



Massachusetts Coastal Infrastructure Programmatic Environmental Assessment Compliance Checklist

Wessagusset Beach Walk Project

Weymouth, Norfolk County, Massachusetts

LPDM-PJ-01-MA-2023-005

November 02, 2023



FEMA

U.S. Department of Homeland Security
Federal Emergency Management Agency, Region 1
220 Binney Street
Cambridge, MA 02142

I. PROJECT INFORMATION

<p>Coastal Flood and Erosion Mitigation Projects in Massachusetts</p>	<p>Date: 11/02/23</p>
<p>Assessment under the Coastal Flood and Erosion Mitigation Projects Programmatic Environmental Assessment (PEA) and Finding of No Significant Impact (FONSI)</p> <p><i>*This form is designed to help FEMA review each project to determine if it should be covered by this PEA or whether another level of evaluation would be more suitable, including an SEA, a stand-alone EA, or an environmental impact statement. Project Proponents may also complete this form and submit to FEMA using the address at the end of this checklist.</i></p>	
<p>Disaster Description and Date: N/A</p>	
<p>Project Name and Project Number:</p> <p>Weymouth Wessagusset Beach Walk Town of Weymouth, Norfolk County, Massachusetts LPDM-PJ-01-MA-2023-005</p>	
<p>Name and Contact Information of Person Completing this Form:</p> <p>Brandon M Webb, CDM Smith, webbbm@cdmsmith.com, 617.452.6142</p>	

Describe Purpose and Need for Action:

The purpose of the proposed project is to reduce the potential for landslides along the Wessagusset Beach cliff. The project is needed as town and private infrastructure on top of the cliff is at risk of damage from erosion and landslides along the unprotected cliffside.

Action(s) Proposed:

Hard Engineering Designs

- Revetments
- Bulkheads and Seawalls
- Levees/Berms
- Groins
- Wave Attenuators

Bioengineering Measures

- Bank Regrading/Stabilization
- Beach/Dune Restoration
- Marsh and Wetlands Creation, Restoration, or Enhancement

Other proposed activities not included above:

Describe the No Action Alternative:

Under the No Action alternative, there would be no federal financial assistance for revetment replacement. As the Town of Weymouth has been planning to clean up this area, provide safe public access, and protect the embankment along the shoreline for several decades without success, it is expected that existing conditions would not improve. The 500 foot long portion of the coastal bank that is not protected by a rock revetment would continue to undergo toe scarp erosion, worsened by storms that are likely to become more severe with climate change. Continued wave action would cause extensive erosion of the toe of the bank in this area, eventually causing damage to town and private infrastructure located at the top of the bank. This alternative would not meet the overall purpose and need.

Describe the Proposed Action:

The Town of Weymouth (Town) proposes to reduce the risk of bank erosion and coastal damage by stabilizing and rehabilitating a 2,500-foot stretch of coastline on and between Wessagusset Beach at 42.250050, -70.947026 and George E. Lane Beach at 42.253069, -70.938994 in the Town of Weymouth, MA.

Proposed project elements include:

- The removal of existing wooden flotsam, metal debris, concrete foundations, and concrete rubble located along the rocky intertidal shore adjacent to the project site. Existing concrete components may be crushed and reused for riprap.
- Construction of a 1,000-foot long, coastal-facing rock revetment on the western side of the project area, 500 feet of which would be replacement of existing revetment and 500 feet would be new revetment.
- Construction of an 8-foot wide elevated heavy-duty timber and precast concrete pedestrian walkway running along the entire 1,000-foot revetment on the land side. The walkway would include security cameras and lighting fixtures.
- Construction of a 5-foot wide strip of small diameter rip-rap along the entire length of the proposed pedestrian walkway on the landside to stabilize the bottom of the vegetated coastal bank and to facilitate the collection and dissipation of stormwater runoff that may flow down the adjacent coastal bank.
- Removal of vegetation along the 2,500-foot slope would be required to stabilize the soils. Vegetation removal would be done through the use of herbicide and manual tools. Some tree removal may be necessary. If the tree is located within the limit of excavation of the proposed boardwalk and revetment, then the stump will be removed. If the tree removal is on the coastal bank, the trees will be flush cut to minimize disturbance of the coastal bank. The bank would then be stabilized using current soils and replanted with native vegetation for increased bank stabilization.
- Renourishing 18,600 square feet of the beach along the proposed 1,000-foot retaining wall.
- Removal of 9 sets of existing access stairs east of the groin separating Wessagusset Beach and George Lane Beach.
- Other proposed project elements include the installation of a continuous 1,000 foot long drainage trench on the landside of the walkway, reconstruction of a trap rock-lined drainage swale along the coastal bank, parking and pedestrian improvements including a new sidewalk, sidewalk rehabilitation, reconstruction/replacement of a beach access stairway, ADA infrastructure

including a ramp to the pedestrian walkway on the George Lane Beach side and painted handicap symbols in all handicap spaces, and ecological restoration and invasive plant removal.

