



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

Charles D. Baker  
GOVERNOR

Karyn E. Polito  
LIEUTENANT GOVERNOR

Matthew A. Beaton  
SECRETARY

Tel: (617) 626-1000  
Fax: (617) 626-1181  
<http://www.mass.gov/envir>

November 18, 2015

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

PROJECT NAME : Squibnocket Beach Restoration and Access Project  
PROJECT MUNICIPALITY : Chilmark  
PROJECT WATERSHED : Islands  
EEA NUMBER : 15428  
PROJECT PROPONENT : Town of Chilmark and Squibnocket Farm, Inc.  
DATE NOTICED IN MONITOR : October 19, 2015

Pursuant to the Massachusetts Environmental Policy Act (MEPA) (M.G. L. c. 30, ss. 61-62I) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **does not require** the preparation of an Environmental Impact Report (EIR).

Project Description

As described in the Environmental Notification Form (ENF), the project consists of beach restoration and roadway and utility relocation activities in the Squibnocket area of Chilmark on Martha's Vineyard. The project will balance improvements to coastal wetland resource areas with providing public recreational amenities and long-term vehicular access to Squibnocket Point. The project is composed of two distinct elements which are proposed in the same area by two separate parties: the Access Project and the Town Project.

The Access Project will replace the most erosion and overwash-prone sections of the existing at-grade road which has been protected through the construction and maintenance of existing revetments on its landward and seaward sides. It is proposed by Squibnocket Farm, Inc, a private residential entity, and includes the following elements:

- Construction of a relocated roadway in two segments, one at-grade and the other on a pile-supported low causeway (combined length of approximately 580 feet) further landward than the existing roadway; and
- Relocation of utilities to a location on, about, or under the relocated roadway.

The Town Project is intended to address climate change adaptation by relocating the town lot to a location at least 200 feet landward of the existing shoreline and restoring the existing town lot as a beach. The Town Project is proposed by the Town of Chilmark and includes the following elements:

- Construction of a 46-space parking lot on land owned by the Town further landward to replace the existing town lot and support access to the restored Squibnocket Beach;
- Construction of a relocated skiff launch area providing access to Squibnocket Pond;
- Removal of approximately 520 linear feet (lf) of total revetment length;
- Demolition of the existing town lot and removal of unsuitable materials from the barrier beach; and
- Construction of a vegetated dune landform connecting Money Hill with the seaward end of the northern point of the existing town lot to restore a more natural landform along this section of barrier beach.

The Town Project will receive a grant of \$280,000 (Fiscal Year 2016) from the Massachusetts Office of Coastal Zone Management (CZM) through the Green Infrastructure for Coastal Resilience Program.

### Project Site

The 3.7-acre project site includes the Town parking lot used to access Squibnocket Beach, portions of Squibnocket Road, and the three areas of revetments. Undeveloped areas of the project site include Squibnocket Beach, the area between Squibnocket Road and Squibnocket Pond, and Bordering Vegetated Wetlands (BVW) between the Pond and the Town lot. The 14,200-sf town lot is comprised of soil cement pavement and is armored on its seaward edge by a revetment composed of stacked stones extending laterally (200 lf) and vertically (six feet) from the grade of the barrier beach. Squibnocket Road runs westward through the town lot, passing Money Hill, and provides the sole source of access to the residences on Squibnocket Point since at least 1850. Approximately 317 lf of the roadway located west of the town lot is armored on the landward and seaward sides by revetments composed of dry-laid stones.

The site contains wetland resource areas and associated buffer zones, including BVW, Coastal Bank, Land Subject to Coastal Storm Flowage (LSCSF), Coastal Beach, Barrier Beach, Coastal Dune, and Land Subject to Tidal Action. The project site is located within an area of known archaeological sensitivity for prehistoric resources associated with the early use of Squibnocket Point and the surrounding areas by Native Americans.

### Environmental Impacts and Mitigation

Potential environmental impacts associated with the project include: alteration of 0.5 acres of land; generation of 8 new average daily vehicle trips (adt) (for a total of 184 adt);

creation of 2 new parking spaces (for a total of 46 spaces); and alteration of the following wetland resource areas:<sup>1</sup>

| Resource Area | Access Project   | Town Project  | Total Impacts   |
|---------------|--|---|---|
| BVW           | 3,600 sf (shading)<br>36 sf (direct – piles)<br>2,500 sf (temporary) | 970 sf (direct – turn-around)<br>220 sf (direct – skiff launch)<br>38 sf (direct – parking) | 1,264 sf (direct)<br>3,600 sf (shading)<br>2,500 sf (temporary) |
| Coastal Bank  | 2,600 sf (36 lf)   | 8,600 sf  | 11,200 sf   |
| Barrier Beach | 6,500 sf   | 36,680 sf   | 43,180 sf   |
| Coastal Dune  | 0  | 15,850 sf   | 15,850 sf   |
| LSCSF         | 2,800 sf   | 46,110 sf   | 48,910 sf   |

Measures to avoid, minimize, and mitigate impacts include removal of 0.40 acres of impervious area and 520 lf of revetment along barrier beach, creation of a vegetated dune landform, replication of BVW, construction of a pile-supported structure to minimize impacts to BVW, improved stormwater management, and construction period best management practices (BMPs).

#### Jurisdiction and Permitting

The project is undergoing MEPA review and requires preparation of an ENF pursuant to 301 CMR 11.03(3)(b)(6) because it requires a State Agency Action and will result in the construction of a pile-supported structure of 2,000 or more sf base area. The project does not require any permits from State Agencies. The project will require review by the Massachusetts Natural Heritage and Endangered Species Program (NHESP) pursuant to the Massachusetts Endangered Species Act (MESA; MGL. c. 131A).

The project is subject to review by the Tribal Historic Preservation Officers (THPO) in consultation with the Massachusetts Historical Commission (MHC) pursuant to M.G.L. c.9, ss.26-27C (950 CMR 70-71). The project will require an Order of Conditions from the Chilmark Conservation Commission (and, on appeal only, a Superseding Order of Conditions from the Massachusetts Department of Environmental Protection (MassDEP)) and a National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) from the United States Environmental Protection Agency (EPA). The project may require federal consistency review by CZM. It is anticipated that the Martha's Vineyard Commission (MVC) will review the project for approval as a Development of Regional Impact (DRI).

Because the Proponents will receive Financial Assistance from the Commonwealth (CZM) for the project, MEPA jurisdiction is broad and extends to all aspects of the project that are likely, directly or indirectly, to cause Damage to the Environment as defined in the MEPA regulations.

<sup>1</sup> Updated impacts to BVW provided in an email from Daniel Padien of VHB, Inc. on behalf of the Proponents.

## Review of the ENF

The ENF provides a description of the project, preliminary project plans, an alternatives analysis, and identifies measures to avoid, minimize and mitigate project impacts. The ENF indicates that the project has received extensive stakeholder and agency outreach and consultation.

