundated during a 100-year storm, with additional hazard associated with storm waves) with a Base Flood Elevation (BFE) of elevation (el.) 15 ft NAVD88 as delineated on Federal Emergency Management Agency (FEMA) map 25021C0227F (effective date June 9, 2014). According to the EENF, the site is located within the Weymouth Fore River, which is listed as an impaired waterbody. The disposal site regulated under the MCP that the project is proposed to address has been assigned RTN 4-26230.

The project site is not located within an Environmental Justice (EJ) population¹ but is located within one mile of 10 EJ populations characterized by Minority (4); Minority and English Isolation (1); Minority and Income (4); and Minority, Income, and English Isolation (1) criteria. The site is located within five miles of a total of 108 EJ populations. As described below, the EENF identified the "Designated Geographic Area" (DGA) for the project as 1 mile around EJ populations, included a review of potential impacts and benefits to the EJ populations within this DGA, and described public involvement efforts undertaken to date.

¹ "Environmental Justice Population" is defined in M.G.L. c. 30, § 62 under four categories: Minority, Income, English Isolation, and a combined category of Minority and Income.

Environmental Impacts and Mitigation

Potential environmental impacts of the project include the alteration of 0.8 acres of land and the alteration of 29,000 square feet (sf) (0.67 acres) of Designated Port Areas; 37,105 sf (0.85 acres) of Coastal Beach and Land Containing Shellfish; 590 linear feet (lf) of Coastal Bank; and 46,385 sf (1.06 acres) of LSCSF. The project will involve approximately 630 cy of dredging.

The project is expected to improve existing conditions on-site through the proposed Response Action which will address historic contamination on-site. Measures to avoid, minimize, and mitigate environmental impacts during project construction include conducting the proposed dredging during low-tide, use of a turbidity curtain seaward of the dredge limits, constructing the revetment in the dry through the use of cofferdams, implementing time of year (TOY) restriction from May 1st through November 1st, and use of erosion and sedimentation controls.

Jurisdiction and Permitting

This project is subject to MEPA review and preparation of an ENF pursuant to 301 CMR 11.03(3)(b)(1)(a), 11.03(3)(b)(1)(e), and 11.03(3)(b)(1)(a) because it requires Agency Action and will, respectively, result in the alteration of alteration of coastal dune, barrier beach, or coastal bank; New fill in a velocity zone; and the alteration of ½ or more acres of any other wetlands (LSCSF and Land Containing Shellfish). The project is required to prepare an EIR under 301 CMR 11.06(7)(b) of the MEPA regulations because it is located within one mile of one or more EJ populations. The project requires a Chapter 91 (c.91) License and 401 Water Quality Certification (WQC) from the Massachusetts Department of Environmental Protection (MassDEP), a Transportation Access Permit (for construction access from Bridge Street) from MassDOT, and a Section 8(m) Permit from the Massachusetts Water Resources Authority (MWRA).

The project received an Order of Conditions from the Weymouth Conservation Commission on September 5, 2024, which was not appealed. The project requires Section 404 Pre-Construction Notification to the U.S. Army Corps of Engineers (USACE) as well as a National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) from the U.S. Environmental Protection Agency (EPA).

Because the project is not seeking Financial Assistance from an Agency, MEPA jurisdiction extends to those aspects of the project that are within the subject matter of required or potentially required Permits or within the area subject to a Land Transfer, and that are likely, directly or indirectly, to cause Damage to the Environment.

Request for Single EIR

The MEPA regulations indicate a Single EIR may be allowed provided I find that the EENF:

- a) describes and analyzes all aspects of the project and all feasible alternatives, regardless of any jurisdictional or other limitation that may apply to the Scope;
- b. provides a detailed baseline in relation to which potential environmental impacts and mitigation measures can be assessed; and,
- c. demonstrates that the planning and design of the project use all feasible means to avoid potential environmental impacts.

For any Project for which an EIR is required in accordance with 301 CMR 11.06(7)(b), I must also find that the EENF:

- d. describes and analyzes all aspects of the Project that may affect EJ Populations located in whole or in part within the Designated Geographic Area around the project; describes measures taken to provide meaningful opportunities for public involvement by EJ Populations prior to filing the EENF, including any changes made to the project to address concerns raised by or on behalf of EJ Populations; and provides a detailed baseline in relation to any existing unfair or inequitable Environmental Burden and related public health consequences impacting EJ Populations in accordance with 301 CMR 11.07(6)(n)(1)

Consistent with this request, the EENF was subject to an extended comment period under 301 CMR 11.05(7).

Review of the EENF

The ENF provided a description of existing and proposed conditions, preliminary project plans, an alternatives analysis, a summary of site assessments completed in accordance with the MCP, and identified measures to avoid, minimize and mitigate environmental impacts. Consistent with the MEPA Interim Protocol on Climate Change Adaptation and Resiliency, the EENF contained an output report from the MA Climate Resilience Design Standards Tool prepared by the Resilient Massachusetts Action Team (RMAT) (the “MA Resilience Design Tool”),² together with information on climate resilience strategies to be undertaken by the project. It also included a description of measures taken to enhance public involvement by EJ populations and a baseline assessment of any existing unfair or inequitable Environmental Burden and related public health consequences impacting EJ Populations in accordance with 301 CMR 11.07(6)(n)(1).

Comments submitted on the project express support for the proposed Response Action, and include specific suggestions for project design for the Proponent’s consideration. These comments should be addressed in the Single EIR. Comments from the Department of Marine Fisheries (DMF) express support for the proposed construction methodology and TOY restrictions.

C3

Alternatives Analysis

As described in the EENF, the Proponent evaluated alternatives for the intertidal area proposed to be dredged (the “Shore Portion” of the project) and the upland area within the KKCRA (the “Upland Portion” of the project). Alternatives were evaluated based on their impacts, feasibility, and ability to meet the project goals, which are identified below:

- Reduce potential human and ecological exposure to site contaminants in the Upland Portion of the KKCRA by stabilizing eroding fill at the KKCRA
- Remove an area of fill below MHW containing elevated concentrations of vanadium and nickel as preferred by DEP, with proper disposal of the excavated materials
- Achieve a Condition of No Significant Risk to human health, safety, public welfare, and the environment for current and foreseeable site uses
- Support the filing of a Permanent Solution with Conditions Statement for the KKCRA

² https://resilientma.org/rmat_home/designstandards/

- Execute remediation efforts efficiently while maintaining a cost-effective project budget

Shoreline Portion

For the Shoreline Portion of the project, the Proponent evaluated a No Action Alternative, Excavation with Offsite Disposal Alternative, and Excavation with Offsite Disposal and Onsite Beneficial Reuse (the Preferred Alternative). The EENF included a table comparing the impacts of each of these alternatives, copied below:

Table 2-1 Impacts Comparison of Shore Portion Alternatives

Impact Category	No Action	Excavation with Offsite Disposal	Excavation with Offsite Disposal and Onsite Beneficial Reuse (Preferred)
Land			
Total Site Area (acres)	0	1.4	1.4
New Land Alteration (acres)	0	1.2	1.2
New Impervious Area (acres)	0	0	0
<i>continued</i>			
Wetland Resource Areas			
Land Subject to Coastal Storm Flowage (sf)	0	46,385	46,385
Coastal Beach/Land Containing Shellfish (sf)	0	37,105	37,105
100-foot Buffer Zone to Coastal Bank (sf)	0	5,275	5,275
Other Wetland Areas	0	0	0

All square footages are approximate values as they have been rounded to the nearest value of five (most values were rounded up).

As described in the EENF, under the No Action Alternative, no work below MHW would be conducted. Based on the results of a Method 3 Risk Characterization completed as part of the MCP, fill removal is not required from below MHW to maintain a Condition of No Significant Risk as defined in the MCP. While this Alternative would be the least impactful to the wetland resource areas affected, the EENF states that it does not meet MassDEP’s preference for the removal of fill containing nickel and/or vanadium at concentrations exceeding the apparent effects thresholds (AETs) for ecological impacts. Therefore, this Alternative was dismissed.

Under the Excavation with Offsite Disposal Alternative, the area of fill below MHW containing nickel and/or vanadium at concentrations exceeding the AETs would be excavated and replaced with clean cobbles, with excavated fill and sediment disposed of offsite at an appropriate licensed disposal facility. This Alternative would reduce nickel and vanadium concentrations in the intertidal area, but was not selected as it does not include the beneficial reuse of excavated material, which is associated with a reduction of the impacts of offsite disposal (all other impacts are identical to the Preferred Alternative).

The Preferred Alternative is a modification of the Excavation with Offsite Disposal Alternative. Instead of all fill being disposed off-site, excavated fill will be beneficially reused onsite during construction of the revetment in the Upland Portion of the project. The existing, eroding fill would be graded to a sloped surface, dewatered excavated fill would be placed, and the area would then be reinforced with geotextile fabric and a layer of bedding stone before the rip rap/armor stones are placed. Any excavated material which is not reused onsite will be sampled and transported to an appropriate offsite disposal facility. The EENF indicates that the Preferred Alternative was selected for the Shoreline Portion of the project as it best meets project goals while minimizing impacts, particularly those associated with off-site disposal.

Upland Portion

For the Upland Portion of the project, the Proponent evaluated a No Action Alternative, Sheet Pile Bulkhead and Stone Revetment Alternative, Complete Excavation and Replacement Alternative, Soft Shoreline Solution Alternative, and Extended Stone Revetment Alternative (the Preferred Alternative). The EENF included a table comparing the impacts of each of these alternatives, copied below:

Table 2-2 Impacts Comparison of Upland Portion Alternatives

Impact Category	No Action	Sheet Pile Bulkhead and Stone Revetment	Complete Excavation and Replacement	Soft Shoreline Solution	Extended Stone Revetment (Preferred Alternative)
Land					
Total Site Area (acres)	0	1.4	4.5	2.0	1.4
New Land Alteration (acres)	0	1.2	4.3	1.8	1.2
New Impervious Area (acres)	0	0	0	0	0
Wetland Resource Areas					
Land Subject to Coastal Storm Flowage (sf)	0	49,000	130,000	53,000	46,385
Coastal Bank (lf)	0	590	950	590	590
100-foot Buffer Zone to Coastal Bank (sf)	0	400	79,200	21,000	5,275
Other Wetland Resources	0	0	0	0	0

All square footage are approximate values as they have been rounded to the nearest value of five (most values were rounded up).

The No Action Alternative would leave the upland portion of the site in its current condition, and would not involve new environmental impacts. However, it would not address the potential for the historic arsenic-contaminated fill on-site to continue to erode and contribute arsenic to the shoreline sediment. As such, it was dismissed.

The Sheet Pile Bulkhead and Stone Revetment Alternative would involve the installation of a sheet pile bulkhead on the face of the eroding fill, just above the MHW line. The eroding fill would be shaped and covered with geotextile fabric, backfilled with clean, compacted fill, and topped with a concrete pile cap and fence. The top elevation of the bulkhead would be consistent with the top of the

existing revetment to the north. To reduce wave impacts on the installed bulkhead, a stone revetment would be installed on the seaward side and sloped to match the landside topography. An AUL would be implemented to maintain a Condition of No Significant Risk under the MCP. As shown in the table above, this Alternative would involve similar environmental impacts as the Preferred Alternative. According to the EENF, this Alternative was not selected because the proposed subsurface work required for installation would negatively impact MWRA facilities and utilities and would result in additional impacts to the Upland Portion of the KCCRA.

The Complete Excavation and Replacement Alternative consists of removing and replacing all existing fill above MHW within the project site up to depths of approximately 12 feet below grade to remove the historic fill on site. This would involve excavation and offsite disposal of approximately 45,000 tons of fill. Due to the location and scope of the excavation, utilities that supply water, gas, electricity, and telecommunications to the nearby MWRA pumping station would need to be relocated. As shown in the table above, it would have the greatest impact of all Upland Portion alternatives. According to the EENF, this Alternative was not selected because of its scale, cost and other impacts, including impacts to the KCCRA public park.

The Soft Shoreline Solution Alternative would include a more gradually sloped design for the shoreline transitioning to the upland area, with coastal wetland plantings installed to reduce wave velocities. As described in the EENF, because of the more gradual (almost flat) slope this design would require, a wider limit of work would need to be established. Implementing this Alternative would therefore result in impacts to the Upland Portion of the KCCRA (and greater impacts than the Preferred Alternative). According to the EENF, the soft solution proposed under this Alternative would not achieve a Permanent Solution as defined in the MCP because it would not prevent erosion during large storm events and impacted fill would eventually be exposed. For this reason, the Soft Shoreline Solution Alternative was dismissed.

The Preferred Alternative for the Upland Portion (described herein) would involve extending the existing stone revetment on the northern edge of the project site south towards Bridge Street. The eroding fill will be contained behind beneficially reused excavated fill, then topped with clean fill and core stone, and armored with rip rap to contain it. An AUL will be implemented for the Upland Portion of the site to maintain a Condition of No Significant Risk under the MCP. As stated in the EENF, the Preferred Alternative for the Upland Portion was selected due to its ability to achieve a Permanent Solution under the MCP, its relative ease of implementation, and its consistency with the existing armoring of the Coastal Bank immediately adjacent to the project site. It will result in minimal permanent impacts to the upland portion of the KCCRA public park, and minimize environmental impacts.

Environmental Justice

As noted above, the project site is not located within an EJ population but is located within one mile of 10 EJ populations characterized by Minority (4); Minority and English Isolation (1); Minority and Income (4); and Minority, Income, and English Isolation (1) criteria. The site is located within five miles of a total of 108 EJ populations. Within one mile of the project site, Chinese was identified as spoken by 5% or more of residents who also identify as not speaking English very well (Limited English Proficiency (LEP) individuals). The EENF identifies the DGA for the project as one mile.

Effective January 1, 2022, all new projects in “Designated Geographic Areas” (“DGA,” as defined in 301 CMR 11.02, as amended) around EJ populations are subject to new requirements imposed by the Chapter 8 of the Acts of 2021: An Act Creating a Next-Generation Roadmap for Massachusetts Climate Policy (the “Climate Roadmap Map”) and amended MEPA regulations at 301 CMR 11.00. Two related MEPA protocols—the MEPA Public Involvement Protocol for Environmental Justice Populations (the “MEPA EJ Public Involvement Protocol”) and MEPA Interim Protocol for Analysis of project Impacts on Environmental Justice Populations (the “MEPA Interim Protocol for Analysis of EJ Impacts”)—are also in effect for new projects filed on or after January 1, 2022. Under the new regulations and protocols, all projects located in a DGA around one or more EJ populations must take steps to enhance public involvement opportunities for EJ populations, and must submit analysis of impacts to such EJ populations in the form of an EIR.