Describe Public/Agency Involvement to Date (if any):

PEA Public Notice:

The draft PEA was made available for agency and public review and comment for a period of 30 days, from September 15, 2022, to October 15, 2022. An electronic copy was made available for review on FEMA's National Environmental Policy Act Repository at: <https://www.fema.gov/emergency-managers/practitioners/environmental-historic/nepa-repository>.

FEMA also sent a notification regarding the availability of the draft PEA for review and comment to the agencies who received the scoping document and published a Notice of Availability to the below newspapers.

Newspaper	Date NOA Published
Cape Cod Times	Wednesday – September 14, 2022
Taunton Daily Gazette	Wednesday – September 14, 2022
Bedford Standard Times	Wednesday – September 14, 2022
Boston Herald	Sunday – September 11, 2022
Herald Citizen	Thursday – September 15, 2022
Fall River Herald	Tuesday – September 13, 2022
The Daily News of Newburyport	Wednesday – September 14, 2022
Patriot Ledger	Wednesday – September 14, 2022
Gloucester Daily Times	Wednesday – September 14, 2022
Salem News	Wednesday – September 14, 2022

Public meetings:

Two public meetings for the Weymouth Wessagusset Beach Walk project were held at the Mary McElroy Meeting Room in the John F. McCulloch Building, 182 Green Street, Weymouth, MA 02191 on February 17th, 2023 and May 31st. 2023. No substantive comments were received at either meeting. Public meeting information, including presentations and videos of both meetings, can be found here:

<https://www.weymouth.ma.us/planning-community-development/pages/wessagussett-walk>

Consultations:

- FEMA consulted with the State Historic Preservation Office (SHPO) about the project on August 3, 2023, with a “No Adverse Effect to Historic Properties” determination. SHPO concurred on August 10, 2023.
- FEMA consulted with the Tribal Historic Preservation Officers of the Mashpee Wampanoag Tribe, Mohegan Tribe of Indians of Connecticut, and Narragansett Indian Tribe on August 3, 2023. No response was received within 30-days of receipt of FEMA's consultation and concurrence was assumed as per 36 C.F.R. Section 800.3(c)(4).

- A “May effect, but not likely to effect” determination for the Northern long-eared bat (*Myotis septentrionalis*) was made using U.S. Fish and Wildlife’s (USFWS) Information for Planning and Consultation (IPaC) tool and a determination key was submitted to U.S. Fish and Wildlife Service on August 23, 2023. No response from USFWS was received within the 15-day review period; therefore, the project may proceed under the terms of the determination.
- FEMA requested an Essential Fish Habitat (EFH) consultation with the National Marine Fisheries Service (NMFS) on July 6, 2023, to confirm the time of year restrictions from February 15 to June 30 as described in the previously issued U.S. Army Corps of Engineers (USACE) authorization for the project under General Permits (GP) # 1, 5, and 7 (File Number NAE-2018-01520). NMFS responded on July 6, 2023, that the City of Weymouth would be required to adhere to the updated Massachusetts GPs and the previously determined time of year restriction. NMFS confirmed that submission of an Essential Fish Habitat Assessment Worksheet would not be required.

List Required Permits, Approvals, or Authorizations and Status of Each:

Federal

- Coastal Engineering (on behalf of the Town) submitted a permit application to USACE on July 19, 2019, and a Section 14 Review was sent on May 6, 2020. The proposed project was approved by USACE under GPs # 1, 5, and 7 (File Number NAE-2018-01520) on May 26, 2020.
 - **Status:** the GP authorizations (File Number NAE-2018-01520 from May 26, 2020) have expired. The Town of Weymouth is coordinating with USACE for updated authorizations.
- USACE permit NAE-2018-01520 states “The Massachusetts Office of Coastal Zone Management has already determined that no further Federal Consistency Review is required.”
 - **Status:** Coastal Zone Consistency Determination to be reobtained with new USACE GP authorization.