### *Alternatives Analysis*

The ENF indicates that the Chilmark Town Meeting established the Town Committee in April 2014 to review alternatives to resolve the concerns shared by the Proponents and identify shared objectives. Subsequent to six months of consultation that include 23 public meetings and 13 presentations, the Town Committee recommended the projects as described in the ENF.

The ENF includes a comprehensive evaluation of alternatives for both the Access Project and the Town Project. Comments from State Agencies acknowledge the consideration of alternatives to avoid, minimize and mitigate environmental impacts while increasing resiliency of the project area and infrastructure and meeting project goals. The Town Committee evaluated parking and access alternatives based on the following criteria: wetlands impacts; regulatory feasibility, visual impacts; land acquisition requirements; constructability; construction costs; and long-term maintenance costs. The alternatives analysis provides a summary of seven parking alternatives and nine access alternatives.

### *Wetlands and Waterways*

The Chilmark Conservation Commission will review the project to determine its consistency with the limited project provisions of the Wetlands Protection Act (WPA), the Wetlands Regulations (310 CMR 10.00), and associated performance standards, including stormwater management standards (SMS). The Access Project will impact BVW, Coastal Bank, Barrier Beach, and LSCSF. The Town Project will impact BVW, Coastal Bank, Barrier Beach, Coastal Dune, and LSCSF.

The Access Project will involve the relocation of Squibnocket Road and construction of approximately 300 lf at grade and approximately 280 lf on an elevated pile supported roadway. Comments from MassDEP indicate that the portion of the elevated roadway within BVW may be considered a limited project pursuant to 310 CMR 10.53(3)(e) as long as the Proponents demonstrate it will be a minimum legal and practical width acceptable to the Chilmark Planning Board and otherwise avoids or minimizes wetland resource area impacts. If the Access Project employs swamps mats at the time of construction, the project will require Section 404 review by the United States Army Corps of Engineers (ACOE) under its General Permit. The Proponents indicate that they do not expect to use swamp mats during construction based on the geologic stability of the BVW and surrounding area at the project site.

The ENF provides a conceptual plan of the elevated roadway. The elevated roadway is proposed to include concrete decking which will result in 3,600 sf of shading impacts. Comments from MassDEP recommend that the Proponents evaluate alternatives to avoid shading including the use of steel grate decking or the equivalent which has been successfully used on other projects to minimize shading impacts. In addition, the Notice of Intent should

include plans that provide a cross section of the elevated roadway to show the width to height ratio.

The Town Project will include demolition of the parking lot, construction of a replacement lot, a bus stop, and vehicle turn-around at an upland location, installation of stormwater management features, removal of approximately 520 lf of revetment, construction of a coastal dune landform, and construction of a skiff launch site on Squibnocket Pond.

The relocated skiff launch will impact approximately 225 sf of BVW on vegetated dune on a barrier beach. The ENF does not contain detailed drawings of this area. The Proponents indicate that the skiff launch area will be designed to avoid and minimize impacts to BVW. CZM comments indicate that relocation of this access point to Squibnocket Pond to a private road may reduce or eliminate existing public access to the pond. The Proponents indicate that they are close to finalizing the terms of a lease agreement to ensure that public access to the skiff launch is maintained. The Proponents should provide additional information in the Notice of Intent to describe alternatives considered for relocation of this access point and how the design will affect existing public access, and propose mitigation measures for direct and indirect impacts associated with this skiff launch.

The Proponents evaluated alternatives to avoid BVW impacts for the Access Project and the Town Project. The project will provide replication for the 1,264 sf of total permanent impacts to BVW in the amount of approximately 1,250 sf of BVW adjacent to the existing BVW. The Proponents should provide information in the Notice of Intent to demonstrate replication at a minimum ratio of 1:1. According to plans provided in the ENF, this replication area will be located within area delineated as vegetated coastal dune on a barrier beach. The ENF does not provide information on the replication plan. Comments from CZM ask the Proponents to reconsider the wetland replication design to avoid impacts to the barrier beach. The Proponents indicate that the project site includes alternate areas for BVW replication. The wetlands replication must be consistent with the BVW performance standards pursuant to the WPA and the MassDEP *Massachusetts Inland Wetland Replication Guidelines* (March 2002). The project may require a Section 401 Water Quality Certification (401 WQC) if the Chilmark Conservation Commission and MassDEP determine that the combined impacts to BVW from direct alteration, shading, and temporary alteration will exceed the 5,000 sf threshold. The Proponents should consult with the Chilmark Conservation and MassDEP regarding the requirements for a 401 WQC.

Comments from MassDEP, CZM, and NHESP generally indicate support for the project and note that it will restore portions of Squibnocket Beach, remove artificial features that have been impediments to the natural migration of the coastline, and create public access that will be more resilient to coastal storm events. The Proponents should provide an updated quantification of the temporary, permanent, and restoration impacts to the wetland resources affected by the Access Project and the Town Project in the Notice of Intent.

Comments from MassDEP indicate that, based on its review of the ENF, no proposed activities will occur below the Normal High Water of Squibnocket Pond, a Great Pond, or the Mean High Water (MHW) of the Atlantic Ocean. MassDEP has informally determined that the proposed improvements, as described in the ENF, will not require a Chapter 91 (c. 91) License.

Comments from the Massachusetts Division of Marine Fisheries (DMF) note that alewives use the shoreline of Squibnocket Pond as spawning habitat. DMF recommends that any in-water work or work directly bordering the shoreline of Squibnocket Pond for the construction of the skiff launch occur outside of the April 1 to June 15 time of year (TOY) period to minimize disturbance to spawning alewives as well as eggs and developing juveniles.

### *Stormwater*

The project will remove approximately 0.40 acres of impervious area on the barrier beach. Stormwater runoff from the relocated town lot, relocated roadway and causeway will be collected, treated and infiltrated using a pervious parking surface, vegetated drainage swales, and infiltrating catch basins. I encourage the Proponents to evaluate additional opportunities to avoid and minimize the creation of impervious areas from the relocated roadway and incorporate low impact development (LID) measures.

### *Climate Change Adaptation and Resiliency*

According to the ENF, the removal of existing engineered structures (revetment and access roadway) and infrastructure from vulnerable areas and restoration of the natural coastal areas will improve storm damage prevention, flood control, and natural conditions at the site. MassDEP, CZM, and NHESP note that the project will be more resilient

The Access Project will move the centerline of the Squibnocket Road approximately 100 to 500 feet landward of existing MHW at Squibnocket Beach, raise a portion of the roadway on piles to an elevation consistent with the Town Committee's recommendations that will allow for washover during significant storms. As previously mentioned, the ENF does not describe the design elevation of the causeway. CZM comments recommend that the structure be elevated to a height that minimizes direct and indirect impacts to adjacent resource areas. The Proponents should consult with MassDEP to ensure the design complies with the WPA. I acknowledge comments that express concern that the new structure, which represents a significant financial investment, will continue to be vulnerable to impacts over time; however, the project is an improvement compared to existing conditions, includes measures to increase its resiliency, and will be funded privately.