Public Engagement

As stated in the EENF, the Proponent proactively engaged with potentially impacted communities in accordance with a site-specific Public Involvement Plan (PIP) that was developed for the site (included in Appendix B). The Proponent provided Advance Notification under Part II of the MEPA EJ Public Involvement Protocol through the preparation of an EJ Screening Form, which was translated into Chinese (Mandarin) and distributed to a list of community-based organizations (CBOs) and tribes/indigenous organizations (the “EJ Reference List”) developed in coordination with the MEPA Office. To promote public participation during MEPA review, the Proponent held both an in-person site visit and a remote consultation session, the notice for which was also translated into Mandarin and distributed to the EJ Reference List. Interpretation services were provided in Chinese during the remote consultation, although no one in attendance utilized these services.

The development of the Response Action has involved an iterative public process with five public meetings to-date associated with the assessment, remediation planning, and permitting of the project. Consistent with the PIP, the Proponent provided a minimum of 14 days’ notice of public meetings, including publishing a notice in the *Boston Globe* and *Quincy Patriot Ledger* as well as the *Weymouth News*. A copy of the public notice was provided by email to members of the PIP group, the Chief Municipal Officer and the Board of Health of the Town of Weymouth, and MassDEP. To encourage potentially affected communities to participate in these public meetings, the Proponent has arranged for bus transportation from nearby communities and provided Mandarin-speaking translation during the meetings. As stated in the EENF, at each phase of the MCP process the Proponent has provided specific opportunities for potentially affected communities to provide comments on documents concerning the project, with responses prepared for the written and verbal comments received during the comment period and public meetings. The EENF indicates that public feedback on the remediation project has been supportive. As noted above, the addition of cobble over the intertidal area proposed to be dredged was incorporated into the project design based on public feedback.

Comments received on the project express support for the proposed Response Action. Comments also request that efforts are made to keep the KCCRA park open to the public during construction, that the Proponent consider incorporating tree plantings and native plantings into the project and/or the addition of a loop trail connecting to an adjacent parcel owned by MWRA, and that the Proponent conduct ongoing air quality monitoring during project construction. Comments also request that the Proponent clarify whether an existing barbed wire fence on the site will be removed. These comments should be addressed in the Single EIR.

C4

Baseline Assessment and Project Impacts

The EENF contained a preliminary baseline assessment of any existing unfair or inequitable Environmental Burden and related public health consequences impacting EJ populations in accordance with 301 CMR 11.07(6)(n)1. and the MEPA Interim Protocol for Analysis of EJ Impacts. According to the EENF, the data surveyed show some indication of an existing “unfair or inequitable” burden impacting the identified EJ populations. Specifically, the EENF notes that the DPH EJ Tool identifies the area within which the EJ populations are located as exhibiting “vulnerable health EJ criteria”; this term is defined in the DPH EJ Tool to include any one of four environmentally related health indicators that are measured to be 110% above statewide rates based on a five-year rolling average.³ According to the EENF, one census tract (178.02) exceeds the childhood blood lead criterion, and two census tracts (179.01 and 227.00) exceed the low birth weight criterion. However, census tract 228.00, adjacent to the project site, does not meet these two criteria. The City of Weymouth (City) does not meet exhibit any of the four vulnerable health EJ criteria. The EENF indicates that the following sources of potential pollution exist within the identified EJ populations, based on the mapping layers available in the DPH EJ Tool:

- Major air and waste facilities: 8
- M.G.L. c. 21E sites: 2
- “Tier II” Toxics Release Inventory Site: 6
- MassDEP sites with AULs: 8
- Wastewater treatment plants: 7
- Underground storage tanks: 10
- EPA facilities: 2
- Road infrastructure: 1
- MBTA bus and rapid transit: 2 bus shelters, 62 bus stops, and 22 bus routes
- Other transportation infrastructure: 1 freight rail yard, 7 railroad tracks, and 1 ferry route
- Energy generation and supply: 3 power plants and 2 transmission lines

Although not required by the MEPA Interim Protocol for Analysis of EJ Impacts, the EENF also surveyed environmental indicators tracked through the U.S. EPA’s “EJ Screen,” which shows the indicators measured at the following percentiles for the identified EJ populations as compared to the MA statewide average. The EENF indicates that the following indicators are elevated at 80th percentile or higher of statewide rates within the DGA:

- Proximity to Risk Management Plan (RMP) sites: 81st percentile
- Wastewater Discharge Indicator: 80th percentile

Finally, the EENF included a screening of climate risks for the project site, using the MA Resilience Design Tool, as further described below. Based on the 50-year useful life of the project and its location, the project was rated as having “High” exposure for sea level rise/storm surge and extreme heat, and a “Moderate” exposure rating for extreme precipitation (urban flooding). It also received a “Moderate” ecosystem benefits score. The revetment extension was designed to match the dimensions of

³ See <https://ma.tracking.ehs.state.ma.us/Environmental-Data/ej-vulnerable-health/environmental-justice.html>. Four vulnerable health EJ criteria are tracked at the municipal level in the DPH EJ Viewer (heart attack/hospitalization, childhood asthma, childhood blood lead, and low birth weight); of these, two (childhood blood lead and low birth weight) are also available at the census tract level.

the existing revetment it will be extended from, with the armor stone size selected based on guidance from USACE and site-specific modeling. According to the EENF, the revetment extension is expected to provide protection and scour resistance for the soils and the landward park under present-day conditions up through the 2070 100-year storm event. The project will not involve the creation of impervious surface that would contribute to extreme heat. As noted, several comments encourage the Proponent to consider incorporating tree plantings into the upland portion of the project.

The EENF asserts that the project will result in significant environmental benefits to the surrounding community by achieving a Permanent Solution, as defined in the MCP, at the project site. According to the EENF, the project will not divert flood waters to adjacent properties, and as a result of the project (specifically the revetment extension), the KCCRA will receive additional protection from coastal flooding events. Environmental impacts are expected to be short-term, limited to the construction period, and will be mitigated through the implementation of construction best management practices (BMPs). Any construction waste will be sampled and properly characterized to facilitate identification of an appropriate disposal/recycling facility in accordance with the MCP. The generation of fugitive dust will be minimized by implementing dust mitigation measures based on monitoring results, including wetting the areas to be disturbed, maintaining low vehicle speeds in unpaved areas, installing anti-tracking pads at construction entrances, cleaning truck wheels before they exit the site, securely covering truck loads, and conducting regular street cleaning. As stated in the EENF, real-time dust monitoring will be conducted during excavation activities, including the loading of fill and sediments into containers/trucks at the site. The EENF notes that the project has been designed to minimize potential impacts to the KCCRA park through construction access directly from Bridge Street, rather than through the KCCRA.

Hazardous Waste

As noted above, RTN 4-26230 was issued in July 2016 following the identification of evidence of a historical release of petroleum in soil at the Compressor Station north of the project site (referred to in the EENF as the “Disposal Site”). Subsequent RTNs have been administratively linked to this primary RTN, specifically RTN 4-28186, 4-28615, and 4-28676, which were assigned in response to the identification of potential Imminent Hazard (IH) conditions associated with arsenic and, in the case of RTN 4-28615, total chromium. The EENF notes that subsequent evaluations following the assignment of these three other RTNs determined that in each case the conditions did not present an IH condition (specifically, arsenic concentrations in shallow soil within the KCCRA, concentrations of arsenic and chromium in fill material below MHW at the project site, and concentrations of arsenic in the top 12 inches of fill within the Upland Portion of the site, respectively, did not present an actual IH condition).

A Phase II Comprehensive Site Assessment (CSA) Report for the KCCRA portion of the Disposal Site was filed in January 2022, which included the advancement of soil borings, installation of groundwater monitoring wells, and excavation of test pits. The results of this assessment concluded that, with the possible exception of vanadium in sediment, a Condition of No Significant Risk to the environment exists within the Shore Portion of the site. A Human Health Risk Characterization was completed as part of the Phase II CSA, which concluded that a Condition of No Significant Risk to Human Health currently exists at the KCCRA park; however, it also concluded that future conditions may present a significant risk to human health in the following scenarios: (1) visitors exposed to arsenic in fill at depths greater than 3 feet in the Upland Portion of the KCCRA; and (2) residents exposed to arsenic and lead in fill in the Upland Portion of the KCCRA. The EENF states that both of these scenarios can be effectively addressed with the implementation of an AUL. The Human Health Risk

Characterization also concluded that further erosion of the Upland Portion of the site could expose fill containing higher concentrations of arsenic. Consequently, additional response actions were deemed warranted to reduce the possibility of erosion of this area.

A Phase III Remedial Action Plan (RAP) was developed in August 2023 to identify, evaluate, and select remedial actions alternatives to potentially achieve the remedial action objectives for the KCCRA. Remedial action objectives were developed, in part, based on information presented in the Phase II CSA. The Phase III RAP identified the preferred Remedial Action Alternative for the Upland Portion of the KCCRA as extending the existing stone revetment and recording an AUL, and the preferred Remedial Action Alternative for the Shoreline Portion of the KCCRA and the fill below MHW as excavating the area of fill below MHW, with off-site disposal of the fill if necessary. As described in the EENF and noted above, in response to community preferences, the current design also includes the placement of cobble to create a gradual surficial transition between the excavation area and the revetment. Finally, the Phase IV Remedy Implementation Plan (RIP) was developed in July 2024 which detailed the engineering concepts and design criteria to be used for the design and construction of the preferred Remedial Action Alternative.

As detailed herein and in comments from MassDEP, the preferred Remedial Action Alternative includes dredging of fill within the intertidal area, and extending the rip rap revetment in the northern area of the Kings Cove Conservation Restriction Area to contain eroding impacted fill. This work is being undertaken in accordance with the MCP. I refer the Proponent to comments from MassDEP, which encourage the Proponent to continue working with the Department towards the implementation of the Remedial Action Alternative. The project includes various measures to avoid, minimize, and mitigate construction period impacts, including air quality monitoring, as detailed in the Construction Period section below.

Coastal Resources and Waterways

As noted above, the project will result in the alteration of 29,000 sf (0.67 acres) of a Designated Port Area (DPA); 37,105 sf (0.85 acres) of Coastal Beach and Land Containing Shellfish; 590 linear feet (lf) of Coastal Bank; and 46,385 sf (1.06 acres) of LSCSF. The EENF identifies all alteration to coastal resources as permanent. As noted above and in comments from MassDEP, the Weymouth Conservation Commission reviewed the project for its consistency with the Wetlands Protections Act (WPA), the Wetland Regulations (310 CMR 10.00), and associated performance standards, and issued an Order of Conditions on September 5, 2024, which was not appealed. As stated in the EENF, because the project is an MCP Response Action, it qualifies as a Limited Project under the WPA (and was approved as such by the Conservation Commission).

As the project involves greater than 100 cy of dredging (specifically, 630 cy), it will require a 401 WQC from MassDEP. As noted above, the proposed mechanical dredging within the intertidal area will be conducted during low tide, and the extension of the revetment constructed “in the dry” through the use of sandbag cofferdams. A turbidity curtain will be installed within Kings Cove to control the migration of suspended fine materials during dredging. Machinery will access the Shore Portion of the site from Bridge Street. After the excavation is completed within the intertidal area (specifically, Coastal Beach/Land Containing Shellfish), clean cobble will be placed as backfill. To gradually connect the excavated areas to the new revetment, clean cobble will be placed between the two areas.

Chapter 91 Waterways and Public Benefit Determination

The project site contains filled and flowed tidelands subject to the c.91 regulations. The EENF indicates that the project will impact 33,800 sf of flowed tidelands and 20,200 sf of filled tidelands, provides an overview of historic c.91 Licenses issued for the site, including those for the bulkhead constructed by Edison Electric that contained the contaminated fill. The project requires a new c.91 License for the proposed dredging, the construction of the revetment, as well as for “facilities and activities undertaken or required by a public agency for purposes of decontamination, capping, or disposal of polluted aquatic sediments.”

The project site is comprised of tidelands subject to the provisions of *An Act Relative to Licensing Requirements for Certain Tidelands* (2007 Mass. Acts ch. 168) and the Public Benefit Determination (PBD) regulations (301 CMR 13.00). A PBD is required for this project as it is subject to preparation of a mandatory EIR. Comments from MassDEP Waterways state that the Department has determined that the proposed project is a Water-Dependent Use (WDU) as listed at 310 CMR 9.12 (2)(9). As a water-dependent project, it is presumed that this project will provide adequate public benefit in accordance with 301 CMR 13.04(1). The Single EIR should address the public benefits of the project in accordance with 301 CMR 13.00.

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Fisheries

As described in comments from DMF, intertidal areas of Kings Cove provide forage, spawning, shelter, and juvenile development habitat for numerous species of shore-zone fishes including Atlantic silverside (*Menidia menidia*), pipefish (*Syngnathus fuscus*), mummichog (*Fundulus heteroclitus*), and sand lance (*Ammodytes americanus*). These species also constitute forage for other species including bluefish (*Pomatomus saltatrix*), striped bass (*Morone saxatilis*), and summer flounder (*Paralichthys dentatus*). As noted above, Land Containing Shellfish (LCS) is mapped within the Coastal Beach on-site. Specifically, this area is mapped as a spawning/settlement area for soft-shell clam (*Mya arenaria*) and a Conditionally Restricted shellfish growing area (GBH1.204). However, as stated in the EENF and in comments from DMF, the Stage II Environmental Risk Characterization (ERC) undertaken during project development (specifically in May and June 2022) indicated that no populations of soft-shell clams were observed and therefore the soft-shell clam population is not large enough to self-seed any of these areas.

Comments from DMF concur with the Proponent’s proposal to sequence the proposed dredging and fill to occur in the dry during low tide, use a turbidity curtain seaward of the dredge limits, and construct the proposed revetment in the dry behind a cofferdam to minimize turbidity and sedimentation impacts to the surrounding waters of Kings Cove and the Fore River. DMF also concurs with the Proponent’s intent to adhere to the recommended TOY restriction for the proposed dredging and placement of the clean cobble fill from May 1 to November 1. DMF states that impacts from disturbance of the shore-zone to shore-zone fishes will be minimized by sequencing this work to occur in the late fall and winter when the shore-zone is less biologically active

Climate Change

Adaptation and Resiliency

Effective October 1, 2021, all MEPA projects are required to submit an output report from the

MA Resilience Design Tool to assess the climate risks of the project. Based on the output report attached to the EENF, the project has a “High” exposure rating for sea level rise/storm surge and extreme heat, and a “Moderate” exposure rating for extreme precipitation (urban flooding). It also received a “Moderate” ecosystem benefits score. The two assets identified by the Proponent in the MA Resilience Design Tool are the coastal beach (proposed to be dredged) and the proposed revetment. The coastal beach is a natural resource asset. For natural resource project assets, the MA Resilience Design Tool provides a standard recommendation of a 25-yr (4%) return period design storm for the extreme precipitation parameter; the recommendation is provided as a consideration for users and not a formal standard. While the project does not involve any tree removal or impervious surface construction, the project site currently has less than 10% tree canopy cover. As noted above, the Proponent should consider incorporating tree planting into the project.