State

- Coastal Engineering (on behalf of the Town) filed a Notice of Intent (NOI) with the Town of Weymouth Conservation Commission on May 15, 2018, and an Order of Conditions (OOC) (MassDEP File #81-1213) was issued on May 13, 2019.
 - **Status:** The OOC MassDEP File #81-1213 has expired. The Town is currently coordinating with the Weymouth Conservation Commission for updated conditions.
- Kyle Zick Landscape Architecture (on behalf of the Town) filed an NOI for an Ecological Restoration Project with the Conservation Commission on June 10, 2019, and an Order of Conditions (OCC) (MassDEP File #81-1245) was issued on July 16, 2019.
 - **Status:** The OOC MassDEP File #81-1245 has expired. The Town is currently coordinating with the Weymouth Conservation Commission for updated conditions.
- Coastal Engineering (on behalf of the Town) filed an Environmental Notification Form (ENF) with the Office of Energy and Environmental Affairs (EEA) on June 13, 2018. An ENF Massachusetts Environmental Policy Act (MEPA) certificate (EEA Number 15877) was issued with comments from the Massachusetts Department of Environmental Protection Bureau of Waste Site Cleanup on August 17, 2018.
- The Massachusetts Department of Environmental Protection (MassDEP) issued a 401 Water Quality Certification (401 WQC) for Dredging and Fill/Excavation (Transmittal # X283696) with

the determination that there is a reasonable assurance that the project or activity would be conducted in a manner that will not violate applicable water quality standards (314 CMR 4.00) and other applicable requirements of state law in a letter dated July 24, 2020.

- **Status:** The certification has expired, and the City is coordinating with MassDEP for an extension.
- MassDEP issued a Chapter 91 Waterways License No. 15271 in a letter dated July 22, 2021.
 - **Status:** Valid until 2026. The letter states that all authorized work must be completed within five years of Chapter 91 Waterways License No. 15271 issuance.

Local

- Review and approval by the local floodplain development administrator or issuance of a local floodplain development permit that demonstrates that the Proposed Action is consistent with the criteria of the NFIP (44 C.F.R. part 59 et seq.) or any more restrictive federal, state, or local floodplain management standards (44 C.F.R. 9.11(d)(6)) is required and the Town must comply with all terms and conditions of the issued permit.

II. ANALYSIS OF ENVIRONMENTAL CONSEQUENCES

For each resource, confirm that the potential effects of the proposed project are described in the PEA and that mitigation measures described in the PEA will be applied to the project. Review the Additional Impacts Questionnaire (Section III) and document any additional impacts and proposed mitigation for those additional impacts. Determine whether the combination of potential effects described in the PEA and any additional impacts would result in significant impacts after mitigation measures are applied. Review the thresholds found in Table 6.1 of the PEA and determine whether the PEA would apply. If there are additional impacts related to a particular resource, a Supplemental EA (SEA) may still need to be prepared even if the PEA thresholds are not exceeded. An SEA may focus on only the resource(s) with the additional impacts.

Resource	Document Project Effects and Mitigation that Conform with PEA	Document Additional Impacts <i>*See Section III. Additional Impact Questionnaire</i>	Describe Mitigation for Additional Effects and/or Results of Consultations (if Applicable)	Would Mitigation and/or Consultation Reduce Effects to a Less than Significant Level? (Yes/No)	Does PEA Coverage Apply? (Yes/No)
Geology, Topography, and Soils	Ground disturbance from excavation would reach a depth of approximately 8 to 10 feet from the current beach elevation in front of the existing revetment. The area would be renourished to existing conditions once revetment work is complete. The topography would change slightly due to higher revetment and boardwalk. In the long term, soil loss from erosion and landslides would be minimized, and the proposed action would have a minor beneficial impact. The project area is an urbanized area as defined by the 2010 Census Urban Area Reference Maps and therefore the Proposed Action is exempt from the Farmland Protection Policy Act (FPPA).	None	The Subapplicant would implement applicable best management practices (BMPs) and conditions as described in all required permits to minimize construction impacts.	Yes; in accordance with BMPs and conditions as required in permits and the PEA. This includes a coastal sediment transport impact analysis for the revetment.	Yes