The ENF generally describes the elevated roadway to include concrete decking. It is presumed that it is the concrete decking that will lead to 3,600 square feet of shading impacts. Alternatives to avoid shading should be explored including the use of steel grate decking or equivalent which has been successfully used on other projects to minimize shading impacts. Any future plans should also include a cross section of the elevated roadway to show the width to height ratio.

### *Rare Species*

Portions of the project site are mapped as *Priority* and *Estimated Habitat* for the Northern Harrier (*Circus cyaneus*) (bird), state-listed as "Threatened" in accordance with the 13<sup>th</sup> Edition of the Massachusetts Natural Heritage Atlas. This species and its habitats are protected pursuant to MESA and its implementing regulations (321 CMR 10.00). The project will require review through a direct filing with NHESP.

The ENF indicates that the project is expected to result in a net benefit to Northern Harrier habitat because the improvements to the coastal environment could increase potential habitat for the Northern Harrier and its prey and the increased frequency of potential overwash into Squibnocket Pond could improve conditions within the BVW that could also provide habitat for Northern Harrier prey.

Comments from NHESP indicate that it does not anticipate that the project will result in a “take” of state-listed species and concurs that the project may likely result in a net benefit to the Northern Harrier over existing conditions. NHESP comments note that remaining issues regarding impacts to state-listed species can be addressed during the MESA permitting process. The Proponents will continue to consult with NHESP to ensure that impacts to Northern Harrier are avoided, minimized and mitigated to the maximum extent practicable.

### *Archaeological Resources*

According to comments from MHC, the Inventory of Historic and Archaeological Assets of the Commonwealth indicates that the project site is within and adjacent to multiple ancient Native American archaeological sites, including unmarked human burials, associated with the Hornblower 1 Site (19-DK-93), the Hornblower Shell Heap (19-DK-61) and the Squibnocket Road Burial Site (19-DK-262).

An intensive locational survey was completed in September 2015 pursuant to a permit issued by MHC on August 26, 2015. The permit authorized the professional archaeologist engaged by the Proponents to perform hand-dug test pits in the areas of proposed alteration. The results of that investigation will be reported to MHC and will inform the design and construction parameters that will be required to avoid, minimize, and mitigate potential impacts to any archaeological resources that may be identified at the project site.

The MHC comment letter includes guidance on conducting archaeological assessments and surveys in an effort to comply with M.G.L. c.9, ss. 26-27C (950 CMR 70-71). Comments from MHC request that the Proponents consider project alternatives to avoid impacts to land within archaeologically sensitive areas including the avoidance and/or minimization of grading and/or trenching; addition of geotechnical fabric and fills on the existing ground surface for project elements such as utilities, causeway foundations, retaining walls, and any associated vegetated buffer plantings; use of protective matting during construction; and equipment staging outside of sensitive areas. If avoidance of impacts are not feasible, then MHC requests that the professional archaeologist conduct an archaeological site examination. The Proponents should continue to consult with MHC to ensure impacts to archaeological resources are avoided, minimized, and mitigated.

The Board of Underwater Archaeological Resources (BUAR) does not expect that the project will impact submerged cultural resources. However, if archaeological resources are encountered during the course of the work, the Proponent should take steps to avoid or limit adverse affects and notify BUAR, MHC, and Wampanoag Tribe of Gay Head/Aquinnah immediately in accordance with BUAR’s *Policy Guidance for the Discovery of Unanticipated Archaeological Resources* (updated 9/28/06).



*Construction Period*

The project must comply with MassDEP Solid Waste and Air Pollution Control regulations, pursuant to M.G.L. c.40, s.54 during construction and demolition. All construction and demolition activities should be undertaken in compliance with the conditions of all State and local permits. The Proponents should evaluate construction period impacts, including erosion and sedimentation, air quality and solid waste disposal, and strive to minimize construction impacts (including but not limited to land disturbance, noise, dust, odor, nuisance, vehicle emissions, construction and demolition debris, and construction-related traffic) and consider feasible measures that can be implemented to eliminate or minimize these impacts.

The project will provide BMPs to control erosion and sedimentation during the construction period. The project will require the preparation of a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the NPDES CGP. The ENF indicates that revetment stones will be used to construct the retaining wall proposed west of the relocated parking lot. Asphalt and concrete and any materials associated with the existing utilities will be recycled or disposed in accordance with applicable requirements. I encourage the Proponents set a goal of recycling at least 75 percent of construction waste and solid waste.

I encourage the Proponents to select project contractors that have installed engines manufactured to Tier 4 federal emission standards or best available control technology (BACT), retrofit emissions control devices, or vehicles that use alternative fuels to reduce emissions of 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). The Proponents are advised that if oil and/or hazardous material are identified during the implementation of this project, notification pursuant to the Massachusetts Contingency Plan (MCP, 310 CMR 40.0000) must be made to MassDEP.

Conclusion

The ENF has sufficiently defined the nature and general elements of the project for the purposes of MEPA review and demonstrated that the project's environmental impacts will be avoided, minimized and/or mitigated to the extent practicable. Based on the information in the ENF and after consultation with State Agencies, I find that no further MEPA review is required at this time. Remaining issues can be addressed through the local, State and federal permitting and review processes.

November 18, 2015

Date



Matthew A. Beaton

## Comments received:

11/05/2015 Massachusetts Natural Heritage and Endangered Species Program (NHESP)  
11/08/2015 Chris Murphy



11/09/2015 Massachusetts Historical Commission (MHC)  
11/09/2015 Martha's Vineyard Commission (MVC)  
11/09/2015 Wendy Jeffers, Tony Orphanos, and Charles Parker  
11/09/2015 Massachusetts Division of Marine Fisheries (DMF)  
11/09/2015 Massachusetts Department of Environmental Protection (MassDEP) /  
Southeast Regional Office (SERO)  
11/10/2015 Massachusetts Office of Coastal Zone Management (CZM)  
11/02/2015 Massachusetts Board of Underwater Archaeological Resources (BUAR)

MAB/PPP/ppp

**Patel, Purvi (EEA)**

---

**From:** Leddick, Jesse (FWE)  
**Sent:** Thursday, November 05, 2015 10:59 AM  
**To:** Patel, Purvi (EEA)  
**Cc:** reid@vlse.net; dpadien@vhb.com; Holt, Emily (FWE)  
**Subject:** Squibnocket Beach Restoration / Access, Chilmark, MEPA ENF (EEA 15428, NHESP 08-25315) - NHESP Comments

*Project Name:* Squibnocket Beach Restoration and Access Project  
*Project Description:* Construction of Parking Lot and Skiff Launch, Removal of Existing Parking Lot and Revetments, Construction of Vegetated Dune (the "Town Project"); Relocation of Existing Roadway (the "Access Project")  
*Proponents:* Town of Chilmark (Town Project); Squibnocket Farm, Inc. (Access Project)  
*Location:* Squibnocket Road and Squibnocket Beach, Chilmark  
*Document Reviewed:* Environmental Notification Form  
*EEA No.:* 15428  
*NHESP No.:* 08-25315

Purvi,

The Massachusetts Division of Fisheries & Wildlife's Natural Heritage & Endangered Species Program (the "Division") has received and reviewed the *Environmental Notification Form* (ENF) for the proposed Squibnocket Beach Restoration and Access Project and would like to offer the following comments regarding state-listed species and their habitats.