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For the revetment, based on the 50-year useful life and the self-assessed criticality of this asset, the MA Resilience Design Tool recommends a planning horizon of 2070 and a return period associated with a 50-year (2% chance) storm event when designing for sea level rise/storm surge. According to the Tool, this storm event is associated with a maximum projected water surface elevation of 9.8 ft NAVD88, and a maximum projected wave action water elevation of 12.1 ft NAVD88. The minimum projected wave action water elevation for the 2070 50-year storm event is identified as 9.8 ft NAVD88, and the average as el. 10.3 ft NAVD88.

The elevation of the revetment extension was selected to match the existing revetment that will be extended. Further details regarding the elevation of the revetment should be provided in the Single EIR. According to the EENF, the armor stone size for the revetment was determined based on guidance from the USACE Coastal Engineering Manual and site-specific wave modeling. The EENF states that the revetment is expected to provide protection and scour resistance up through the 2070 100-year storm event. As noted above, the project includes the placement of cobble seaward of the existing and proposed rip rap revetment to establish a more nature-like ground cover (currently, the area contains significant amounts of coal, as well as bricks). The EENF states that the cobble will help dissipate wave energy within the waterbody and intertidal areas to protect the revetment, while also providing an improved benthic surface for organisms within the intertidal zone.

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Greenhouse Gas Emissions

The EENF indicates that total stationary source emissions associated with conditioned spaces for the project will not exceed 2,000 tpy; therefore, a GHG analysis is not required under the MEPA EJ protocols. Emissions will be limited to construction period impacts, which will be minimized through construction equipment requirements.

Construction Period

The EENF indicates that project construction is expected to commence in December 2025 and conclude in April 2026. The project requires a MassDOT Access Permit for the temporary construction access from Bridge Street. As described in the EENF, MassDOT will require temporary traffic management details to properly manage traffic on Bridge Street for vehicles, pedestrians, and bikes. Before any work begins, erosion and sedimentation controls will be installed including the installation of a stabilized construction entrance, turbidity curtain, and a sandbag cofferdam.

Any construction waste will be sampled and properly characterized to facilitate identification of an appropriate disposal/recycling facility. The sampling and analysis will be performed in accordance with the MCP. Excavated fill will be reused behind the revetment to be constructed as part of the project to the extent practicable. According to the EENF, on-site excavations are not expected to require dewatering, since excavation below MHW will be conducted during low tide and the fill and sediments are anticipated to be well-draining. However, should groundwater dewatering be required to facilitate revetment construction, the EENF states that dewatering effluent will be pumped to and contained within tanks on site prior to being characterized and later disposed of at an offsite treatment/recycling facility.

The project will implement several mitigation measures and monitoring practices to manage dust and air quality during the construction period at the KCCRA property. The generation of fugitive dust will be minimized by implementing dust mitigation measures (such as cleaning truck wheels and wet dust suppression) based on monitoring results. Soil stockpiles intended for immediate reuse will be stabilized, and construction practices will be closely monitored to minimize unnecessary disturbances. Dust monitoring will be conducted during excavation activities, including the loading of fill and sediments into containers/trucks at the site. As stated in the EENF, real-time particulate sampling will be implemented to ensure that dust levels remain within safe limits. Daily monitoring of upwind and downwind dust concentrations will be recorded, and handheld particulate monitors will be used to assess real-time dust levels in active work areas. The project will also conduct periodic checks for volatile contaminants; if elevated readings persist, further actions, including potential upgrades in personal protective equipment, will be undertaken.

All construction and demolition activities should be managed in accordance with applicable MassDEP’s regulations regarding Air Pollution Control (310 CMR 7.01, 7.09-7.10), and Solid Waste Facilities (310 CMR 16.00 and 310 CMR 19.00, including the waste ban provision at 310 CMR 19.017). The project should include measures to reduce construction period impacts (e.g., noise, dust, odor, solid waste management) and emissions of air pollutants from equipment, including anti-idling measures in accordance with the Air Quality regulations (310 CMR 7.11). I encourage the Proponent to require that its contractors use construction equipment with engines manufactured to Tier 4 federal emission standards, or select project contractors that have installed retrofit emissions control devices or vehicles that use alternative fuels to reduce emissions of volatile organic compounds (VOCs), carbon monoxide (CO) and particulate matter (PM) from diesel-powered equipment. Off-road vehicles are required to use ultra-low sulfur diesel fuel (ULSD). If oil and/or hazardous materials are found during construction, the Proponent should notify MassDEP in accordance with the Massachusetts Contingency Plan (310 CMR 40.00). All construction activities should be undertaken in compliance with the conditions of all State and local permits. I encourage the Proponent to reuse or recycle construction and demolition (C&D) debris to the maximum extent.

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SCOPE

General

The Single EIR should follow Section 11.07 of the MEPA regulations for outline and content and provide the information and analyses required in this Scope. It should clearly demonstrate that the Proponent has sought to avoid, minimize and mitigate Damage to the Environment to the maximum

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extent practicable.

Project Description and Permitting

The Single EIR should identify any changes to the project since the filing of the EENF. It should identify and describe State, federal and local permitting and review requirements associated with the project and provide an update on the status of each of these pending actions. The Single EIR should include a description and analysis of applicable statutory and regulatory standards and requirements, and a discussion of the project’s consistency with those standards.

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The Single EIR should include detailed site plans for existing and post-development conditions at a legible scale. Plans should clearly identify buildings, interior and exterior public areas, impervious areas, transportation improvements, pedestrian and bicycle accommodations, and stormwater and utility infrastructure. The Single EIR should provide detailed plans, sections, and elevations to accurately depict existing and proposed conditions, including proposed above- and below-ground structures, on-and-off-site open space, and resiliency and other mitigation measures.

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The information and analyses identified in this Scope should be addressed within the main body of the Single EIR and not in appendices. In general, appendices should be used only to provide raw data, such as drainage calculations, traffic counts, capacity analyses and energy modelling, that is otherwise adequately summarized with text, tables and figures within the main body of the Single EIR. Information provided in appendices should be indexed with page numbers and separated by tabs, or, if provided in electronic format, include links to individual sections. Any references in the Single EIR to materials provided in an appendix should include specific page numbers to facilitate review.

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Environmental Justice

The Single EIR should include a separate section on “Environmental Justice” that contain a full description of measures the Proponent intends to undertake to promote public involvement by such EJ populations during the remainder of the MEPA review process including a discussion of any of the best practices listed in the MEPA EJ Public Involvement Protocol that will be employed. To the extent further updates to the project’s PIP is made, the revised document should be attached to the Single EIR with narrative describing the changes made. The Single EIR should describe any outreach that will be conducted as part of local review processes. The Single EIR should include an update on any outreach conducted since the filing of the EENF and a description of any changes made to the project (including mitigation measures) in response to this outreach. The Single EIR, or a summary thereof, should be distributed to the “EJ Reference List,” with any updates to the list provided by the MEPA Office upon request. It should provide more detail on the PIP group that was used for outreach prior to filing, including how it was developed, who is included, and how it is maintained. The Proponent is also directed to continue to provide translation services in Chinese as part of future outreach.

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While the EENF states the project is not anticipated to exceed 150 diesel truck trips per day, the number of diesel truck trips per day was not identified. The Single EIR should assess the number of diesel-generated vehicle trips generated during project construction and routes of travel that would result from the project including during the construction period, and identify whether these routes will travel through EJ populations within the DGA. The Single EIR should address the requests for incorporation of tree plantings native landscaping in the upland portion of the park to mitigate extreme heat. It should clarify whether the existing barbed wire fence on the site will be removed as part of the project.

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Public Health

The Single EIR should include a separate section on “Public Health,” and discuss any known or reasonably foreseeable public health consequences that may result from the environmental impacts of the project. Particular focus should be given to any impacts that may materially exacerbate “vulnerable health EJ criteria,” in accordance with the MEPA Interim Protocol for Analysis of EJ Impacts. In addition, other publicly available data, including through the DPH EJ Tool, should be surveyed to assess the public health conditions in the immediate vicinity of the project site, in accordance with 301 CMR 11.07(6)(g)10. Any project impacts that could materially exacerbate such conditions should be analyzed. The Single EIR should identify where the data from the proposed real-time air quality monitoring during transport of sediments will be made available. It should provide additional information regarding reporting of sediment and waste management during project construction to MassDEP and/or the City, including the frequency of this reporting, if this data is publicly accessible, and where it can be found. To the extent any required Permits for the project contain performance standards intended to protect public health, the Single EIR should contain specific discussion of such standards and how the project intends to meet or exceed them. The Single EIR should identify the municipalities associated with the census tracts that exhibited vulnerable health EJ criteria (178.02, 179.01, and 227.00) as described in the EENF.

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The Single EIR should provide further details to explain how the determination will be made as to the extent of fill to remain on site for beneficial reuse. Given that the excavated sediment necessarily meets the “apparent effects thresholds” (as defined by the MCP) and therefore requires remediation. The Single EIR should clarify whether the reuse of this sediment requires any additional permitting, such as a Beneficial Use Determination (BUD) from MassDEP. For sediment to be removed off-site, the Single EIR should identify the disposal locations determined to-date, identify any EJ populations located within one miles of any such locations, and discuss what level of permitting will be required for approval of those disposal locations.

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Hazardous Waste

The Single EIR should identify any assessments/reports undertaken in accordance with the MCP prior to Phase II CSA, and clarify when RTN 4-28186 was assigned to the Disposal Site. It should identify publicly accessible data that is available from the previous site assessments/soil sampling, and how it can be accessed. The Single EIR should clarify if there is an existing AUL on-site, and if so, what activities it restricts. It should clarify which activities will be restricted through the proposed AUL in the Upland Portion of the site. The Single EIR should provide an update on any coordination with MassDEP since the filing of the EENF. It should identify reporting requirements during project construction, who will be responsible for submitting these reports, and the frequency within which they are expected to occur. The Single EIR should clarify whether the fill to be reused will be required to remain below certain numeric levels of contamination and/or will otherwise need to demonstrate that reuse will be adequately protective of public health and safety. As noted above, for sediment to be removed off-site, the Single EIR should identify the disposal locations determined to date and discuss what level of permitting will be required for approval of those disposal locations.

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Coastal Resources and Waterways

The Single EIR should provide a table with updated impacts to coastal resource areas. It should

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clarify whether the construction access drive is located within coastal resources, and whether there is any temporary alteration associated with site preparation, material storage/laydown, and/or access that were not identified in the EENF. The Single EIR should provide updated plans which identify the historic high water (HHW) line/delineates the tidelands present on-site. It should provide additional information regarding the DPA designation on-site, and the project’s consistency with the DPA. The Single EIR should address the public benefits of the project in accordance with 301 CMR 13.00.

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Climate Change Adaptation and Mitigation

The Single EIR should provide additional details regarding the site-specific modeling that was conducted to evaluate the resiliency of the proposed revetment to sea level rise/storm surge. It should identify the flood water elevation of the 2070 100-year storm evaluated by the Proponent as related to the level of scour protection provided by the proposed revetment extension. The Single EIR should identify the top elevation of the revetment, and compare this to the recommendations of the MA Resiliency Design Tool. As noted above, the Proponent should evaluate incorporating tree plantings and/or native plantings in the project design.

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Mitigation and Draft Section 61 Findings

The Single EIR should include a separate chapter summarizing all proposed mitigation measures including construction-period measures. This chapter should also include a comprehensive list of all commitments made by the Proponent to avoid, minimize and mitigate the environmental and related public health impacts of the project, and should include a separate section outlining mitigation commitments relative to EJ populations. The filing should contain clear commitments to implement these mitigation measures, estimate the individual costs of each proposed measure, identify the parties responsible for implementation, and contain a schedule for implementation. The list of commitments should be provided in a tabular format organized by subject matter (environmental justice, coastal wetlands, climate change, construction period, etc.) and identify the Agency Action or Permit associated with each category of impact. Draft Section 61 Findings should be separately included for each Agency Action to be taken on the project. The filing should clearly indicate which mitigation measures will be constructed or implemented based upon project phasing to ensure that adequate measures are in place to mitigate impacts associated with each development phase.

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Responses to Comments

The Single EIR should contain a copy of this Certificate and a copy of each comment letter received. The Single EIR should contain a direct response to the scope items in this Certificate. To ensure that the issues raised by commenters are addressed, the Single EIR should also include direct responses to comments to the extent that they are within MEPA jurisdiction. This directive is not intended, and shall not be construed, to enlarge the scope of the Single EIR beyond what has been expressly identified in this certificate.

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Circulation

The Proponent should circulate the Single EIR to each Person or Agency who previously commented on the EENF, each Agency from which the Project will seek Permits, Land Transfers or Financial Assistance, and to any other Agency or Person identified in the Scope. The Proponent may circulate copies of the Single EIR to commenters other than Agencies in a digital format (e.g., CD-

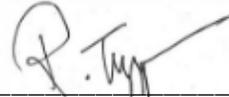
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ROM, USB drive) or post to an online website. However, the Proponent should make available a reasonable number of hard copies to accommodate those without convenient access to a computer to be distributed upon request on a first-come, first-served basis. A copy of the Single EIR should be made available for review in the Weymouth Public Library.