Resource	Document Project Effects and Mitigation that Conform with PEA	Document Additional Impacts <i>*See Section III. Additional Impact Questionnaire</i>	Describe Mitigation for Additional Effects and/or Results of Consultations (if Applicable)	Would Mitigation and/or Consultation Reduce Effects to a Less than Significant Level? (Yes/No)	Does PEA Coverage Apply? (Yes/No)
Air Quality	The Proposed Action is in Norfolk County, which is currently in attainment for all criteria pollutants. Minor short-term impacts would be anticipated from the operation of vehicles and equipment to construct the project and renourish the beach. Any short-term air quality impacts would likely not exceed <i>de minimis</i> thresholds. There would be no long-term impacts from the operation of the revetment and boardwalk and no new long-term source of air emissions.	None	None	Not applicable	Yes
Climate Change	The Proposed Action would have negligible short-term impacts related to greenhouse gas emissions from the operation of vehicles and equipment during construction. These emissions would be temporary. The Proposed Action would increase the height of the revetment, protecting the development within the beach area of Weymouth from climate change related flooding, including sea level rise and increased storm surges.	None	None	Not applicable	Yes

Resource	Document Project Effects and Mitigation that Conform with PEA	Document Additional Impacts <i>*See Section III. Additional Impact Questionnaire</i>	Describe Mitigation for Additional Effects and/or Results of Consultations (if Applicable)	Would Mitigation and/or Consultation Reduce Effects to a Less than Significant Level? (Yes/No)	Does PEA Coverage Apply? (Yes/No)
Water Quality	All construction would be conducted landward of the high tide line or during low tides. Impacts on water quality would be minimized by complying with all permit conditions and BMPs. Therefore, there would be a short-term negligible impact on water quality. In the long-term, the new revetment and riprap would reduce sediment from entering the water, which would have a minor beneficial effect on water quality.	None	Comply with all BMPs listed in the MassDEP updated Chapter 91 dredge permit, 401 water quality certification, and the USACE GPs 1, 5, and 7 authorizations and general conditions.	Yes, in accordance with BMPs and conditions as required in permits.	Yes
Floodplains	According to the FEMA National Flood Hazard Layer map, the majority of the project area is in Zone VE and the remainder is within Zone AE as shown on FIRM panel 25021C0089F, dated June 9, 2014. The 8-step review process was conducted in compliance with Executive Order 11988 and the Proposed Action is the only practicable alternative.	None	Compliance with all BMPs and conditions in any required local floodplain development permit would reduce impacts on the floodplain.	Yes, in accordance with BMPs and conditions as required in permits.	Yes
Wetlands	According to the National Wetlands Inventory map and the underlying aerial photography, most of the project area is within estuarine and marine wetlands. MassDEP issued a 401 Water Quality Certification for Dredging and Fill/Excavation (Transmittal # X283696) with the determination that there is reasonable assurance that the project or activity would be conducted in a manner that will not violate applicable water quality standards (314 CMR 4.00) and other applicable requirements of state law in a letter dated July 24, 2020.	None	Comply with all BMPs and conditions listed in the MassDEP updated Chapter 91 dredge permit, OOC, 401 water quality certification, and the USACE GPs 1, 5, and 7 authorizations and general conditions.	Yes, in accordance with BMPs and conditions as required in permits.	Yes

Resource	Document Project Effects and Mitigation that Conform with PEA	Document Additional Impacts <i>*See Section III. Additional Impact Questionnaire</i>	Describe Mitigation for Additional Effects and/or Results of Consultations (if Applicable)	Would Mitigation and/or Consultation Reduce Effects to a Less than Significant Level? (Yes/No)	Does PEA Coverage Apply? (Yes/No)
Wild and Scenic Rivers	The closest Wild and Scenic River is Taunton Wild And Scenic River, which is 10 miles south of the proposed project site. Based on the distance to the project, implementation of this project would have no direct or adverse impacts on Wild and Scenic Rivers.	None	None	Not Applicable	Yes
Navigation	The new revetment and boardwalk would not extend into any navigation channel. Therefore, the proposed project would not have an impact on navigation.	None	None	Not Applicable	Yes
Coastal Zone Management Act	The Proposed Action is within the Massachusetts Coastal Zone. A favorable Coastal Zone Consistency Determination would be required in the updated USACE GP authorization.	None	Comply with all conditions and BMPS from updated USACE GP and Coastal Zone Consistency Determination.	Yes; consultation is required with MA CZM. Concurrence that the project is consistent with state coastal zone management plan is required as a condition of the grant.	Yes
Coastal Barrier Resource Act	The Proposed Action is not in or near a Coastal Barrier Resource System zone or an Otherwise Protected Area, and therefore, would have no impact.	None	None	Not Applicable	Yes