Portions of the project site are mapped as *Priority* and *Estimated Habitat* for the Northern Harrier (*Circus cyaneus*), state-listed as "Threatened" in accordance with the 13<sup>th</sup> Edition of the MA Natural Heritage Atlas. This species and its habitats are protected pursuant to the Massachusetts Endangered Species Act (MGL. c. 131A) and its implementing regulations (321 CMR 10.00) (MESA). A Fact Sheet for this species can be found on our website, [www.mass.gov/nhesp](http://www.mass.gov/nhesp). All projects or activities proposed within *Priority* and *Estimated Habitat*, which are not otherwise exempt pursuant to 321 CMR 10.14, will require review through a direct filing with the Division for compliance with the MESA and/or the rare wildlife provisions of the Wetlands Protection Act Regulations (WPA; 310 CMR 10.37 & 10.59).

Based on a review of the conceptual information provided in the ENF, the Division does not anticipate that the project, as currently proposed, will rise to the level of a "take" of state-listed species. By restoring coastal dune habitat and facilitating more natural functioning of coastal processes, the proposed project appears to represent a net improvement over current conditions. Although the Division has not received a formal MESA filing for the project and has not issued a final MESA determination pursuant to 321 CMR 10.18(2)(b), we note that conditions to protect Northern Harrier during construction may be required. However, we anticipate that any issues related to state-listed species may be resolved through the MESA review process, and recommend that the Proponent contact the Division in advance of a formal MESA filing to proactively address any concerns.

We appreciate the opportunity to comment on this project. If you have any questions about this letter, please don't hesitate to contact me.

Sincerely,

Jesse Leddick

Natural Heritage & Endangered Species Program  
Massachusetts Division of Fisheries & Wildlife  
1 Rabbit Hill Road, Westborough, MA, 01581  
Phone: 508-389-6386 | Fax: 508-389-7890  
[www.mass.gov/masswildlife](http://www.mass.gov/masswildlife)

## Patel, Purvi (EEA)

---

**From:** Barbara Murphy [88chilmark@gmail.com]  
**Sent:** Sunday, November 08, 2015 8:27 PM  
**To:** Patel, Purvi (EEA)  
**Subject:** squibnocket project

Dear Ms. Patel; thank you for being here and leading us through the proposed Squibnocket project. There are a number of moving parts and you arrived already in command of most of the facts and opinions of those present so I will not try to rehash them. My hope is to get all the parties to arrive at a reasonable solution to a reasonable problem. Access.

The barrier beach, dune and adjacent wetland are moving north, landward, and have been doing so since the last ice age ended and the sea began to rise. (300+ ft. and counting) Global warming today and in the future may speed up the process but it is an on-going process and not new to the area. For at least the last four hundred years people have been accessing the Squibnocket Farm area across this neck of barrier beach on a road made on the back side of the dune. about fifty years ago people destroyed a small portion of the dune at the eastern end and created a parking lot and then began trying to defend the parking lot from being washed away. From then on the face of the parking lot has been moved back a number of times and each time made higher and stronger. Several things have changed because of this build-up. The wetland behind the parking lot has not received as much cobble and sand as the rest of the area behind the dune so instead of staying in a state of equilibrium the distance between the ocean and the pond has narrowed. The building of a large and strong structure(the parking lot) has channeled the wave action during storms and caused a breach at one end or the other several times. When this structure gets too prominent and difficult to maintain the town usually pushes it back in line with the abutting cliffs of glacial till and the process begins again.

So maybe removing the dune and building the parking lot was a poor idea in retrospect but it made sense at the time and once the process is started it is very hard to give it up. Which brings us to today and the current proposal. We should have learned something in the last half century but instead of going back to a soft and easily rebuildable solution (driving on a dirt road behind the dune) the proposed causeway/bridge is a very permanent engineered structure that will have to be defended from the very beginning and will soon require additional sections and defenses just to stay useable. In the end, of course, it will fail and need to be removed and replaced further landward.

What is really driving this exercise is money. That the less than twenty homes on Squibnocket Point are willing to spend somewhere around four million dollars for this construction, not to mention the dollars spent so far and the money the town has spent to acquire land for the eastern end of the bridge to connect to is hard to understand, but they have been told a bridge is the only possible answer because nothing else is permit-able.

And that brings me to you. I do not really understand your role here and what you are being asked to do but I have not seen anyone else ask, "does this make sense" and that is what I am hoping you will do. Eventually, in the not too distant future, the area landward of the parking area we are now discussing as 'wetland' will be under the beach and the edge of the pond will have filled in enough to become wetland for awhile until it too becomes beach and then ocean. We have a set of wetland protection rules that were put in place with the best of intent to protect fragile areas like this. To have them used to justify building a very expensive bridge that must ultimately fail seems beyond stupid. Tribal representative Bettina Washington said pretty much the same thing when we were all standing in the parking lot. Neither she nor I are engineers, nor are we being paid by either side, but we would both like to see the best possible outcome for the land. How can we adjust the rules so that an 'at grade' dirt road can be permitted and maintained and allowed to migrate over time along with the entire barrier complex? Sincerely yours, Chris Murphy



RECEIVED

NOV 13 2015

MEPA

**The Commonwealth of Massachusetts**  
William Francis Galvin, Secretary of the Commonwealth  
Massachusetts Historical Commission

November 6, 2015

Secretary Matthew A. Beaton  
Executive Office of Energy & Environmental Affairs  
Attn: Purvi Patel, MEPA Unit  
100 Cambridge Street, Suite 900  
Boston, MA 02114

RE: Squibnocket Beach Restoration and Access Project, Chilmark, MA. MHC #RC.49283. EEA #15428

Dear Secretary Beaton:

Staff of the Massachusetts Historical Commission (MHC) have reviewed the Environmental Notification Form (ENF), the technical archaeological memorandum for the intensive (locational) survey of geotechnical testing and pre-construction impact areas prepared by the PAL, Inc., and participated in the MEPA site visit on November 5, 2015, for the project referenced above.

MHC notes that the project plans included in the ENF are preliminary. Current scaled existing and proposed conditions plans for the preferred project alternative should be provided to the MHC for review and comment as they are developed.

The MHC request that project planners consider project alternatives to avoid ground impacts within archaeologically sensitive project impact areas, including those preliminarily identified to contain intact, potentially significant archaeological deposits. Alternatives to avoid ground impacts include the avoidance and/or minimization of grading and/or trenching and the addition of geotechnical fabric and fills on the existing ground surface, including for aspects of the project such as utilities, causeway foundations, retaining walls, and any associated vegetative buffer plantings. The use of protective matting during construction to avoid and minimize erosion and compaction for heavy equipment use and materials storage and equipment staging areas in archaeologically sensitive portions of the project area is recommended.