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June 30, 2025

Date



Rebecca L. Tepper

Comments received:

- 06/16/2025 Robert Kearns
- 06/21/2025 Nathan Phillips
- 06/21/2025 Trish O'Hagan
- 06/22/2025 Margaret Bellafiore
- 06/23/2025 Stephen Shinney
- 06/23/2025 Massachusetts Water Resources Authority (MWRA)
- 06/23/2025 Noelle O'Rourke
- 06/23/2025 Kacey Bongarzone
- 06/23/2025 Susan Deshler
- 06/23/2025 Massachusetts Division of Marine Fisheries (DMF)
- 06/24/2025 Massachusetts Department of Environmental Protection (MassDEP), Southeast Regional Office (SERO)

RLT/ELV/elv



The Commonwealth of Massachusetts Division of Marine Fisheries

(617) 626-1520 | www.mass.gov/marinefisheries



MAURA T. HEALEY
Governor

KIMBERLEY DRISCOLL
Lt. Governor

REBECCA L. TEPPER
Secretary

THOMAS K. O'SHEA
Commissioner

DANIEL J. MCKIERNAN
Director

June 23, 2025

Rebecca Tepper
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office, Eva Vaughan
100 Cambridge Street, suite 900
Boston, Ma 02114

RE: EEA# 16955 Kings Cove Conservation Restriction Area MCP Response Action

Dear Secretary Tepper:

The Massachusetts Division of Marine Fisheries (DMF) has reviewed the Expanded Environmental Notification Form (EENF) for the Kings Cove Conservation Restriction Area MCP Response Action, EEA# 16955, located along Kings Cove at 82-90 Bridge Street in Weymouth, MA proposed by Algonquin Gas Transmission, LLC. The project includes dredging of 630 CY of sediment/impacted fill, extending the rip rap revetment to contain eroding impacted fill, and placing clean cobble to restore the dredged area to the preexisting mudline elevations and create a gradual transition between the dredging area and the revetment.

Kings Cove is mapped as shellfish habitat by DMF for soft-shell clams (*Mya arenaria*) within shellfish growing area GBH9.2 classified as Conditionally Restricted for harvest. Shellfish surveys of the site conducted by contractors of the proponent in May and June of 2022 and September 2023 did not report soft-shell clams present in the project area. Intertidal areas of Kings Cove provide forage, spawning, shelter, and juvenile development habitat for numerous species of shore-zone fishes including Atlantic silverside (*Menidia menidia*), pipefish (*Syngnathus fuscus*), mummichog (*Fundulus heteroclitus*), and sand lance (*Ammodytes americanus*) [1]. These species also constitute forage for other species including bluefish (*Pomatomus saltatrix*), striped bass (*Morone saxatilis*), and summer flounder (*Paralichthys dentatus*) [1].

Based on the information provided in the EENF, we offer the following recommendations and comments:

- DMF concurs with proponent's plan to sequence the proposed dredging and fill to occur in the dry during low tide, use a turbidity curtain seaward of the dredge limits, and construct the proposed revetment in the dry behind a cofferdam to minimize turbidity and sedimentation impacts to the surrounding waters of Kings Cove and the Fore River.

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- DMF concurs with the proponent's intent to adhere to our recommended time of year (TOY) restriction for the proposed dredging and placement of the clean cobble fill from May 1st to November 1st. Impacts from disturbance of the shore-zone to shore-zone fishes will be minimized by sequencing this work to occur in the late fall and winter when the shore-zone is less biologically active [1].

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Thank you for considering our comments. If you have questions about this review, please email Forest Schenck at Forest.Schenck@mass.gov.

Sincerely,



Daniel J. McKiernan
Director

DM/fs/sd

cc.

P. Maniccia, USACE

J. Yelen, CZM

A. Cacacie, NMFS

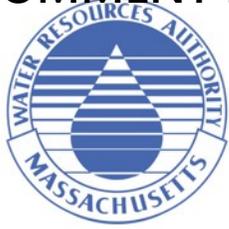
B. Dejadon, DMF

E. Johnson, VHB, Inc.

References:

[1] Evans, NT, KH Ford, BC Chase and JJ Sheppard (2011). Recommended Time of Year Restrictions (TOYs) for Coastal Alteration Projects to Protect Marine Fisheries Resources in Massachusetts. Technical Report DMF TR-47.

COMMENT LETTER 2



MASSACHUSETTS WATER RESOURCES AUTHORITY

Deer Island
33 Tafts Avenue
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Frederick A. Laskey
Executive Director

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TTY: (617) 788-4971

June 23, 2025

Rebecca Tepper, Secretary
Executive Office of Energy and Environmental Affairs
100 Cambridge St, Suite 900
MEPA Office, Eva Vaughan
Boston, MA 02114

Subject: EOEEA #16955 – Expanded Environmental Notification Form
Kings Cove Conservation Restriction Area MCP Response
Action, Weymouth, MA

Dear Secretary Tepper,

The Massachusetts Water Resources Authority (MWRA) appreciates the opportunity to comment on the Expanded Environmental Notification Form (EENF) submitted by Algonquin Gas Transmission, LLC (the “Proponent”) for Massachusetts Contingency Plan (MCP) Remedial Action (the “Project”) selected for the Kings Cove Conservation Restriction Area (KCCRA) in Weymouth, Massachusetts. The Project consists of the Response Action specified in the Phase IV Remedy Implementation Plan (RIP) for contaminated sediments at the Kings Cove Conservation Restriction Area (KCCRA), as regulated by the Massachusetts Contingency Plan (MCP, 310 CMR 40.0000). Specifically, the Project includes the removal and replacement of 630 cubic yards (cy) of sediment/impacted fill within an intertidal area and the extension of an existing rip rap revetment in the northern area of the project site to contain eroding impacted fill in the KCCRA. In connection with the KCCRA Response Action, clean cobble will be placed between the revetment and the area in which fill and sediment will be removed and replaced to create a gradual surficial transition.

The 1.5-acre Project Site contains the southern portion of the KCCRA, north of Bridge Street. As described in the EENF, the sediment in this area contains elevated levels of nickel and vanadium associated with historic industrial uses at the site. The Project will involve the alteration of 37,105 square feet (sf) of Coastal Beach/Land Containing Shellfish, 590 linear feet (lf) of Coastal Bank, and 46,385 sf of LSCSF. The Project is expected to improve environmental conditions by addressing the existing contamination on-site. Appropriate mitigation measures will be implemented during project construction, including use of erosion and sedimentation controls, use of a turbidity curtain for in-water work, and restoration of disturbed areas.

MWRA’s comments on this EENF relate to Toxic Reduction and Control (TRAC) discharge permitting and MWRA Enabling Statute Section 8(m) permitting.

TRAC Discharge Permitting

The discharge of groundwater or stormwater to the MWRA sewer system from construction dewatering or draining activities is prohibited in this area pursuant to 360 C.M.R. 10.023(1), except in a combined area when permitted by the Authority and the Municipality. The Project has access to storm drains and is served by a separate municipal sewer. It is not located in a combined sewer area; therefore, the discharge of groundwater to the sanitary sewer system associated with this Project is prohibited. The Proponent instead will need to secure a USEPA-NPDES General Permit for Storm Water Discharges from its construction activities.

2.1

Section 8(m) Permitting

Section 8(m) of Chapter 372 of the Acts of 1984, MWRA's Enabling Legislation, allows the MWRA to issue permits to build, construct, excavate, or cross within or near an easement or other property interest held by the MWRA, with the goal of protecting Authority-owned infrastructure. Due to the proximity of MWRA infrastructure to the Project Site, an 8(m) permit will be required. The Proponent should coordinate with Kevin McKenna in the Operations Permitting Group at (617) 305-5956 or Kevin.McKenna@mwra.com for assistance.

2.2

On behalf of the MWRA, thank you for the opportunity to provide comments on this Project. Please do not hesitate to contact Hillary Monahan of my staff at (857) 324-0554 or Hillary.Monahan@mwra.com with any questions or concerns.

Sincerely,



Colleen Rizzi, P.E.
Director
Environmental and Regulatory Affairs

cc: George Zoto, MassDEP

COMMENT LETTER 3



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

June 23, 2025

Rebecca L. Tepper
Secretary of Energy and Environment
Executive Office of Energy and
Environmental Affairs
100 Cambridge Street, Suite 900
ATTN: MEPA Office
Boston, MA 02114

RE: EENF Review. EOEEA16955
EENF.WEYMOUTH. Kings Cove
Conservation Restriction Area MCP at 82-
90 Bridge Street

Dear Secretary Tepper,

The Southeast Regional Office of the Department of Environmental Protection (MassDEP) has reviewed the Expanded Environmental Notification Form (EENF) for the Kings Cove Conservation Restriction Area MCP at 82-90 Bridge Street, Weymouth, Massachusetts (EOEEA #16955). The Project Proponent provides the following information for the Project:

The Project includes excavating and replacing approximately 630 cubic yards (CY) of fill and sediment within the Shore Portion of the Project Site, extending the rip rap revetment in the northern area of the Project Site to contain eroding fill in the Upland Portion of the Project Site, and placing cobble to create a gradual surficial transition between the area of the Shore Portion of the Project Site to be excavated and the revetment as extended. The volume of soil to be excavated from the Upland Portion of the Project Site during the extension of the revetment is estimated at approximately 200 CY. The Project has been designed to minimize potential impacts to the Upland area of the KCCRA through construction access directly from Bridge Street, rather than through the KCCRA.

Bureau of Water Resources (BWR) Comments

Wetlands: According to the EENF, the Project includes excavating and replacing approximately 630 cubic yards (CY) of sediments impacted by metals from coal ash fill, extending the rip rap revetment in the northern area of the Algonquin Gas Project Site to contain eroding fill, and placing cobble to create a gradual surficial transition between the area of the revetment which will be excavated and the revetment as extended. The removal and replacement of the above-referenced fill was identified as the preferred Phase III Remedial Action Plan to remove the nickel and vanadium impacted fill and will be performed as a Phase IV Remediation Implementation Plan under the Massachusetts Contingency Plan, 310 CMR 40.000.

This information is available in alternate format. Please contact MassDEP at 617-292-5500.

TTY# MassRelay Service 1-800-439-2370

MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

Wetland resource areas present on the Site include Coastal Beach, Coastal Bank, Land Containing Shellfish (LCS), and LSCSF (VE) zone. The Project will result in Permanent impact of approximately 37,105 Square Feet of Coastal Beach/LCS, 590 Linear Feet of Coastal Bank, 46,385 Square Feet of LSCSF, and 41,250 sf of Land Containing Shellfish. An additional 630 CY of hazardous waste impacted LUW will be dredged and disposed of offsite.

On July 12, 2024, a Notice of Intent for a “Limited” project to remove hazardous waste fill under 310 CMR 10.24(7)(c)6.a was submitted for review to the Weymouth Conservation Commission and DEP. DEP issued a file # SE81-1320 indicating minimum submission requirements had been met and after multiple public hearings the Weymouth Conservation Commission issued an Order of Conditions with Special Conditions on September 5, 2024, which was not appealed.

The Project is subject to section 401 Water Quality Certification per 314 CMR 9.04(1). Additionally, the Project is subject to Section 404 Pre-Construction Notification.

The Project site is not mapped as estimated or priority habitat for state listed species.

Waterways: The Waterways Program has reviewed the Environmental Notification Form (ENF) for this Project. The Project, as proposed, includes conducting improvement dredging within the intertidal area to remove contaminated sediment, the placing of clean cobble fill from the toe of the existing revetment to within the dredged area, and the extending the southern portion of the revetment. Dredged material will be dewatered on site and disposed of in accordance with the DEP approved Massachusetts Contingency Plan (MCP).

The Department has determined that the proposed Project is a Water-Dependent Use (WDU) as listed at 310 CMR 9.12 (2)(9).

The Department has determined that the entire Project area is located within Chapter 91 jurisdiction as it is contained within the Historic High Water (HHW) line. Please ensure that the HHW line is depicted on the Chapter 91 plans submitted.

3.1

As stated in the ENF, a Chapter 91 License and 401 Water Quality Certificate will be required.

The Department believes that additional Project details can be addressed during the Application process.

Stormwater Management:

National Pollutant Discharge Elimination System (NPDES) Construction General Stormwater Permit: The Project Proponent acknowledges its requirements for a National Pollution Discharge Elimination System (NPDES) General Permit coverage for construction stormwater and dewatering. Access to information regarding the NPDES Stormwater requirements and an application for the Construction General Permit is obtained by completing and submitting a Notice of Intent (NOI) to EPA via the [Stormwater Discharges from Construction Activities | National Pollutant Discharge Elimination System \(NPDES\) | US EPA.](#)

The Proponent is advised to consult with Meridith Finegan at finegan.meridith@epa.gov or by phone at 617-918-1533 for questions regarding EPA’s NPDES Construction General Permit requirements.

3.2

In addition, the Proponent is reminded that local Planning Boards (and/or other local authorities) may require stormwater controls beyond that of the Wetlands protection Act. These controls are usually created to keep stormwater onsite so as not to create nuisance conditions offsite.

3.3

Dewatering and Remediation General Permit (DRGP): The Project Proponent acknowledges its requirement to obtain a dewatering permit. All dewatering activities must submit an NOI for coverage as described at: <https://www.epa.gov/npdes-permits/dewatering-and-remediation-general-permit-drgp>.

3.4

The Proponent is advised to consult with Shauna Little (little.shauna@epa.gov - preferred); telephone: 617-918-1989; NPDES eReporting Help Desk email: NPDESeReporting@epa.gov; or by phone: Toll Free: 1-877-227-8965

Bureau of Waste Site Cleanup (BWSC) Comments

Based upon the information provided, the Bureau of Waste Site Cleanup (BWSC) searched its databases for disposal sites and release notifications that have occurred at or might impact the proposed Project area. A disposal site is a location where there has been a release to the environment of oil and/or hazardous material that is regulated under M.G.L. c. 21E, and the Massachusetts Contingency Plan [MCP – 310 CMR 40.0000].

The Proposed Project is associated with Release Tracking Number (RTN) 4-0026230. Concentrations of petroleum hydrocarbons were detected above Reportable Concentrations RCS-1 at the property and were reported to the Department in July 2016. Additional RTNs 4-0028186, 4-0028615 and 4-0028676 were reported to the Department for the detection of metals in fill material that may present a potential Imminent Hazard; these RTNs were subsequently linked to the primary RTN 4-0026230. A Phase IV Remedy Implementation Plan was submitted to the Department on July 23, 2024, outlining the preferred Remedial Action Alternative which includes dredging of fill within the intertidal area, and extending the rip rap revetment in the northern area of the Kings Cove Conservation Restriction Area to contain eroding impacted fill. This work is being undertaken in accordance with the MCP, and the Proponent is encouraged to continue working with the Department towards the implementation of the Remedial Action Alternative.

There are no listed MCP disposal sites located at or in the vicinity of the site that would appear to impact the proposed project area.