Resource	Document Project Effects and Mitigation that Conform with PEA	Document Additional Impacts <i>*See Section III. Additional Impact Questionnaire</i>	Describe Mitigation for Additional Effects and/or Results of Consultations (if Applicable)	Would Mitigation and/or Consultation Reduce Effects to a Less than Significant Level? (Yes/No)	Does PEA Coverage Apply? (Yes/No)
Vegetation	Vegetation would be removed along the entire bank within the project area using Triclopyr (Garlon 3A) and Glyphosate (Accord, Aquaneat, or Rodeo) herbicides, both U.S. Environmental Protection Agency (EPA) approved herbicides. Existing vegetation primarily consists of invasive Japanese knotweed (<i>Polygonum cuspidatum</i>) and Asiatic bittersweet (<i>Celastrus orbiculatus</i>). Some tree removal would also occur. If the tree is located within the limit of excavation of the proposed boardwalk and revetment, then the stump will be removed. If the tree removal is on the coastal bank, the trees will be flush cut to minimize disturbance of the coastal bank. Once work is complete, the bank would be replanted with native vegetation. Per MassMapper there are no known seagrass beds near the project area.	None	Pesticide contamination would be minimized by following all application instructions and following all mitigation measures for invasive management within the OOC.	No	Yes

Resource	Document Project Effects and Mitigation that Conform with PEA	Document Additional Impacts <i>*See Section III. Additional Impact Questionnaire</i>	Describe Mitigation for Additional Effects and/or Results of Consultations (if Applicable)	Would Mitigation and/or Consultation Reduce Effects to a Less than Significant Level? (Yes/No)	Does PEA Coverage Apply? (Yes/No)
Fish and Wildlife	<p>The project area is highly developed and would not disturb any wildlife species not otherwise adapted to an urban environment and levels of human activity typical of a recreational waterfront. Any disturbance to wildlife would be short term for the duration of construction. Replanting the area with native vegetation may increase habitat for wildlife in the long term.</p> <p>There are numerous migratory bird species with the potential to occur in or near the project area. If tree removal occurs during the breeding season, nests, eggs, and young may be damaged or killed. Migratory birds are very unlikely to nest in the non-native invasive plant species that make up most of the vegetation in the project area.</p> <p>There are no known nesting pairs of bald eagles (<i>Haliaeetus leucocephalus</i>) within or near the project area. Bald eagles may forage in the area, but would be able to find sufficient foraging areas outside of the construction zone. Therefore, there would be a negligible impact to bald eagles.</p> <p>No in water work would occur that could impact fish species because the work would be conducted in the dry. Compliance with all permit required conditions, including time of year restrictions, would minimize any runoff that could impact fish species.</p>	None	Comply with all BMPs and conditions listed in the MassDEP updated Chapter 91 dredge permit, 401 water quality certification, and the USACE GPs 1, 5, and 7 authorizations.	No	Yes

Resource	Document Project Effects and Mitigation that Conform with PEA	Document Additional Impacts <i>*See Section III. Additional Impact Questionnaire</i>	Describe Mitigation for Additional Effects and/or Results of Consultations (if Applicable)	Would Mitigation and/or Consultation Reduce Effects to a Less than Significant Level? (Yes/No)	Does PEA Coverage Apply? (Yes/No)
Invasive Species	Invasive Japanese knotweed (<i>Polygonum cuspidatum</i>) and Asiatic bittersweet (<i>Celastrus orbiculatus</i>) would be removed using either Triclopyr (Garlon 3A) or Glyphosate (Accord, Aquaneat, or Rodeo) pesticides, both EPA approved for work near water. The area would be planted with native vegetation to reduce future invasive species growth.	None	Comply with mitigation measures for invasive management within the OOC. Replant the area with native vegetation.	Yes	Yes