Review of the Inventory of Historic and Archaeological Assets of the Commonwealth indicates that the project impact area is within and adjacent to multiple ancient Native American archaeological sites, including unmarked human burials, associated with the Hornblower 1 Site (19-DK-93), the Hornblower Shell Heap (19-DK-61) and the Squibnocket Road Burial Site (19-DK-262). Preliminary results of the archaeological survey conducted within the geotechnical testing and pre-project impact areas indicates the presence of intact, potentially significant ancient Native American artifacts, features and soil deposits within the northern causeway approaches and proposed parking lot associated with the Hornblower 1 and Hornblower Shellheap Sites. Archaeological deposits designated the Squibnocket Road Find Spot, are also present within the southern causeway approaches and Skiff Launch portion of the project.

... of the ...  
... of the ...  
... of the ...

... of the ...  
... of the ...  
... of the ...

... of the ...  
... of the ...  
... of the ...

... of the ...  
... of the ...  
... of the ...

... of the ...  
... of the ...  
... of the ...

... of the ...  
... of the ...  
... of the ...

... of the ...  
... of the ...  
... of the ...



If avoidance of project ground impacts are not feasible, then the MHC requests that an archaeological site examination (950 CMR 70) be conducted by the PAL within project impact areas that will include subsurface ground impacts. The purpose of the site examination is to gather sufficient information to determine the horizontal and vertical boundaries of the site(s), their internal configuration, and data contents. The results of the site examination will provide information to assist in consultation to avoid, or mitigate, any adverse effects to significant archaeological resources.

Supplemental archaeological testing, including systematic soil stripping monitored by the PAL to identify archaeological features, including unmarked human burials and burial-like features, and/or the development and implementation of archaeological site avoidance and protection plans for portions of the identified sites able to be avoided during construction, may be necessary to avoid identified significant site boundaries.

Information provided during the site visit indicates that project construction alternatives may include the use of swamp matting that may require review and permitting by the US Army Corps of Engineers. If the project requires review and permitting by the Corps or other federal agencies, then the MHC, as the office of the Massachusetts State Historic Preservation Officer, will consult with the involved federal agencies pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (36 CFR 800).

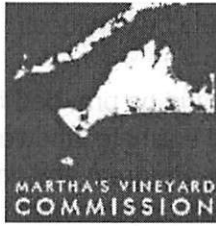
These comments are provided to assist in compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (36 CFR 800), Massachusetts General Laws, Chapter 9, Sections 26-27C (950 CMR 70-71), and MEPA (301 CMR 11) and the Massachusetts Unmarked Burial Law ((M.G.L.C. 7, s. 38A, C. 38, s.6, C.9, ss. 26A & 27C and C. 114, s. 17, all as amended). If you have questions or require additional information, please contact Jonathan K. Patton at this office.

Sincerely,



Brona Simon  
State Historic Preservation Officer  
Executive Director  
State Archaeologist  
Massachusetts Historical Commission

xc: Dan Padien, VHB, Inc.  
Reid Silva, Vineyard Land Surveying, Inc.  
Sally Davis, Ropes & Gray, LLP  
Chuck Hodgkinson, Chilmark Conservation Commission  
Bettina Washington, WTGH(A)  
Kevin Kotelly, USACOE-New England District  
Kate Atwood, USACOE-New England District  
DEP-SERO, Wetlands & Waterways  
Victor Mastone, MBUAR  
Jo-Ann Taylor, Martha's Vineyard Commission  
Adam Turner, Martha's Vineyard Commission  
Wendy Jeffers  
Jay Walsh, Squibnocket Farm  
Deborah C. Cox, PAL, Attn: Holly Herbster



Matthew Beaton, Secretary  
EOEA, Attn: MEPA Office  
Purvi Patel, EOEA No. 15428  
100 Cambridge Street, Suite 900  
Boston, MA 02114

Re: 15428 Squibnocket Beach Restoration and Access Project, Town of Chilmark

November 9, 2015

Dear Secretary Beaton,

The Martha's Vineyard Commission is pleased to submit preliminary staff comments regarding 15428, Squibnocket Beach Restoration and Access Project ENF (Environmental Notification Form). It is anticipated that the Martha's Vineyard Commission will review the project for approval as a Development of Regional Impact in accordance with Sections 12-18 of the Chapter 831 of the Acts of 1977 as amended.

While the ENF presents the two closely related projects in an understandable manner, there is not complete information about key details of the project especially the boundaries of the various elements and specific details regarding the proposed causeway. This makes it difficult to fully comment or question significant portions of the project but we offer our comments in context to what we have been provided and evaluated.

**Storm water:** Without a final design plan for the causeway and specific demarcation of the beach restoration, there can be no precise determination of the magnitude and treatment methods regarding stormwater runoff. Storm water treatment should be designed to minimize reduction in water quality and development should be structured to prevent erosion. Sizing facilities to the 25-year rainstorm volume would be prudent to account for long term climate change adaptation.

**Erosion:** The existing parking area and other beach armoring structures, both man-made and natural, are being relocated and/or removed. Once the precise locations and details are finalized, a more complete evaluation of the impacts should be completed. In the draft *Dukes County Multi-Jurisdictional Hazard Mitigation Plan Update*, consensus is noted among towns, including Chilmark, for adoption of the 25-year storm calculation in place of the usual 10-year storm calculation for sizing stormwater facilities. Beach erosion from stormwater runoff could be reduced.

**Causeway:** Again without a complete site development plan, it is not possible to provide review comments. However, since the design is in such a preliminary state, it may be prudent to request attention to several issues:

- Relocation of utilities – Proposed relocation and of the utilities to the causeway seems prudent. The present vulnerability of the utilities would lead to further damage to the beach in digging to repair them. Further floodproofing could include elevating the utilities to the top of the decking,

even as part of the top rail system if feasible. If the choice is made to install the utilities under the decking, an explanation should be provided.

- Height of deck – An estimate should be provided for the life of the bridge, in order to properly estimate the optimum height and estimate landward retreat of the beach. Chilmark does not participate in the Flood Insurance Program and does not have a floodplain by-law, but the Conservation Commission reviews projects within the resource area *Land Subject to Coastal Storm Flowage*. According to the Flood Insurance Rate Maps (the FIRM maps) to be adopted this spring, much of the causeway route could be covered to elevation 15 and 16, and subject to waves three feet in height or greater, in the 100-year storm (typically a nor'easter). The Massachusetts Building Code requires two feet of freeboard above the Base Flood Elevation (15 and 16 here), for a "structure" in the velocity zone (waves of 3' or greater) as this one is proposed. Although this "structure" does not meet the definition in the code of having a walls and roof, it would be prudent to consider including the 2 feet of freeboard as proactive in climate change adaptation. Such prudence might be particularly appropriate for this project, one so focused on climate change adaptation.