Interested parties may view a map showing the location of BWSC disposal sites using the MassGIS data viewer at [MassMapper](#). Under the Available Data Layers listed on the right sidebar, select “Regulated Areas”, and then “DEP Tier Classified 21E Sites”. MCP reports and the compliance status of specific disposal sites may be viewed using the BWSC Waste Sites/Reportable Release Lookup at: <https://eeaonline.eea.state.ma.us/portal/dep/wastesite/>

The Project Proponent is advised that if potentially impacted soil and/or sediment are encountered, dredged, excavated, removed, relocated and/or disposed of during the proposed project it must be conducted under the provisions of Chapter 21E (and, potentially, M.G.L. c. 21C) and all other applicable federal (including the Environmental Protection Agencies Toxic Substance Control Act - TSCA), state, and local laws, regulations, and bylaws. Contaminated media cannot be managed without prior submittal of appropriate plans to MassDEP (such as a Release Abatement Measure (RAM) Plan), which describes the proposed handling and disposal of any contaminated media encountered, and health and safety precautions for those conducting the work. If contamination at

3.5

the site is known or suspected, the appropriate tests should be conducted in advance of the start of construction, and professional environmental consulting services should be readily available to provide technical guidance to facilitate any necessary permits. If contaminated media is encountered a Licensed Site Professional (LSP) must be employed or engaged to manage, supervise, or perform the necessary response actions at the Site.

3.5

Spills Prevention and Control: The Project Proponent acknowledges its requirements for spills prevention:

- “Implementation of the Project will require the presence of heavy equipment; therefore, there is a small risk of accidental discharge due to mechanical/physical failures of excavation and trucking equipment and/or fueling incidents. As a preventive measure, the Proponent will institute standard operating procedures that will include daily inspection of hydraulic lines and reservoirs, and general inspection of equipment which contains fuel, oils and lubricants. Absorbent materials and containers will be kept on-site during Remedial Action Alternative construction to contain incidental spills and/or accidental discharges from excavation and trucking equipment.”

The Project Proponent is advised that a spills contingency plan addressing prevention and management of potential releases of oil and/or hazardous materials from construction activities should be presented to workers at the site and enforced. The plan should include but not be limited to, refueling of machinery, storage of fuels, and potential on-site activity releases.

3.6

Bureau of Air and Waste (BAW) Comments

Air Quality. Construction and operation activities shall not cause or contribute to a condition of air pollution due to dust, odor, or noise. To determine the appropriate requirements please refer to:

310 CMR 7.09 Dust, Odor, Construction, and Demolition
310 CMR 7.10 Noise

Construction-Related Measures

The Project Proponent reports its plan for compliance at construction under 310 CMR 7.01, 7.09-7.10:

- Enforce Commonwealth of Massachusetts anti-idling law
- Comply with the requirements of the Clean Construction Equipment Initiative
- Comply with applicable local noise regulations

MassDEP requests that all non-road diesel equipment rated 50 horsepower or greater meet EPA’s Tier 4 emission limits, which are the most stringent emission standards currently available for off-road engines. If a piece of equipment is not available in the Tier 4 configuration, then the Proponent should use construction equipment that has been retrofitted with appropriate emissions reduction equipment. Emission reduction equipment includes EPA-verified, CARB-verified, or MassDEP-approved diesel oxidation catalysts (DOCs) or Diesel Particulate Filters (DPFs). The Proponent should maintain a list of the engines, their emission tiers, and, if applicable, the best available control technology installed on each piece of equipment on file for Departmental review.

3.7

MassDEP reminds the Proponent that unnecessary idling (i.e., in excess of five minutes), with limited exception, is not permitted during the construction and operations phase of the Project (Section 7.11 of 310 CMR 7.00). Regarding construction period activity, typical methods of reducing idling include driver training, periodic inspections by site supervisors, and posting signage. In addition, to ensure

3.8

compliance with this regulation once the Project is occupied, MassDEP requests that the Proponent install permanent signs limiting idling to five minutes or less on-site.

3.8

Hazardous Waste Management: If the Project Proponent anticipates the maintenance of vehicles onsite will generate hazardous waste and/or waste oil, that entity must be properly registered with the MassDEP in accordance with 310 CMR 30.000 for legally generating and managing regulated waste. The Proponent is advised to consult at this MassDEP website <https://www.mass.gov/guides/hazardous-waste-generation-generators> to determine if the Proponent qualifies as a generator of hazardous waste and/or waste oil.

3.9

Solid Waste Management:

Project Summary: The objective of this Project is the excavation of an embankment in order to remove contaminated sediment and soil from a tidal area, as well as the construction of a rip rap revetment. The Proponent has indicated that Solid Waste permitting is not required, however, Solid Waste Section has noted the following in the proposed work phases:

- The Project Proponent states: “The KCCRA Response Action will generate approximately 830 cubic yards of **excess fill and sediment requiring management** as specified in the Final Phase IV Remedy Implementation Plan.
- Excavating fill and sediment during low tide cycles and placing excavated fill and sediment within designated stockpile areas awaiting reuse or disposal;
- Constructing the rip rap revetment, including placing dewatered excavated fill behind the armor stone;
- Removal of remaining excavated fill and sediment for off-site disposal.
- Remove an area of fill below MHW containing elevated concentrations of vanadium and nickel as preferred by DEP, with proper disposal of the excavated materials.
- Remove Revetment, Replace In-Kind After Excavation
- Remove and Replace Paved Walkway Path and Other Park Appurtenances

MassDEP’s Solid Waste Section reminds the Proponent of the following information:

3.10

1. In general, the reuse of dredge as beach nourishment or as beneficial use as fill (at most upland locations) are approved under 314 CMR 9.00 401 Water Quality Certification regulations.

2. MassDEP’s policy, “COMM-94-007: Reuse and Disposal of Dredge Sediment at Permitted Landfills, February 1995” (the “Policy), Governs reuse or disposal of dredge at a lined landfill. For dredge projects that do not meet the criteria stated in the Policy, submittal of a BWP SW-22 Permit Application would be required for review and approval. Reuse or disposal of dredge at an unlined landfill requires MassDEP approval. If applicable, the Proponent should contact the Solid Waste Management Section for pre-application guidance. Webpage link to COMM-94-007: <https://www.mass.gov/guides/interim-policy-comm-94-007-dredged-sediment-reuse-or-disposal>

3.11

The Project Proponent is reminded that Interim Policy COMM-94-007 has specific requirements that the Project Proponent should consult with when considering disposal of dredged sediments contaminated with heavy metals at lined/unlined landfills.

3. Reuse of any demolition material requires submittal of MassDEP's BWP SW41 – Beneficial Use Determination – Restricted Applications. The permit is intended to protect public health, safety and the environment by comprehensively regulating the reuse of waste materials as effective substitutes for a commercial product or commodity. Information pertaining to this requirement is available at <https://www.mass.gov/doc/instructions-sw-39-40-41-42-beneficial-use-determinations/download>.

3.12

4. Asphalt, brick and concrete (ABC) rubble, such as the rubble generated during construction, must be handled in accordance with the Solid Waste regulations. These regulations allow, and MassDEP encourages, the recycling/reuse of ABC rubble. The Proponent should refer to MassDEP's Information Sheet, entitled "Using or Processing Asphalt Pavement, Brick and Concrete Rubble, Updated February 27, 2017", that answers commonly asked questions about ABC rubble and identifies the provisions of the solid waste regulations that pertain to recycling/reusing ABC rubble. This policy can be found on-line at the MassDEP website: <https://www.mass.gov/files/documents/2018/03/19/abc-rubble.pdf>

3.13

5. Compliance with Waste Ban Regulations: Waste materials discovered during construction that are determined to be solid waste (e.g., construction and demolition waste) and/or recyclable material (e.g., metal, asphalt, brick, and concrete) shall be disposed, recycled, and/or otherwise handled in accordance with the Solid Waste Regulations including 310 CMR 19.017: Waste Bans. Waste Ban regulations prohibit the disposal, transfer for disposal, or contracting for disposal of certain hazardous, recyclable, or compostable items at solid waste facilities in Massachusetts, including, but not limited to, metal, wood, asphalt pavement, brick, concrete, and clean gypsum wallboard. The goals of the waste bans are to: promote reuse, waste reduction, or recycling; reduce the adverse impacts of solid waste management on the environment; conserve capacity at existing solid waste disposal facilities; minimize the need for construction of new solid waste disposal facilities; and support the recycling industry by ensuring that large volumes of material are available on a consistent basis. Further guidance can be found at: <https://www.mass.gov/guides/massdep-waste-disposal-bans>.

3.14

MassDEP recommends the Proponent consider source separation or separating different recyclable materials at the job site. Source separation may lead to higher recycling rates and lower recycling costs. Further guidance can be found at: <https://recyclingworksma.com/construction-demolition-materials-guidance/>.

3.15

For more information on how to prevent banned materials from entering the waste stream the Proponent should contact the RecyclingWorks in Massachusetts program at (888) 254-5525 or via email at info@recyclingworksma.com. RecyclingWorks in Massachusetts also provides a website that includes a searchable database of recycling service providers, available at <http://www.recyclingworksma.com>.

3.16

If you have any questions regarding the Solid Waste Management Program comments above, please contact Jeffrey Hunter at jeffrey.s.hunter@mass.gov or Mark Dakers at Mark.Dakers@mass.gov.

Proposed s. 61 Findings

The "Certificate of the Secretary of Energy and Environmental Affairs on the Expanded Environmental Notification Form" may indicate that this Project requires further MEPA review and the preparation of an Environmental Impact Report. Pursuant to MEPA Regulations 301 CMR 11.12(5)(d), the Proponent will prepare Proposed Section 61 Findings to be included in the EIR in a

3.17

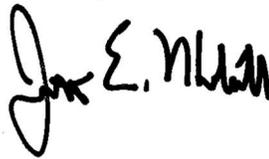
separate chapter updating and summarizing proposed mitigation measures. In accordance with 301 CMR 11.07(6)(k), this chapter should also include separate updated draft Section 61 Findings for each State agency that will issue permits for the Project. The draft Section 61 Findings should contain clear commitments to implement mitigation measures, estimate the individual costs of each proposed measure, identify the parties responsible for implementation, and contain a schedule for implementation.

3.17

Other Comments/Guidance

The MassDEP Southeast Regional Office appreciates the opportunity to comment on this EENF. If you have any questions regarding these comments, please contact George Zoto at George.Zoto@mass.gov or Jonathan Hobill at Jonathan.Hobill@mass.gov.

Very truly yours,



Jonathan E. Hobill,
Regional Engineer,
Bureau of Water Resources

JH/GZ

Cc: DEP/SERO

ATTN:Gerard Martin, Regional Director

Brian Harrington, Acting Deputy Regional Director, BWR
John Handrahan, Deputy Regional Director, BWSC
Mark Dakers, Acting Deputy Regional Director, BAW
Jennifer Viveiros, Deputy Regional Director, ADMIN
Maissoun Reda, Chief, Wetlands, BWR
Amy Walkey, Wetlands, BWR
Brendan Mullaney, Chief, Waterways. BWR
Christine Koczera, Waterways, BWR
Jennifer Wharff, Solid Waste Management, BAW
Jeffrey Hunter, Solid Waste Management, BAW
Angela Gallagher, Chief, Site Management, BWSC
Amanda Boustany, Site Management, BWSC

COMMENT LETTER 4

Vaughan, Eva (EEA)

From: Robert Kearns <robsterkmc@gmail.com>
Sent: Monday, June 16, 2025 7:00 AM
To: Vaughan, Eva (EEA)
Subject: Kings Cove Conservation Restriction Area, Weymouth, MA

Follow Up Flag: Follow up
Flag Status: Completed

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear Secretary Tepper, Eva, and MEPA Office,

As a Quincy resident who frequently walks through King's Cove Park and along the West Waterfront Easement, I'm writing to share my support for the cleanup and restoration work planned at Kings Cove in Weymouth. It's encouraging to see a project that addresses contamination, restoring the shoreline, and improving access to a valuable natural area. 4.1

I especially appreciate the plans to stabilize the shoreline with clean cobble. This will protect the area from further erosion, improve the water quality, and help the surrounding ecosystem rebound. The current beach is full of clinkers and bricks that are difficult to walk on, and ugly eyesores connected to the coal ash contamination. This is an important restoration of the beach.

During construction, I hope efforts are made to keep as much of the park open and accessible as safely as possible. This area is a real asset to the community, and people rely on it for recreation and a quiet connection with nature. 4.2

As part of the restoration, I encourage you to consider adding more trees. An increased canopy would help manage heat, provide shade for visitors, and contribute to climate resilience. Including native and pollinator-friendly plants would also enhance the habitat and reduce long-term maintenance. There are other areas with coastal rose hip roses that could do well. Additionally, non-native coastal shrubs like hydrangeas would be a great addition to the park. 4.3

One detail I hope the project will clarify is whether the barbed wire fence near the sidewalk will be removed. I heard from the land owner Calpine that it was going to be removed as a last phase of the construction. It's a harsh feature in an otherwise welcoming landscape, and taking it down would improve the look and feel of the space and make the park more welcoming. 4.4

Lastly, I'm glad to see the conversation continuing about public access to the North Parcel and a potential connector trail through MWRA land to the West Waterfront Easement. I regularly walk the West Waterfront Easement, and completing a loop trail would be a major improvement for both walkers and the broader community.

Thank you for your time and for advancing a project that has the potential to improve both the environment and public access for Environmental Justice Communities.

Sincerely,
Robert Kearns
Quincy, MA Resident

--
Best,
Robert Kearns

www.RobertVKearns.com

COMMENT LETTER 5

Vaughan, Eva (EEA)

From: Trish O'Hagan <pmokiwi@comcast.net>
Sent: Saturday, June 21, 2025 11:17 AM
To: Vaughan, Eva (EEA)
Subject: Fwd: Kings Cove Cleanup and Public Access Project –

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear Secretary Tepper and MEPA Office,

I am writing in support of the Kings Cove Conservation Restriction Area MCP Response Action in Weymouth, Massachusetts. I appreciate the work being done to clean up hazardous materials at the site and restore the shoreline, and I offer the following comments to help ensure the project maximizes its environmental and public benefits.

I support the project's efforts to clean up Kings Cove beach, prevent the erosion of contaminated materials, and place clean cobble to stabilize and restore the shoreline. This action will improve water quality, protect the shoreline, and support ecological resilience.

5.1

Given the site's vulnerability to extreme heat and limited tree cover, I encourage the inclusion of a tree planting plan to enhance shade, reduce temperatures, and improve carbon sequestration. This would help achieve climate resilience goals and improve visitor comfort.

5.2

Please consider planting native vegetation and incorporating pollinator-friendly species in the restored areas. These efforts will promote biodiversity, improve ecological value, and reduce long-term maintenance needs.

5.3

Thank you for your attention to this important project. The Kings Cove cleanup is a critical opportunity to restore a damaged coastal area while improving public access and climate resilience. I urge the project team to continue engaging the public and incorporating these enhancements into final plans.

5.4

Thank you for your consideration.