Resource	Document Project Effects and Mitigation that Conform with PEA	Document Additional Impacts <i>*See Section III. Additional Impact Questionnaire</i>	Describe Mitigation for Additional Effects and/or Results of Consultations (if Applicable)	Would Mitigation and/or Consultation Reduce Effects to a Less than Significant Level? (Yes/No)	Does PEA Coverage Apply? (Yes/No)
Threatened and Endangered Species	<p>According to USFWS IPaC, the Northern long-eared bat and the Roseate tern (<i>Sterna dougallii dougallii</i>) have the potential to occur in the area. On August 23, 2023, the IPaC Determination-key for the Northern long-eared bat was used to make a “May effect, but not likely to adversely effect” determination.</p> <p>Roseate tern generally nests on sandy, gravelly, or rocky islands and, less commonly, in small numbers at the ends of long barrier beaches. As the project area does not include this habitat type, there would be no effect on the Roseate tern.</p> <p>According to NOAA’s ESA Section 7 mapper the project is adjacent to Atlantic sturgeon (<i>Acipenser oxyrinchus oxyrinchus</i>), shortnoes sturgeon (<i>Acipenser brevirostrum</i>), green sea turtle (<i>Chelonia mydas</i>), Kemp’s ridley sea turtle (<i>Lepidochelys kempii</i>), leatherback sea turtle (<i>Dermochelys coriacea</i>), and loggerhead sea turtle (<i>Caretta caretta</i>).</p> <p>Permit related conditions and BMPs pertaining to sediment and runoff control as well as the requirement to work in the dry would avoid impacts to ESA species and result in a no effect determination.</p>	None	<p>Tree removal would occur during the inactive season from November 1 to April 14 for the Northern long-eared bat.</p> <p>Construction must be completed in the dry between high tide cycles, and all construction related equipment must be removed and the site secured prior to high tide.</p> <p>Compliance with updated permits, i.e., USCAE Authorization and General Permit, Order of Conditions, Chapter 91 Liscence, and Section 401 Water Quality Permit, requiring implementation of construction and sedimentation BMPs.</p>	Yes	Yes

PEA Compliance Document

LPDM-PJ-01-MA-2023-005 — Weymouth Wessagusset Beach Walk

Resource	Document Project Effects and Mitigation that Conform with PEA	Document Additional Impacts <i>*See Section III. Additional Impact Questionnaire</i>	Describe Mitigation for Additional Effects and/or Results of Consultations (if Applicable)	Would Mitigation and/or Consultation Reduce Effects to a Less than Significant Level? (Yes/No)	Does PEA Coverage Apply? (Yes/No)
Essential Fish Habitat	The project area is adjacent to EFH that may be impacted by project related construction activities. Permit related conditions and BMPs, including a time of year restriction for beach nourishment (February 15 to June 30), would minimize impacts on EHF. FEMA requested a consultation with NMFS to confirm that previous conservation recommendations are still applicable from the expired permits. NMFS confirmed that compliance with the updated USACE GP authorizations, as well as the time of year restriction, would minimize adverse effects.	None	Compliance with updated USACE GPs 1, 5, and 7 authorizations, including the February 15 to June 30 time of year restriction for beach nourishment.	Yes, apply avoidance and minimization measures outlined in the USACE GP authorizations.	Yes

Resource	Document Project Effects and Mitigation that Conform with PEA	Document Additional Impacts <i>*See Section III. Additional Impact Questionnaire</i>	Describe Mitigation for Additional Effects and/or Results of Consultations (if Applicable)	Would Mitigation and/or Consultation Reduce Effects to a Less than Significant Level? (Yes/No)	Does PEA Coverage Apply? (Yes/No)
Cultural Resources	<p>FEMA has complied with Section 106 of the National Historic Preservation Act. FEMA consulted with the State Historic Preservation Officer (SHPO) in accordance with the Programmatic Agreement among the Federal Emergency Management Agency, the Massachusetts SHPO, and the Massachusetts Emergency Management Agency executed on December 12, 2018. FEMA consulted with the SHPO on August 3, 2023, with a “No Adverse Effect to Historic Properties” determination. SHPO concurred on August 10, 2023.</p> <p>Additionally, FEMA consulted with the Tribal Historic Preservation Officers of the Mashpee Wampanoag Tribe, Mohegan Tribe of Indians of Connecticut, and Narragansett Indian Tribe on August 3, 2023. No response was received within 30-days of receipt of FEMA’s consultation and concurrence was assumed as per 36 C.F.R. Section 800.3(c)(4).</p>	None	<p>In the event of the discovery of archaeological deposits (e.g., Native American pottery, stone tools, shell, old house foundations, old bottles), the Project Proponent and their contractor must immediately stop all work in the vicinity of the discovery and take reasonable measures to avoid or minimize harm to the finds. The Project Proponent and their contractor must secure all archaeological discoveries and restrict access to discovery sites. The Project Proponent must immediately report the archaeological discovery to MEMA and FEMA; FEMA will determine the next steps.</p> <p>In the event of the discovery of human remains, the Project Proponent and their contractor must immediately stop all work in the vicinity of the discovery and take reasonable measures to avoid or minimize harm to the finds. The Project Proponent and their contractor must secure all human remains discoveries and restrict access to discovery sites. .</p>	Not applicable	Yes