We do find advantage in the proposed design and materials regarding the support system for the causeway. The use of concrete filled piping permits better flow underneath as well as increased durability.

Overall, the review of alternatives has included thoughtful planning and consensus-building. In the ENF, the "No build" scenario focuses very little on the current environmental impacts moving forward if no improvements are completed. If the revetments as existing remain, they will continue to exacerbate erosion. The ENF then may have represented the "no build" alternative in a more benign light than intended.

Overall, the Town and partners have taken a bold look at improving the existing situation including consideration of climate change adaptation and have worked together to come up with a reasonable response to climate change. They have joined together, with considerable public input, to seek out a solution to the impending loss of both the homeowners' access and the Town's beach and parking.

Thank You



Jo-Ann Taylor

MEPA Review Coordinator for the Martha's Vineyard Commission

cc: MVC Executive Director Adam Turner  
Chilmark Board of Selectmen and agent Reid Silva  
Chilmark Conservation Commission  
Squibnocket Farm, Inc. (through representatives)

By Email on November 9, 2015  
ENF dated October 1, 2015

Dear Ms. Patel:

Many thanks for directing the informative MEPA review at Squibnocket Beach on Thursday, November 5<sup>th</sup>.

While there was sufficient data in the ENF on many of the project elements, the design specifics for the pile-supported low causeway were not included. At the recommendation of the Squibnocket Committee, the Town of Chilmark voted for an **'at grade road with a low causeway'** which 'follows the contours of the land, higher on the ends and lower in the middle' at a height that limits projected wash overs to several per year.

Without the final design specifics for the causeway, it is difficult to assess the extent to which the proposal meets the criteria recommended by the Squibnocket Committee or the impact of said causeway on the environment -- a fragile barrier beach and coastal bank abutting the Town's recreational swimming beach and a Great Pond.

While we understand that test results and additional engineering analysis will affect the final design and proposal, we would like to encourage everyone concerned to adhere to the objective of a 'low causeway'.

Regards,

Wendy Jeffers  
Tony Orphanos  
Charles Parker

[Quoted material from Squibnocket Committee's recommendations to Chilmark Town Meeting, February 9, 2015. Bold type and underlining are as they appear in the Squibnocket Committee's report.]



David E. Pierce  
Director

# Commonwealth of Massachusetts

## Division of Marine Fisheries

251 Causeway Street, Suite 400

Boston, Massachusetts 02114

(617) 626-1520

fax (617) 626-1509



Charles D. Baker  
Governor

Karyn E. Polito  
Lieutenant Governor

Matthew A. Beaton  
Secretary

George N. Peterson, Jr.  
Commissioner

Mary-Lee King  
Deputy Commissioner

November 9, 2015

Secretary Matthew A. Beaton  
Executive Office of Energy and Environmental Affairs (EEA)  
Attn: MEPA Office  
Purvi Patel, EEA No. 15428  
100 Cambridge Street, Suite 900  
Boston, MA 02114

Dear Secretary Beaton:

The Division of Marine Fisheries (*Marine Fisheries*) has reviewed the Environmental Notification Form for the Town of Chilmark's Squibnocket Beach Restoration and Access Project. Proposed work borders Squibnocket Pond to the west and Squibnocket Bight to the east in the Town of Chilmark and is sub-divided into the "Town" and "Access" projects. The Town Project consists of the removal of the existing town parking lot and associated revetment as well as the construction of a new parking lot further inland of the existing site. The Town Project also includes construction of a vegetated dune as well as a skiff launch area. The Access Project includes the relocation of an existing roadway with the new roadway consisting partly of a pile-supported causeway constructed over bordering vegetated wetlands adjacent to Squibnocket Pond. Existing marine fisheries resources and potential impacts to these resources are outlined below.

Squibnocket Pond provides habitat for a variety of diadromous fish species. Alewives (*Alosa pseudoharengus*), blueback herring (*Alosa aestivalis*), American eels (*Anguilla rostrata*), white perch (*Morone americana*), and Atlantic tomcod (*Microgadus tomcod*) are all present within this system.

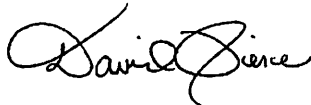
Neither project component directly borders mapped shellfish habitat although waters near the project sites have habitat characteristics suitable for several shellfish species. Much of Squibnocket Pond is mapped American oyster (*Crassostrea virginica*) habitat while offshore waters of Squibnocket Bight are mapped habitat for blue mussel (*Mytilus edulis*) and surf clam (*Spisula solidissima*). Land containing shellfish is deemed significant to the interest of the Wetlands Protection Act (310 CMR 10.34) and the protection of marine fisheries.

*Marine Fisheries* offers the following comments for your consideration:

- Alewives use the shoreline of Squibnocket Pond as spawning habitat and consequently any in-water work in this region could potentially disrupt spawning activity. The only project component that appears to directly border this habitat is the proposed skiff launch. *Marine Fisheries* recommends that any in-water work or work directly bordering the shoreline of Squibnocket Pond occur outside of the **April 1 to June 15** time of year (TOY) period to minimize disturbance to spawning alewives as well as eggs and developing juveniles.

Questions regarding this review may be directed to John Logan in our New Bedford office at (508) 990-2860 ext. 141.

Sincerely,



David E. Pierce  
Director

cc: Chilmark Conservation Commission  
Reid Silva, Vineyard Land Survey and Engineering  
Isaiah Scheffer, Chilmark Shellfish Constable  
Christopher Boelke & Alison Verkade, NMFS  
Robert Boeri, Steve McKenna, CZM  
Ed Reiner, EPA  
Ken Chin, DEP  
Richard Lehan, DFG  
Kathryn Ford, John Sheppard, Tom Shields, Greg Sawyer, Christian Petitpas, DMF

DP/JL/sd





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

Charles D. Baker  
Governor

Karyn E. Polito  
Lieutenant Governor

Matthew A. Beaton  
Secretary

Martin Suuberg  
Commissioner

November 9, 2015

Mathew A. Beaton,  
Secretary of Environment and Energy  
Executive Office of Environmental Affairs  
ATTN: MEPA Office  
100 Cambridge Street, Suite 900  
Boston, MA 02114

RE: CHILMARK – ENF Review EOEEA  
#15428 - Squibnocket Beach Restoration  
and Access Project, Squibnocket Road,  
Chilmark, Massachusetts

Dear Secretary Beaton,

The Southeast Regional Office of the Department of Environmental Protection (MassDEP) has reviewed the Environmental Notification Form (ENF) for the proposed Squibnocket Beach Restoration and Access Project, Squibnocket Road, Chilmark, Massachusetts (EOEEA # 15428 ENF). The project proponent provides the following information for the project:

The Projects involve the following basic elements:

**Access Project:**

- Construction of a relocated roadway in two segments, one at-grade and the other on a pile-supported low causeway, with a combined length of approximately 580 feet; and
- Relocation of utilities to a location on, about, or under the relocated roadway.