Trish O'Hagan

781 248 5657

COMMENT LETTER 6

Vaughan, Eva (EEA)

From: Margaret Bellafiore <margaret@mobius.org>
Sent: Sunday, June 22, 2025 9:49 AM
To: Vaughan, Eva (EEA)
Subject: Kings Cove Conservation Restriction Area MCP Response Action COMMENTS

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

I am submitting these Comments for Project #16995:

- 1. I am in favor of the clean up of hazardous materials and restoration of the shoreline. | 6.1
- 2. I am requesting that ongoing monitoring during the project of Particulate Matter, vanadium dust and arsenic be made accessible to the public. | 6.2
- 3. I am requesting that a contact be made for the public to access during the project if there are any problems that arise that the public want action on. | 6.3
- 4. I request that the park be accessible to the public during construction whenever safely possible. | 6.4

Margaret Bellafiore
Representative for the Public Involvement Program (PIP)

COMMENT LETTER 7

Vaughan, Eva (EEA)

From: Kacey Bongarzone <kacey.bongarzone@gmail.com>
Sent: Monday, June 23, 2025 2:06 PM
To: Vaughan, Eva (EEA)
Subject: Kings Cove Cleanup and Public Access Project

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hello,

Thank you for hearing our community's concern about King Cove and adjacent land. Our environment is very important to keep clean and maintain our involvement. We all care about what is to happen affecting neighbors and others nearby.

My friends and I appreciate accessibility for fishing and walking our dogs. The safety and cleanliness of the park is most important so no one becomes sick or injured. We have been able to enjoy this for so long and why should one company come in and change this for everyone?

The construction has shown a need for more foliage and accessibility for myself and neighbors. Safety for those who live here and appreciate the land around them. We pay taxes and [participate in helping our community as much as we can. Thank you for your attention to this project and hearing from us. I hope the final plans will show this.

7.1

Kacey R Bongarzone
02169

Form Letter

Vaughan, Eva (EEA)

From: Nathan Phillips <nathan@bu.edu>
Sent: Saturday, June 21, 2025 10:15 AM
To: Vaughan, Eva (EEA)
Subject: Public comment on Kings Cove Cleanup and Public Access Project

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

To: Secretary Rebecca Tepper, Executive Office of Energy and Environmental Affairs
RE: Kings Cove Cleanup and Public Access Project –

Dear Secretary Tepper and MEPA Office,

I am writing in support of the Kings Cove Conservation Restriction Area MCP Response Action in Weymouth, Massachusetts. I appreciate the work being done to clean up hazardous materials at the site and restore the shoreline, and I offer the following comments to help ensure the project maximizes its environmental and public benefits.

Support for Cleanup and Cobble Beach Installation

I support the project's efforts to clean up Kings Cove beach, prevent the erosion of contaminated materials, and place clean cobble to stabilize and restore the shoreline. This action will improve water quality, protect the shoreline, and support ecological resilience. F.1

Ensure Park Access During Construction

Access to the park should be maintained throughout construction whenever safely possible. Any closures should be temporary and limited to areas where work is actively occurring. Continued community access is essential to ensure the public can enjoy this waterfront resource during construction. F.2

Add Tree Canopy to Increase Climate Resilience

Given the site's vulnerability to extreme heat and limited tree cover, I encourage the inclusion of a tree planting plan to enhance shade, reduce temperatures, and improve carbon sequestration. This would help achieve climate resilience goals and improve visitor comfort. F.3

Include Native and Pollinator-Friendly Landscaping

Please consider planting native vegetation and incorporating pollinator-friendly species in the restored areas. These efforts will promote biodiversity, improve ecological value, and reduce long-term maintenance needs. F.4

Confirm Removal of Barbed Wire Fence

I support the removal of the barbed wire fence between the sidewalk and the road. It is a visual barrier and an unnecessary element in a public park. Can the project team please confirm that its removal is included in the site restoration plans? F.5

Support for Public Access to the North Parcel

I strongly support continued efforts by the Town, Calpine, and Enbridge to formalize public access to the North Parcel. This land has significant potential for recreation and education, and securing safe public access should remain a long-term priority. F.6

Advance the Connector Trail to Complete a Waterfront Loop

I also support the concept of creating a connector trail across MWRA property to link the West Waterfront Easement to the rest of the park. This would establish a full loop trail along the waterfront—a major asset for the community—and I urge all agencies to prioritize this opportunity. F.7

Conclusion

Thank you for your attention to this important project. The Kings Cove cleanup is a critical opportunity to restore a damaged coastal area while improving public access and climate resilience. I urge the project team to continue engaging the public and incorporating these enhancements into final plans. F.8

Nathan Phillips
Boston University
Department of Earth and Environment
685 Commonwealth Avenue
Boston, MA 02215 USA

Member, BU AAUP

Form Letter

Vaughan, Eva (EEA)

From: noelleorourke <noelleorourke@comcast.net>
Sent: Monday, June 23, 2025 9:54 AM
To: Vaughan, Eva (EEA)
Subject: Kings Cove Cleanup and Public Access Project –

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear Secretary Tepper and MEPA Office,

I am writing in support of the Kings Cove Conservation Restriction Area MCP Response Action in Weymouth, Massachusetts. I appreciate the work being done to clean up hazardous materials at the site and restore the shoreline, and I offer the following comments to help ensure the project maximizes its environmental and public benefits.

✔ Support for Cleanup and Cobble Beach Installation

I support the project's efforts to clean up Kings Cove beach, prevent the erosion of contaminated materials, and place clean cobble to stabilize and restore the shoreline. This action will improve water quality, protect the shoreline, and support ecological resilience.

F.1

🚶 Ensure Park Access During Construction

Access to the park should be maintained throughout construction whenever safely possible. Any closures should be temporary and limited to areas where work is actively occurring. Continued community access is essential to ensure the public can enjoy this waterfront resource during construction.

F.2

🌳 Add Tree Canopy to Increase Climate Resilience

Given the site's vulnerability to extreme heat and limited tree cover, I encourage the inclusion of a tree planting plan to enhance shade, reduce temperatures, and improve carbon sequestration. This would help achieve climate resilience goals and improve visitor comfort.

F.3

🐝 Include Native and Pollinator-Friendly Landscaping

Please consider planting native vegetation and incorporating pollinator-friendly species in the restored areas. These efforts will promote biodiversity, improve ecological value, and reduce long-term maintenance needs.

F.4

🚫 Confirm Removal of Barbed Wire Fence

I support the removal of the barbed wire fence between the sidewalk and the road. It is a visual barrier and an unnecessary element in a public park. Can the project team please confirm that its removal is included in the site restoration plans?

F.5

Support for Public Access to the North Parcel

I strongly support continued efforts by the Town, Calpine, and Enbridge to formalize public access to the North Parcel. This land has significant potential for recreation and education, and securing safe public access should remain a long-term priority. F.6

Advance the Connector Trail to Complete a Waterfront Loop

I also support the concept of creating a connector trail across MWRA property to link the West Waterfront Easement to the rest of the park. This would establish a full loop trail along the waterfront—a major asset for the community—and I urge all agencies to prioritize this opportunity. F.7

Conclusion

Thank you for your attention to this important project. The Kings Cove cleanup is a critical opportunity to restore a damaged coastal area while improving public access and climate resilience. I urge the project team to continue F.8

Sincerely,
Noelle O'Rourke

Form Letter

Vaughan, Eva (EEA)

From: Susan Greene <sag327@yahoo.com>
Sent: Monday, June 23, 2025 2:26 PM
To: Vaughan, Eva (EEA)
Subject: Kings Cove cleanup and Public access project

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

To: Secretary Rebecca Tepper, Executive Office of Energy and Environmental Affairs

Dear Secretary Tepper and MEPA Office,

I am writing in support of the Kings Cove Conservation Restriction Area MCP Response Action in Weymouth, Massachusetts. I appreciate the work being done to clean up hazardous materials at the site and restore the shoreline, and I offer the following comments to help ensure the project maximizes its environmental and public benefits.

I support the project's efforts to clean up Kings Cove beach, prevent the erosion of contaminated materials, and place clean cobble to stabilize and restore the shoreline. This action will improve water quality, protect the shoreline, and support ecological resilience.

F.1

Access to the park should be maintained throughout construction whenever safely possible. Any closures should be temporary and limited to areas where work is actively occurring. Continued community access is essential to ensure the public can enjoy this waterfront resource during construction.

F.2

Given the site's vulnerability to extreme heat and limited tree cover, I encourage the inclusion of a tree planting plan to enhance shade, reduce temperatures, and improve carbon sequestration. This would help achieve climate resilience goals and improve visitor comfort.

F.3

Please consider planting native vegetation and incorporating pollinator-friendly species in the restored areas. These efforts will promote biodiversity, improve ecological value, and reduce long-term maintenance needs.

F.4

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F.5

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F.6

I also support the concept of creating a connector trail across MWRA property to link the West Waterfront Easement to the rest of the park. This would establish a full loop trail along the waterfront—a major asset for the community—and I urge all agencies to prioritize this opportunity.

F.7

Thank you for your attention to this important project. The Kings Cove cleanup is a critical opportunity to restore a damaged coastal area while improving public access and climate resilience. I urge the project team to continue engaging the public and incorporating these enhancements into final plans.

F.8

Thank you, Susan Deshler

215 Forest St

Norwell, MA 02061

Form Letter

Vaughan, Eva (EEA)

From: Stephen shinney <sshinney@hotmail.com>
Sent: Monday, June 23, 2025 6:32 AM
To: Vaughan, Eva (EEA)

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear Secretary Tepper and MEPA Office,

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I also support the concept of creating a connector trail across MWRA property to link the West Waterfront Easement to the rest of the park. This would establish a full loop trail along the waterfront—a major asset for the community—and I urge all agencies to prioritize this opportunity. F.7

Thank you for your attention to this important project. The Kings Cove cleanup is a critical opportunity to restore a damaged coastal area while improving public access and climate resilience. I urge the project team to continue engaging the public and incorporating these enhancements into final plans. F.8

Sincerely,
Stephen Shinney
617-827-2059

C

Draft Chapter 91 Application Form and License Plans

Need Help? For technical assistance in using this web application, please call the ePLACE Help Desk Team at (844) 733-7522 or (844) 73-ePLAC between the hours of 7:30 AM-5:00 PM Monday-Friday, with the exception of all Commonwealth and Federally observed holidays. If you prefer, you can also e-mail us at ePLACE_helpdesk@mass.gov. For assistance with non-technical questions, please contact the issuing Agency directly using the links below.

Contact:
[Energy and Environmental Affairs, MASSDEP](#)
[Energy and Environmental Affairs, MDAR](#)
[Energy and Environmental Affairs, DCR](#)

Convenience Fee: Please note there will be a convenience fee for all online credit card transactions. There is also a nominal fee for online payment by check.

[Home](#)

DEP Applications

WW17 - Nonwater-Dependent License/Permit Joint MEPA/EIR Application

1	2 Application Information	3 Documents	4 Special Fee Provision	5 Review	6 Application Submitted
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Step 5: Review

[Continue Application »](#)

[Save and resume later](#)

Please review the information below prior to submission. After the application has been submitted, you will not be able to make changes. To make changes after submittal you must contact the Department directly.

Review and Certification

[Edit Application](#)

Permittee

Individual
 Alana Clark
 890 Winter Street, Suite 300
 Waltham, MA, 02451
 United States
 Use Login Information: No

Telephone #:587-545-4075
 E-mail:alana.clark@enbridge.com
 PINnull

Application Contacts

Showing 1-2 of 2

Contact Type	Name	Organization Name	Contact Person	Action
Property Owner		CALPINE FORE RIVER ENERGY	Cheryl Hess	Edit/View
Permittee Company		Algonquin Gas Transmission, LLC	Alana Clark	Edit/View

Application Prepared By

Showing 1-1 of 1

Contact Type	Name	Organization Name	Contact Person	Action
Application Prepared By	Ms. STEPHANIE KRUEL			Edit/View

List of Abutters

LIST OF ABUTTERS

Full Legal Name	Abutting Property Address
INFINITE ASSOCIATES LLC	94 Bridge Street, Weymouth, MA 02191
BOSTON EDISON	Washington St., Quincy, MA 02169

Additional Contacts Info

Please provide the Name of the Permittee(s) exactly as it should be listed in the license/permit that will be recorded at the Registry of Deeds (the name(s) listed here need to match the name(s) listed on the plans or the license may be rejected by the Registry of Deeds):

Algonquin Gas Transmission, LLC

I hereby attest that I have listed all the Permittees in the Application Contacts section (each Permittee entered as a separate contact - do not list 2 names in 1 field):

Is the project site within a right of way?: No

Are you submitting evidence of legal authority to apply in lieu of the Property Owner's Signature? If yes, please attach a document 'Evidence of Legal Authority' in the document section: No

I hereby attest that I have listed all the Property Owners in the Application Contacts section: Yes

I hereby attest that I have listed all the Abutters in the above Contact table section: Yes

Application Type

Please select the application type you are applying for: Other

Primary Project Location

Kings Cove | 0 N/A Weymouth MA 02191

Project Information

Brief Description of Project (e.g., dock, seawall, boat ramp, Harborwalk – if a longer narrative is to be provided, please upload a separate document): The Project is the Kings Cove Conservation Restriction Area (KCCRA) Response Action under the Massachusetts Contingency Plan (MCP, 310 CMR 40.0000) specified in the Phase IV Remedy Implementation Plan for the KCCRA. The KCCRA Response Action includes the removal and replacement of sediment/impacted fill within an intertidal area and the extension of an existing rip rap revetment in the northern area of the Project Site to contain eroding impacted fill in the KCCRA.

Brief Description of Project Location - Non-Traditional Address (e.g., 'west end Toronto Avenue right-of-way at Gloucester Harbor' DO NOT complete this field if your project has a traditional address - enter N/A): The Project Site is located in the southern portion of the KCCRA, north of Bridge Street.

Proposed Use/Activity description: The Project aims to achieve a Permanent Solution under the MCP for addressing Hazardous Materials, as defined in the MCP, present in the fill used to form the KCCRA landmass.