Resource	Document Project Effects and Mitigation that Conform with PEA	Document Additional Impacts <i>*See Section III. Additional Impact Questionnaire</i>	Describe Mitigation for Additional Effects and/or Results of Consultations (if Applicable)	Would Mitigation and/or Consultation Reduce Effects to a Less than Significant Level? (Yes/No)	Does PEA Coverage Apply? (Yes/No)
			<p>The Project Proponent and their contractor must follow the provisions of applicable state laws or any amendments or supplanting laws and regulations. Violation of state law will jeopardize FEMA funding for this project. The Project Proponent must inform the Massachusetts State Police, the Office of the Chief Medical Examiner, the State Archaeologist, MEMA, and FEMA. FEMA will consult with the SHPO and Tribes, if remains are of tribal origin. Work in sensitive areas may not resume until consultation is completed and appropriate measures have been taken to ensure that the project is compliant with the NHPA</p>		
Land Use and Zoning	<p>The Proposed Action would not result in temporary or permanent changes in land use or cause a conflict with the local zoning ordinance or a general plan. The Subapplicant would be responsible for compliance with any local ordinances and plans and obtain any required conditional use permits, zoning variances, or other legal requirements.</p>	None	None	Not Applicable	Yes

Resource	Document Project Effects and Mitigation that Conform with PEA	Document Additional Impacts <i>*See Section III. Additional Impact Questionnaire</i>	Describe Mitigation for Additional Effects and/or Results of Consultations (if Applicable)	Would Mitigation and/or Consultation Reduce Effects to a Less than Significant Level? (Yes/No)	Does PEA Coverage Apply? (Yes/No)
Noise	Noise-sensitive environments within and near the project area include residential and park areas. Construction activities and the use of heavy equipment for the Proposed Action would result in short-term, temporary increases in ambient noise levels in the project area impacting these noise-sensitive environments. However, as long as construction activities comply with all federal, state, and local noise regulations, there would be a minor short-term impact related to noise in the area. In the long-term, there would be no additional noise sources added.	None	All construction activities must conform to federal, state, and local noise regulations.	Yes, construction activities must conform to local noise ordinances.	Yes
Traffic and Transportation	Construction-related traffic and movement of equipment and materials would result in short-term negligible impacts on traffic and transportation. Material would be transported to the project area by a limited network of roads including Wessagusset Road and River Street. Construction staging is proposed in parking areas outside the project area. No road closures are anticipated for construction. There would be no long-term impact on traffic as there would be no changes to the traffic patterns in the area.	None	None	Not Applicable	Yes

Resource	Document Project Effects and Mitigation that Conform with PEA	Document Additional Impacts <i>*See Section III. Additional Impact Questionnaire</i>	Describe Mitigation for Additional Effects and/or Results of Consultations (if Applicable)	Would Mitigation and/or Consultation Reduce Effects to a Less than Significant Level? (Yes/No)	Does PEA Coverage Apply? (Yes/No)
Public services and Utilities	Work would not require disconnection of any utility services. The proposed project would not cause any direct impacts on citywide public services and utilities. Implementation of the project would benefit public services in the long-term by reducing potential impacts from landslides.	None	None	Not Applicable	Yes
Public Health and Safety	Implementation of the project would benefit public health and safety in the long-term by reducing impacts from landslides.	None	None	Not Applicable	Yes
Environmental Justice	There are no low-income or minority populations within or adjacent to the project area, and therefore, the Proposed Action would have no disproportionate and adverse effect on EJ populations. Work would be done within the beach and cliff area and would not impact any nearby EJ populations because impacts related to noise, traffic, and air quality would be localized.	None	None	Not Applicable	Yes