**Town Project:**

- Construction of a 46±-space parking lot on land owned by the Town to replace the Existing Town Lot and support access to the restored Squibnocket Beach (referred to here as the "Relocated Town Lot");
- Construction of a relocated skiff launch area providing access to Squibnocket Pond;
- Removal of approximately 520 linear feet of the Revetment;
- Demolition of the Existing Town Lot and removal of unsuitable materials from the barrier beach; and
- Construction of a vegetated dune landform connecting Money Hill with the seaward end of the northern point of the Existing Town Lot to restore a more natural landform along this section of barrier beach.

Wetlands and Waterways Program Comments

The Wetlands & Waterways Program has reviewed the ENF and has the following comments. The project includes activities proposed by two separate parties, including Squibnocket Farm (private residential subdivision) and the Town of Chilmark.

The activities proposed by Squibnocket Farm include the relocation of approximately 300 linear feet of Squibnocket Road at grade and approximately 280 linear feet on an elevated pile supported roadway. Activities proposed are collectively described as the "Access Project". Wetland impacts associated with the Access Project include 2,800 square feet of Land Subject to Coastal Storm Flowage, 6,500 square feet of Barrier Beach, 2,600 square feet of Coastal Bank, and 36 square feet of permanent and 3,600 square feet of shading impact to Bordering Vegetated Wetland. The portion of the elevated roadway within Bordering Vegetated Wetland may be considered a limited project pursuant to 310 CMR 10.53(3)(e) so long as it is demonstrated to be of a minimum legal and practical width acceptable to the planning board and otherwise avoids or minimizes wetland resource area impacts. The ENF includes a comprehensive evaluation of alternatives; however it does not include the specific design criteria of the elevated roadway which was the selected preferred alternative. The ENF generally describes the elevated roadway to include concrete decking. It is presumed that it is the concrete decking that will lead to 3,600 square feet of shading impacts. Alternatives to avoid shading should be explored including the use of steel grate decking or equivalent which has been successfully used on other projects to minimize shading impacts. Any future plans should also include a cross section of the elevated roadway to show the width to height ratio.

The activities proposed by the Town of Chilmark include demolition of the existing town parking lot, construction of a replacement lot, a bus stop and vehicle turn around at an upland location, installation of stormwater management features, removal of approximately 520 linear feet of revetment, construction of a coastal dune, and construction of a skiff launch site on Squibnocket Pond. Wetland resource areas impacted include Bordering Vegetated Wetland, Coastal Bank, Barrier Beach, Coastal Dune, and Land Subject to Coastal Storm Flowage. Bordering Vegetated Wetland impacts include 975 square feet of alteration associated with the vehicle turn around. Alternatives to avoid the Bordering Vegetated Wetland impacts were considered, and wetland replication is proposed to offset the impact in accordance with 310 CMR 10.55(4).

Overall, the project restores portions of Squibnocket Beach, removes artificial features that have been impediments to the natural migration of the coastline and creates public access that will be more resilient to coastal storm events. The proposed Notice of Intent for the project should quantify the temporary, permanent, and restoration impacts to the wetland resources affected.

The Department concurs with the proponent that no proposed activities will occur below the Normal High Water of Squibnocket Pond, a Great Pond, or the Mean High Water of the Atlantic Ocean. Upon a cursory review of historic aerial photos of this area, it appears that the elevated area of land, where work is now proposed, has accreted naturally in that portion of Squibnocket Pond which was once submerged land. Therefore the Department has informally determined that the proposed improvements, as described in the ENF will not require the filing of a Chapter 91 License.

The Department has not, however, made an official determination on jurisdiction, or whether the pond is considered to be tidal, and if the Proponent chooses to receive a formal decision on

geographic jurisdiction, then it is recommended that they file an official Request for Determination of Applicability according to 310 CMR 9.06.

It is the Department's opinion that any remaining wetlands or waterways issues can be reviewed and addressed through the permitting process and that no further MEPA review should be required for this project.

#### Solid Waste Dredging

The dredged material has been classified as appropriate for beach nourishment, however, any solid waste found in the dredged material, must be disposed of at an appropriate facility.

#### Bureau of Waste Site Cleanup

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].

There are no listed MCP disposal sites located at or in the immediate vicinity of the site that might impact the proposed project area. Interested parties may view a map showing the location of BWSC disposal sites using the MassGIS data viewer (Oliver) at:

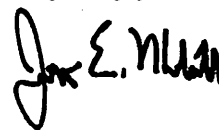
[http://maps.massgis.state.ma.us/map\\_ol/oliver.php](http://maps.massgis.state.ma.us/map_ol/oliver.php) Under "Available Data Layers" select "Regulated Areas", and then "DEP Tier Classified 21E Sites". The compliance status and report submittals for specific MCP disposal sites may be viewed using the BWSC Waste Sites/Reportable Release Lookup at: <http://public.dep.state.ma.us/SearchableSites2/Search.aspx>

*The Project Proponent is advised that if oil and/or hazardous material are identified during the implementation of this project, notification pursuant to the Massachusetts Contingency Plan (310 CMR 40.0000) must be made to MassDEP, if necessary. A Licensed Site Professional (LSP) should be retained to determine if notification is required and, if need be, to render appropriate opinions. The LSP may evaluate whether risk reduction measures are necessary if contamination is present. The BWSC may be contacted for guidance if questions arise regarding cleanup.*

#### Proposed s.61 Findings

The "Certificate of the Secretary of Energy and Environmental Affairs on the 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 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.

Very truly yours,



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

JH/GZ

Cc: DEP/SERO

**ATTN: Millie Garcia-Serrano, Deputy Regional Director, Acting Regional Director  
David Johnston, Deputy Regional Director, BRP  
Maria Pinaud, Deputy Regional Director, BWP  
Gerard Martin, Acting Deputy Regional Director, BWSC  
Jennifer Viveiros, Deputy Regional Director, ADMIN  
Jim Mahala, Acting Chief, Wetlands and Waterways  
Mark Bartow, Wetlands and Waterways  
Carolos Fragata, Wetlands and Waterways  
Allen Hemberger, Site Management**



THE COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS  
OFFICE OF COASTAL ZONE MANAGEMENT  
251 Causeway Street, Suite 800, Boston, MA 02114-2136  
(617) 626-1200 FAX: (617) 626-1240

## MEMORANDUM

TO: Matthew A. Beaton, Secretary, EEA  
ATTN: Purvi Patel, MEPA Unit  
FROM: Bruce Carlisle, Director, CZM  
DATE: November 9, 2015  
RE: EEA 15428, Squibnocket Beach Restoration and Access Project, Chilmark

The Massachusetts Office of Coastal Zone Management (CZM) has completed its review of the above-referenced Environmental Notification Form (ENF), noticed in the *Environmental Monitor* dated October 19, 2015 and offers the following comments.