Is this site subject to 21E?: Yes

If yes, then provide RTN Number: 4-26230

Provide the MEPA ENF Number: 16955

Is the Project site in an Environmental Justice Community?: No

Which Wetlands Protection Act process document are you attaching?: WPA Order of Conditions

Has there ever been a waterways jurisdictional determination issued for this project site?: No

Does your project require a 401 water quality certificate? If yes, please attach if currently available, a copy of '401 Water Quality Certificate' in the document section.: Yes

Does the project comply with in 310 CMR 9.51 or as modified by the MHP, if applicable? : Not Applicable

Does the project comply with in 310 CMR 9.52 or as modified by the MHP, if applicable? : Not Applicable

Does the project comply with in 310 CMR 9.53 or as modified by the MHP, if applicable? : Not Applicable

Are you seeking a Variance? If yes, please attach a supporting evidence of compliance with 310 CMR 9.21, 'Variance Supplement' in the document section.: No

Are you proposing a Supporting Designated Port Area Use? If yes, please attach a document 'Supporting Designated Port Area Use Statement' in the document section: No

Are you are proposing a Temporary Use in a Designated Port Area? If yes, please attach a document 'Supporting Designated Port Area Use Statement' in the document section: No

Are you proposing a Facility of Limited Accommodation per 310 CMR 9.56? If yes, please attach a document 'FLA Supplement' in the document section: No

Are you seeking a CWD (consolidated written determination) in accordance with 310 CMR 9.14(4)? If yes, please attach a document 'CWD Supplement' in the document section.: No

Does your project involve dredging?: Yes

Additional Information

Total area of project site (in square feet, measured to mean low water mark): 63,050

Is any part of the project site located on Filled Tidelands?: Yes

Total area of project site located on Filled Tidelands: 20,200

Is any part of the project site located on Filled Private Tidelands?: Yes

Total area of project site of Filled Private Tidelands: 20,200

Is any part of the project site located on Filled Commonwealth Tidelands?: No

Is any part of the project site located in/on Flowed Tidelands?: Yes

Total amount of project site located in/on Flowed Tidelands: 33,800

Is any part of the project site located on flowed Private Tidelands?: Yes

Total amount of project site located in/on Flowed Private Tidelands: 33,800

Is any part of the project site located on flowed Commonwealth Tidelands?: No

Is any part of the project site located outside of Chapter 91 Jurisdiction?: Yes

Total area of the project site located outside of Chapter 91 Jurisdiction: 9,050

Dredging Information

Please select the type: Improvement dredging

What is the volume of the material to be dredged? (cubic yards): 630

What is the area of the dredge foot print? (square feet): 16905

What is the maximum dredge depth including over-dredge (referenced to Mean Low Water)?: 1

Describe dredge spoil disposal location/method: Once excavated fill and sediment have been fully characterized, any excavated material considered suitable for reuse will be beneficially reused on the Project Site as backfill required for the construction of the extended revetment. Any material considered unsuitable for reuse will be disposed of offsite in accordance with applicable regulations.

Is the dredge spoil compatible for beach nourishment?: No

Dredging Method

Hydraulic: No

Mechanical: No

Other: Yes

If Other, specify: Dry Excavation

Documents

Documents: Required Documents: 1. Chapter 91 Plans 2. List of Environmental Regulatory Programs 3. MEPA Certificate 4. Project Compliance Statement 5. WPA Order of Conditions

Attachment

When uploading file document(s) the maximum file size allowed is 50 MB.
 The 'File Name' (including file extension) MUST NOT exceed 75 characters in length.
 The document 'Description' MUST NOT exceed 50 characters in length.
 Documents that exceed any of these limits will be removed by the system, and cannot be retrieved, which may delay the review process.
.bat;.bin;.dll;.exe;.js;.msi;.sql;.vbs;.ade;.adp;.chm;.cmd;.com;.cpl;.hta;.ins;.isp;.jar;.jse;.lib;.lnk;.mde;.msc;.msp;.mst;.php;.pif;.scr;.sct;.shb;.sys;.vb;.vbe;.vxd;.wsc;.wsf;.wsh are disallowed file types to upload.

Name	Type	Size	Latest Update	Description	Action
1_KKCRA Chapter 91 Planset.pdf	Chapter 91 Plans	1.78 MB	10/31/2025	Draft Ch91 Plans	Actions ▼
3_Environmental-regulatory-programs.pdf	List of Environmental Regulatory Programs	83.69 KB	10/31/2025	List of ERP	Actions ▼
6_KCCRA_OOC #81-1320.pdf	WPA Order of Conditions	1.02 MB	10/31/2025	WPA OOC	Actions ▼
7_16105.00 Enbridge Weymouth Planset (Signed).pdf	WPA Plans	11.26 MB	10/31/2025	OOO Approved Plans	Actions ▼
KCCRA SEIR FINAL_Placeholder.pdf	Project Compliance Statement	2.22 KB	10/31/2025	SEIR	Actions ▼

Special Fee Provision

Exemption:	No
Exclusion (special agreement or policy):	No
Substitution (ASP/IRP):	No
Double Fee for Enforcement:	No
Hardship payment extension request:	No

Application Submitter

Individual
STEPHANIE KRUEL
Boston, MA, 02110
United States

Telephone #:617-607-2972
E-mail:waterways@vhb.com

I hereby certify that the information submitted in this application is true and accurate to the best of my knowledge.

All applicants and property owners must sign the "Proof of Signature" which will be provided after initial review by the Department. All future application correspondence may be signed by the Application Submitter.

By checking this box, I agree to the above certification.

Date:

[Continue Application »](#)

[Save and resume later](#)

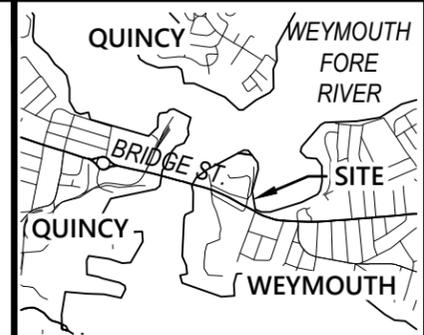
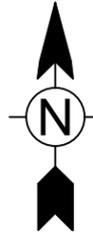
I CERTIFY THAT THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

NAME _____

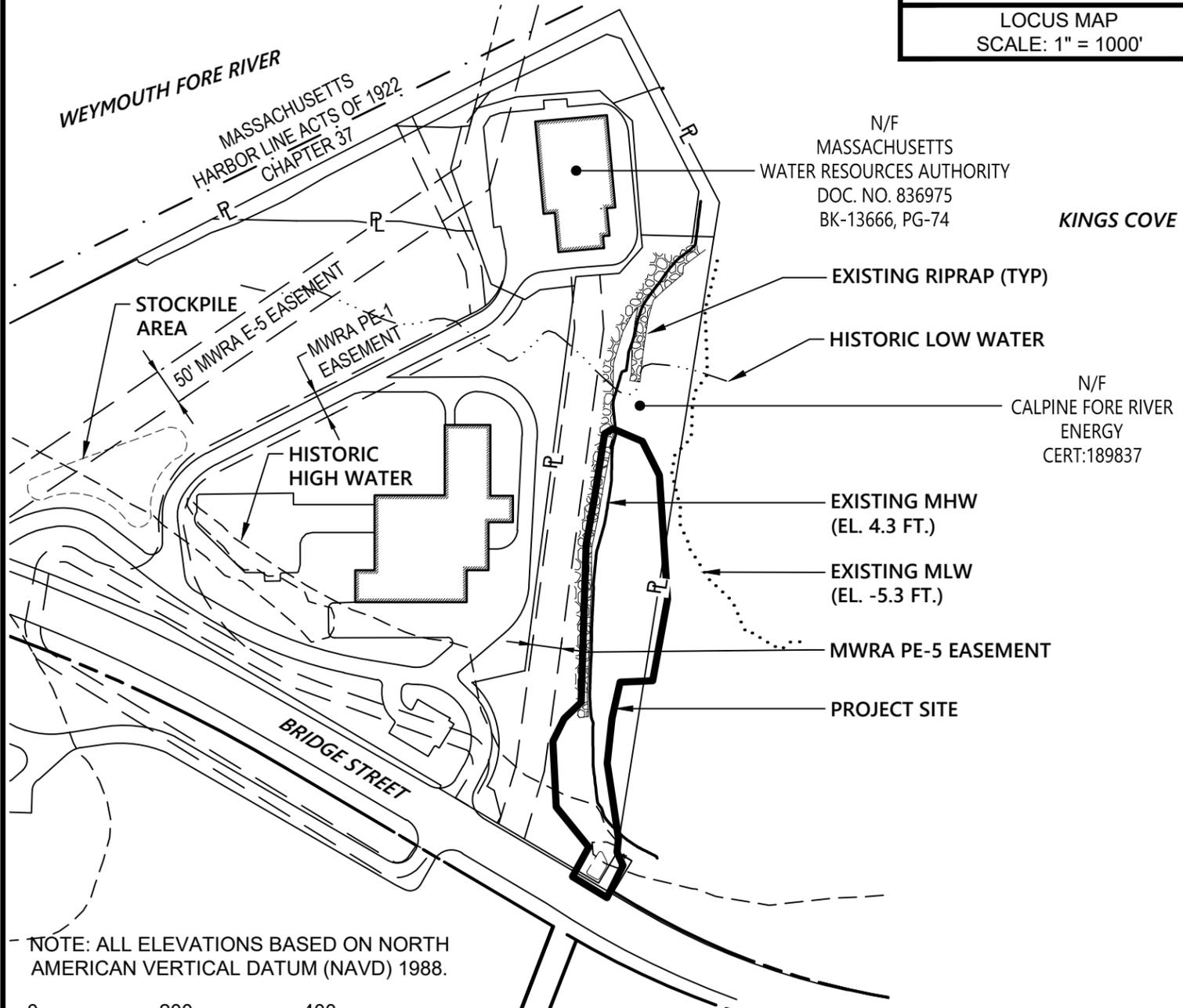
DATE _____

NOTES:

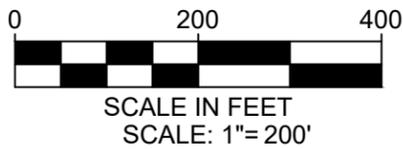
- * THE EXISTING CONDITIONS AND PROPERTY LINES WERE DETERMINED BY FIELD SURVEY CONDUCTED BY VHB IN AUGUST 2014 AND UPDATED IN DECEMBER 2020.
- * SITE LOCATION PREVIOUSLY AUTHORIZED BY DEP LICENSE NOS. 276,936,1896,8449
- * HISTORIC HIGH WATER MARK: U.S. COAST SURVEY PLAN, QUINCY BAY, SHEET 2, DATED 1847. U.S. COAST SURVEY AND GEODETIC SURVEY PLAN, BOSTON HARBOR, TOWN BAY TO NANTASKET BEACH, DATED 1892.
- * HISTORIC LOW WATER MARK: U.S. COAST SURVEY PLAN, QUINCY BAY; SHEET 2 DATED 1847.
- * DATUM INFORMATION OBTAINED FROM NOAA TIDES & CURRENTS FOR STATION 8443970, BOSTON, MA. DATUM NAVD88
- * FEMA INFORMATION OBTAINED FROM FLOOD MAP 25021C0227F, EFFECTIVE 6/9/2014



LOCUS MAP
SCALE: 1" = 1000'



NOTE: ALL ELEVATIONS BASED ON NORTH AMERICAN VERTICAL DATUM (NAVD) 1988.



EXISTING CONDITIONS
SHEET 1 OF 5
OCTOBER 24, 2025

23-WW01 # XXXX-AP

PLAN ACCOMPANYING PETITION OF ALGONQUIN GAS TRANSMISSION, LLC TO DREDGE EXISTING MATERIAL BELOW MEAN HIGH WATER AND FILL/REPLACE WITH NEW COBBLES AND CONSTRUCT A RIPRAP REVETMENT WITHIN FILLED AND FLOWED TIDELANDS OF KINGS COVE AT 82-90 BRIDGE STREET, WEYMOUTH, NORFOLK COUNTY, MASSACHUSETTS.

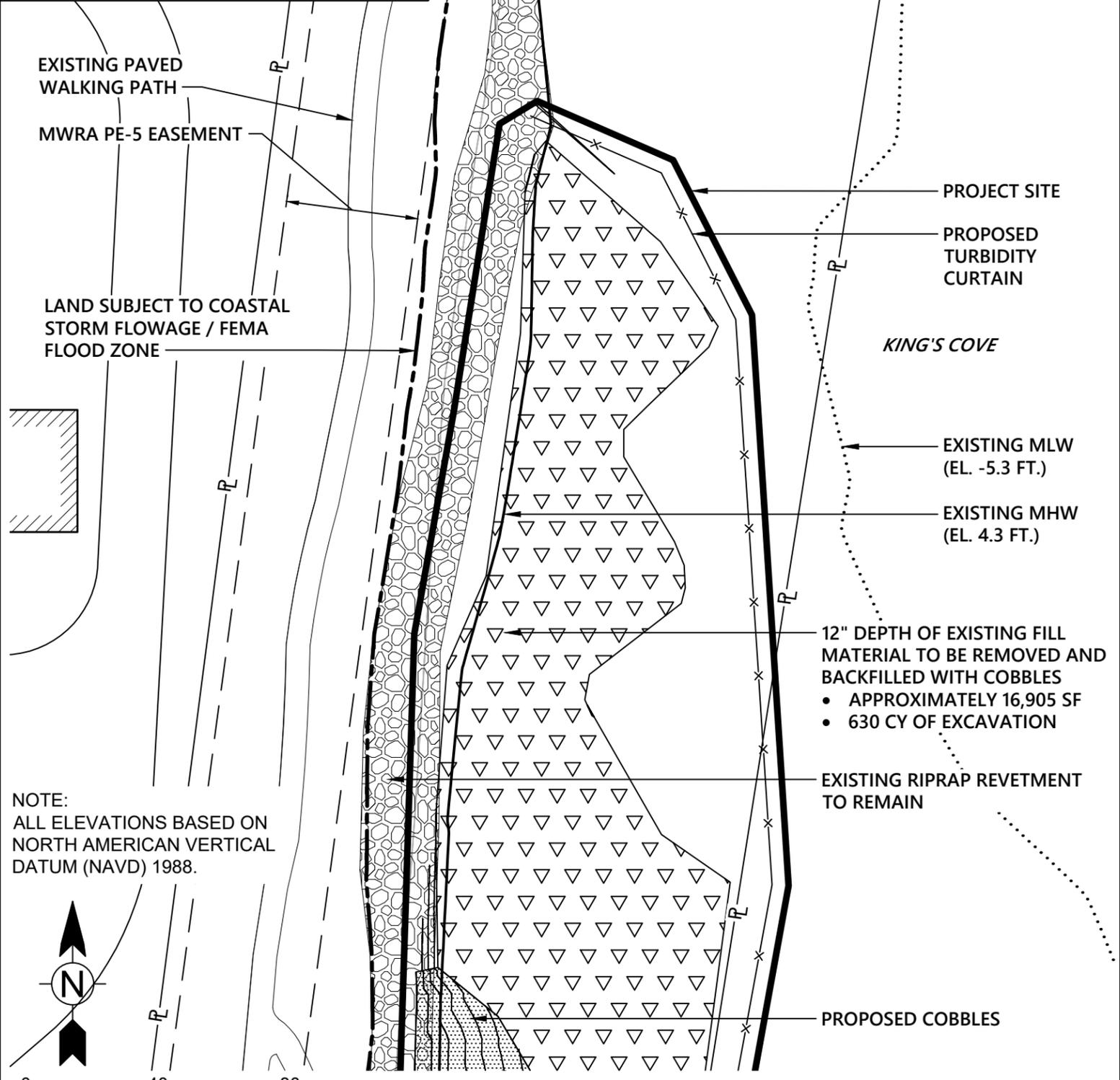
I CERTIFY THAT THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

NAME _____

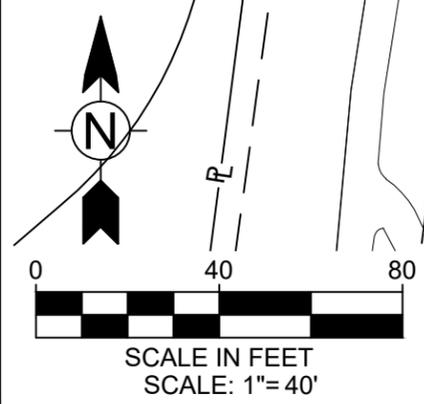
DATE _____

Legend:

-  - PROPOSED 12" DEPTH OF EXISTING MATERIAL TO BE REMOVED AND BACKFILLED WITH COBBLES
-  - PROPOSED COBBLES
-  - EXISTING RIP RAP
-  - PROPOSED RIP RAP



NOTE:
ALL ELEVATIONS BASED ON
NORTH AMERICAN VERTICAL
DATUM (NAVD) 1988.



