



The Commonwealth of Massachusetts

Division of Marine Fisheries

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August 19, 2021

Weymouth Conservation Commission
Town Hall
75 Middle Street
Weymouth, MA 02189

Dear Commissioners:

Massachusetts Division of Marine Fisheries (MA DMF) staff have reviewed the Notice of Intent (NOI) submitted by Hardy + Man Design Group, PC on behalf of Norton St Trust, for the proposed shoreline stabilization at 69 Norton Street in Weymouth, MA along Phillips Creek. The project consists of the installation of rip-rap along 182lf of coastal bank (~600sf).

The proposed rip-rap would be placed adjacent to Land Containing Shellfish (310 CMR 10.34). The project site is adjacent to tidal flats mapped as shellfish habitat by DMF for soft shell clam (*Mya arenaria*) within shellfish growing areas GBH1.0, classified as prohibited for shellfish harvest, and GBH1.21, classified as Conditionally Restricted for shellfish harvest. Tidal flats provide one of the most productive marine habitats for numerous marine species and are designated "special aquatic sites" under the Federal Clean Water Act.

Below is a list of concerns and associated recommendations by MA DMF for avoidance, minimization, and mitigation of impacts by the proposed work to the fisheries resources listed above.

- **Temporary impacts to shellfish:** Increased sedimentation or turbidity resulting from shoreline construction projects can negatively impact shellfish spawning and settlement in adjacent habitat [1]. MA DMF recommends any sediment that is disturbed, stockpiled, or reset be properly contained and stabilized and that all work below Mean High Water (EL 5.47' NAVD) be conducted during low tide to minimize sediment runoff and associated turbidity. In addition, all construction equipment and materials should be prohibited from adjacent tidal flats and stored above Mean High Water.

Thank you for considering our comments. Questions about this review may be directed to Forest Schenck in our Gloucester office at Forest.Schenck@mass.gov.

Sincerely,

Forest Schenck
Marine Fisheries Habitat Specialist

FS

Cc.

R. Boeri, MA CZM

C. Jacek, USACE

S. Hardy, Hardy+ Man Design Group, PC

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.