### Project Description

The project involves the relocation and removal of an existing 14,200 square foot parking lot and 200 linear feet of the adjacent fronting revetment. A new 46 space parking lot will be constructed landward of the existing parking lot. Work also includes the construction of a relocated skiff launch area providing access to Squibnocket Pond. A vegetated dune will be constructed to restore the barrier beach where the existing parking lot was removed. In addition to the parking lot relocation work, the ENF also includes the proposed relocation of an existing access road from its current location along a low causeway adjacent to the existing parking lot, to a site adjacent to the new parking lot. The existing 160 linear feet of armored causeway will be removed. Approximately 300 linear feet of the relocated roadway will be at grade and approximately 280 feet will be on an elevated pile supported structure.

The goal of the roadway relocation is to provide continued vehicle and emergency equipment access to the existing subdivision on Squibnocket Point using a more resilient roadway. The proposed relocation of the Squibnocket Beach parking lot is a Town of Chilmark project, while the proposed relocations of the Squibnocket Point roadway is a private project, funded by Squibnocket Point residents. A portion of the Town's Squibnocket Beach parking lot project is funded through a CZM Green Infrastructure for Coastal Resilience Grant.

### Project Comments

#### *Squibnocket Beach Parking Lot*

Removal of the existing 14,200 square foot parking lot and adjacent 200 linear feet of revetment restoration of this area with coastal beach and vegetated coastal dune represent a significant improvement to coastal resources areas at this site. The new parking lot will be more resilient to large storm events, and also includes stormwater treatment to help protect adjacent water quality in Squibnocket Pond. The Town also proposes the filling of 970 square feet of bordering vegetative wetland (BVW) to accommodate the construction of the vehicle turn around area. To mitigate this impact, the Town has proposed the construction of 1,250 feet of BVW in an area adjacent to this area of fill. The proposed mitigation area is proposed in an area of vegetated coastal dune on a barrier beach, and the ENF contains very little detail about the design of this area. CZM recommends that alternative designs be evaluated to avoid or minimize this loss of BVW. If this impact is unavoidable, then alternative sites should be considered for this mitigation area to avoid impacts to the primary dune on a barrier beach.

CHARLES D. BAKER GOVERNOR KARYN E. POLITO LIEUTENANT GOVERNOR MATTHEW A. BEATON SECRETARY BRUCE K. CARLISLE DIRECTOR

www.mass.gov/czm



The ENF also describes the construction of a relocated skiff launch along Squibnocket Pond, and the removal of approximately 225 square feet of BVW. The ENF does not contain detailed drawings of this area, but it appears the proposed design includes impacts to vegetated dune on a barrier beach. In addition to impacts to coastal resource areas from the relocation of the skiff launch, CZM is concerned that relocation of this access point to Squibnocket Pond to a private road may reduce or eliminate existing public access to the pond. Further information should be provided to describe alternatives considered for relocation of this access point; how this will affect existing public access and proposed mitigation measures for direct and indirect impacts associated with this skiff launch.

#### *Squibnocket Point Roadway*

Similar to the Squibnocket Beach parking lot removal, removal of the existing road causeway and revetments and the restoration of this area with coastal beach and coastal dune represent significant improvement to resources on this barrier beach system. These impacts must be balanced against potential impacts of the proposed design, which involves an elevated roadway to provide access to the Squibnocket Point community. The ENF did not contain detailed engineering plans on the proposed elevated roadway, making it impossible to fully assess direct and indirect impacts from this structure. The ENF describes the structure as a “low causeway, and built to withstand storm waves within the Velocity Zone”. The ENF also describes approximately 3,600 square feet of “shading impact” to BVW from this structure. CZM recognizes that the design elevation is a balance of many factors, including engineering feasibility, cost, visual impacts, safety, etc. CZM recommends that the structure be elevated to minimize direct and indirect impacts to adjacent resource areas. CZM recommends that the proponents consult with the Massachusetts Department of Environmental Protection (MassDEP) Wetlands and Waterways staff to ensure the design complies with all aspects of the Massachusetts Wetlands Protection Act.

#### **Federal Consistency**

The proposed project may be subject to CZM federal consistency review. For further information on this process, please contact, Robert Boeri, Project Review Coordinator, at 617-626-1050 or visit the CZM web site at [www.state.ma.us/czm/fcr.htm](http://www.state.ma.us/czm/fcr.htm).

BKC/sm

cc: Stephen McKenna, CZM Cape & Islands Regional Coordinator  
Jim Mahala, MassDEP  
Chuck Hodgkinson, Chilmark Conservation Commission  
Kevin Kotelly, U.S. Army Corps of Engineers





The COMMONWEALTH OF MASSACHUSETTS  
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES  
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS  
251 Causeway Street, Suite 800, Boston, MA 02114-2136  
Tel. (617) 626-1200 Fax (617) 626-1240 Web Site: [www.mass.gov/czm/buar/index.htm](http://www.mass.gov/czm/buar/index.htm)

October 30, 2015

RECEIVED

NOV 02 2015

MEPA

Secretary Matthew A. Beaton  
Executive Office of Energy and Environmental Affairs  
Attention: Purvi Patel, MEPA Unit  
100 Cambridge Street, Suite 900  
Boston, MA 02114

RE: Squibnocket Beach Restoration and Access project, Chilmark and West Tisbury (EEA#15428)

Dear Secretary Beaton,

The staff of the Massachusetts Board of Underwater Archaeological Resources has reviewed the above referenced project's ENF (EEA#15428) and supporting materials for Squibnocket Beach Restoration and Access Project. We offer the following comments.

The Board has conducted a preliminary review of its files and secondary literature sources to identify known and potential submerged cultural resources in the area of Squibnocket Beach and Squibnocket Pond. No record of any underwater archaeological resources was found. Based on the results of this review and the nature of the proposed activities, the Board expects that this project is unlikely to impact submerged cultural resources.

However, the Board notes the area may be archaeologically sensitive. It is considered to be an inundated land formation and as such there exists a reasonable expectation for the preservation of now submerged prehistoric cultural resources. Research indicates that certain types of environmental and topographical settings are strongly associated with the presence of prehistoric archaeological deposits. Further, the loss of earlier and smaller coastal vessels and the purposeful abandonment of obsolete or damaged vessels are generally not found in the documentary record. Should heretofore unknown archaeological resources be encountered during the course of work, the Board expects that the project's sponsor will take steps to limit adverse affects (take care to not further disturb the archaeological resource and note its precise location) and notify the Board, the Massachusetts Historical Commission, and the Wampanoag Tribe of Gay Head/Aquinnah immediately in accordance with the Board's *Policy Guidance for the Discovery of Unanticipated Archaeological Resources*.

The Board appreciates the opportunity to provide these comments as part of the review process. Should you have any questions regarding this letter, please do not hesitate to contact me at the address above, by email at [victor.mastone@state.ma.us](mailto:victor.mastone@state.ma.us), or by telephone at (617) 626-1141.

Sincerely,

A handwritten signature in blue ink, appearing to read "V. Mastone".

Victor T. Mastone  
Director

/vtm

Cc: Brona Simon, MHC  
Bob Boeri and Steve McKenna, MCZM  
Bettina Washington, WTGH/A