PROPOSED CONDITIONS
SHEET 2 OF 5
OCTOBER 24, 2025

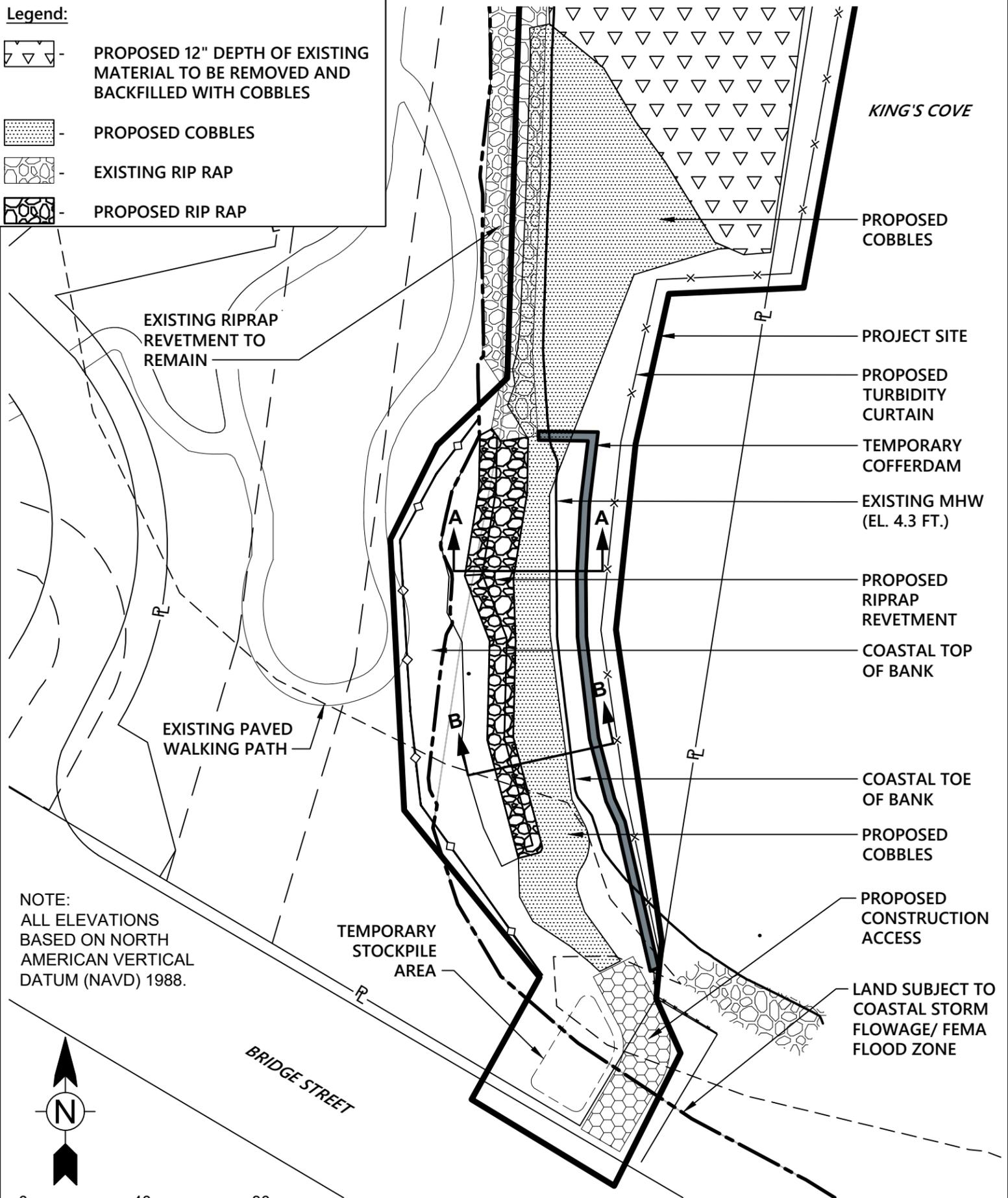
I CERTIFY THAT THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

NAME _____

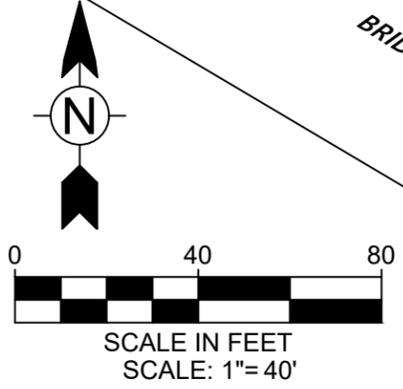
DATE _____

Legend:

-  - PROPOSED 12" DEPTH OF EXISTING MATERIAL TO BE REMOVED AND BACKFILLED WITH COBBLES
-  - PROPOSED COBBLES
-  - EXISTING RIP RAP
-  - PROPOSED RIP RAP



NOTE:
ALL ELEVATIONS
BASED ON NORTH
AMERICAN VERTICAL
DATUM (NAVD) 1988.

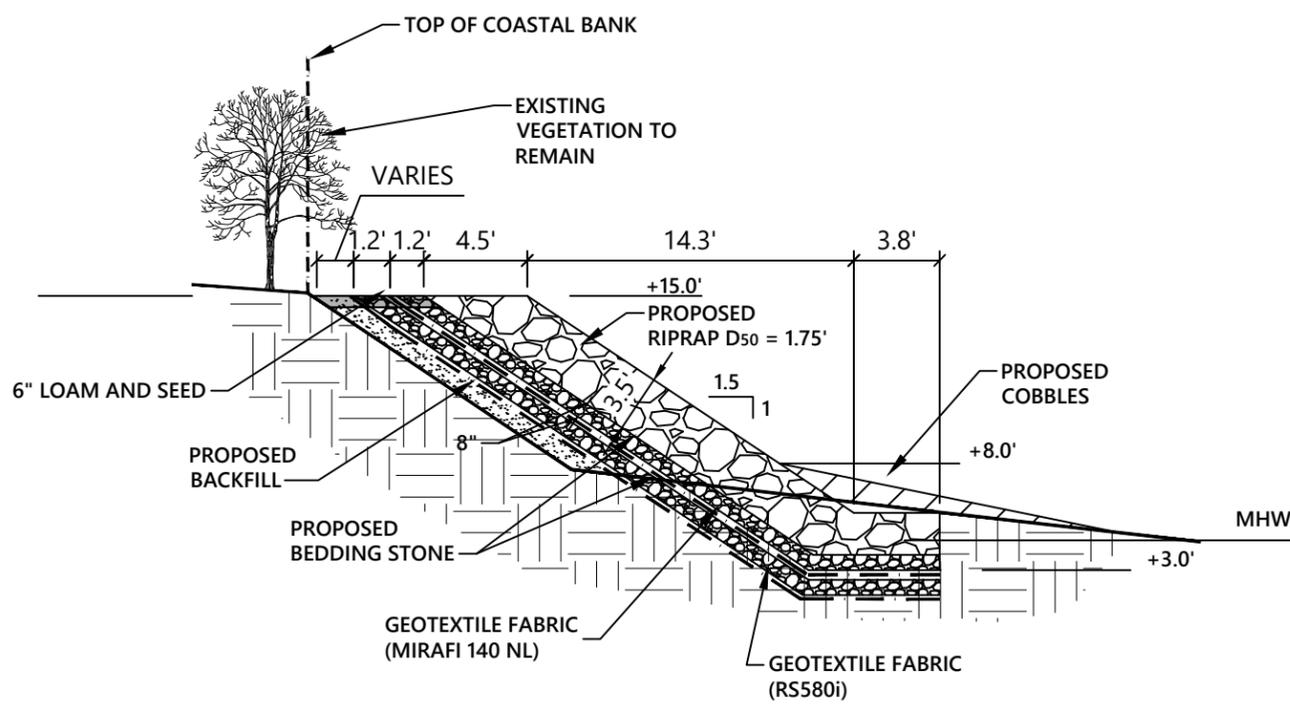


PROPOSED CONDITIONS
SHEET 3 OF 5
OCTOBER 24, 2025

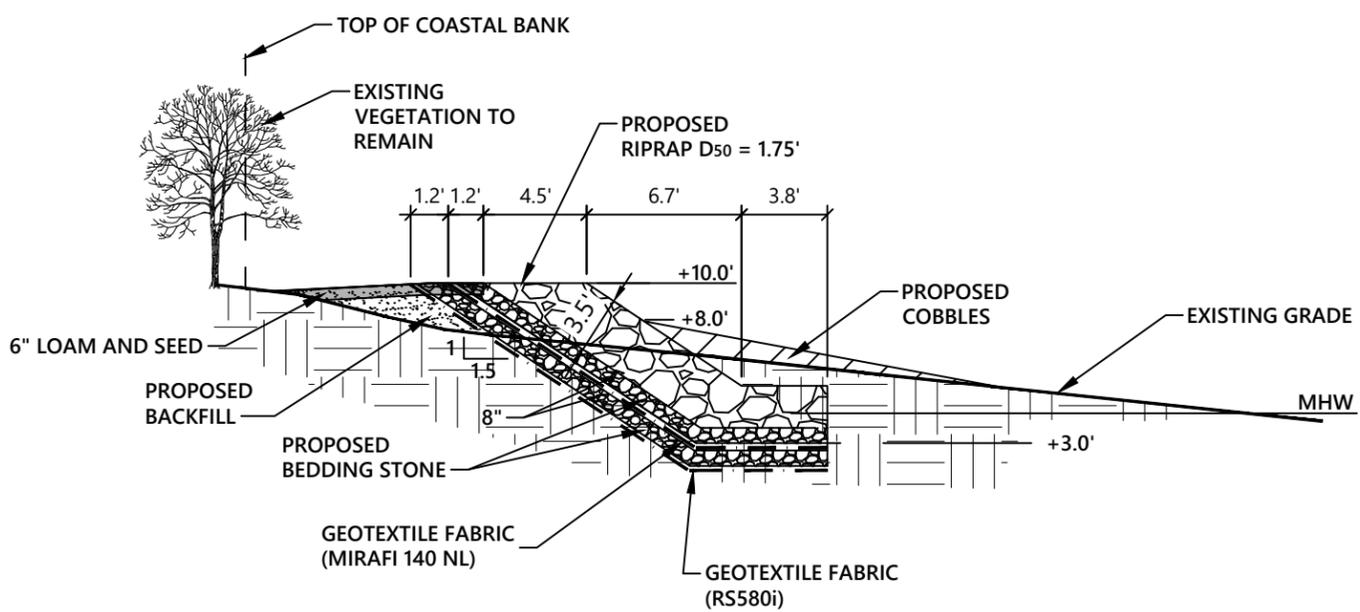
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NAME _____

DATE _____

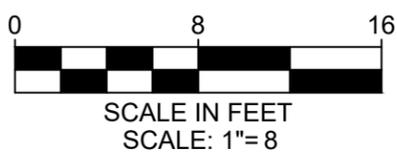


REVETMENT SECTION A-A
CREST: +15.0' NAVD 88



REVETMENT SECTION B-B
CREST: +10.0' NAVD 88

NOTE:
ALL ELEVATIONS BASED ON
NORTH AMERICAN VERTICAL
DATUM (NAVD) 1988.

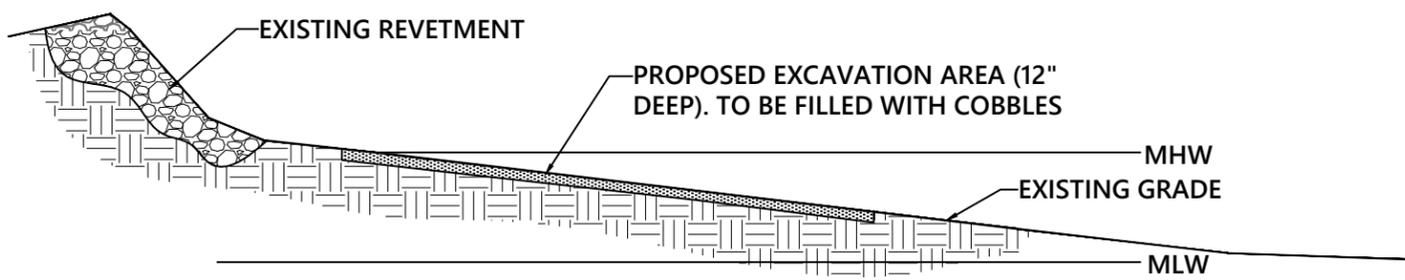


CROSS SECTIONS
SHEET 4 OF 5
OCTOBER 24, 2025

I CERTIFY THAT THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

NAME

DATE



**TYPICAL EXCAVATION
AND FILL SECTION**
SHEET 5 OF 5
OCTOBER 24, 2025

NOT TO SCALE