Resource	Document Project Effects and Mitigation that Conform with PEA	Document Additional Impacts <i>*See Section III. Additional Impact Questionnaire</i>	Describe Mitigation for Additional Effects and/or Results of Consultations (if Applicable)	Would Mitigation and/or Consultation Reduce Effects to a Less than Significant Level? (Yes/No)	Does PEA Coverage Apply? (Yes/No)
Hazardous Materials	<p>Construction would require the use of motorized equipment and vehicles. The use of motorized equipment or vehicles could result in the accidental release of petroleum-based materials.</p> <p>According to EPA’s NEPAAssist and Mass DEP Activity and Use Limitations mapper there are no CERCLA, Brownfields, Toxic Release, or Use limitation sites within 0.5 miles of the project area.</p>	None	<p>If hazardous materials (or evidence thereof) are discovered during the implementation of the project, the Subapplicant must handle, manage, and dispose of petroleum products, hazardous materials, and/or toxic waste in accordance with applicable local, state, and federal regulations.</p> <p>During construction, the Subapplicant and/or their contractor must notify MassDEP of any sudden release or spill of any chemical (either oil or hazardous material), that exceeds the threshold for a Reportable Quantity in compliance with the Massachusetts cleanup regulations (310 CMR 40.1600). The Massachusetts Oil and Hazardous Materials List (MOHML) provides the levels that trigger notification to MassDEP. Copies of correspondence with MassDEP must be forwarded to the state and FEMA for inclusion in the administrative record.</p> <p>Pesticide contamination would be minimized by following all application instructions and following all mitigation measures for invasive management within the OOC.</p>	No	Yes

III. ADDITIONAL POTENTIAL EFFECTS QUESTIONNAIRE

Additional effects may include 1) exceedance of thresholds described in this questionnaire and/or 2) effects not covered by the PEA and don't exceed thresholds. The questions below are designed to help identify any potential additional effects. If the answer to a given question is 'Yes', additional impacts may occur and should be described in an attachment and summarized in Section II.

If additional impacts not fully described in the PEA may occur, then an SEA, an EA, or an EIS might need to be prepared. An SEA may be a brief document focusing on only the specific additional impact(s) identified.

Geology, Topography, and Soils

Would the proposed project impact a shoreline with exposed bedrock? **No**

Would the proposed project have an adverse effect on soils protected by the Farmland Policy Protection Act? **No**

Would the proposed project cause downdrift erosion or deposition of sediments across jurisdictional boundaries?¹ **Unlikely, the project area is bounded by existing groins that have already altered the natural processes of littoral drift.**

Air Quality

Would the proposed project result in new long-term source(s) of air emissions? **No**

Is the proposed project in a nonattainment or maintenance area using the latest EPA Greenbook status? **No**

Would the proposed project involve many truck trips or a long duration of heavy equipment operation? **Yes, beach nourishment may require multiple truck trips, however, *de minimis* thresholds would likely not be exceeded.**

If yes to both, a determination on whether the proposed project would exceed *de minimis* thresholds should be performed.²

Climate

Would the proposed project result in new long-term source(s) of greenhouse gas emissions? **No**

Would the project release more than 25,000 metric tons of greenhouse gases per year?³ **No**

¹ Cross-jurisdictional impacts from downdrift erosion may occur in cases where a jurisdictional boundary is located downstream from the proposed project area at a distance of less than four times the length of the proposed shore-parallel structure (if a seawall, bulkhead, or revetment) or five times the length of a proposed shore-perpendicular structure (if a groin, jetty, or breakwater).

² The prescribed *de minimis* annual rates are less than 50 tons of volatile organic compounds (VOCs), 100 tons of nitrogen oxides (NOX) (O3 precursors), and 100 tons of PM2.5, SO2, or NOX (PM2.5 and precursors).

³ For example, a project that would involve many truck trips or a long duration of heavy equipment operation may approach air emissions thresholds.

Water Quality

Would the proposed project cause or contribute to long-term impacts on water quality? **No**

Would the proposed project impact water quality in such a way that TMDLs would be exceeded? **No**

Would the proposed project require compensatory mitigation under Clean Water Act Section 404 regulations? **No**

Is the proposed project over any designated sole source aquifer? **No**

If yes, what potential effects to the aquifer would occur from the project?

Floodplains

Would the proposed project adversely affect floodplains as determined through the 8-step process? **No**

If yes, would state and federal regulatory agencies likely require compensatory mitigation for those adverse effects? Would the proposed project adversely impact floodplain outside of the project area?

Wetlands

Would the proposed project adversely affect wetlands as determined through the 8-step process? **No**

If yes, would state and federal regulatory agencies likely require compensatory mitigation for those adverse effects?

Would the proposed project indirectly impact wetlands through the separation of tidal wetlands from oceanic and tidal influence? **No**

Would the proposed project result in the loss of downdrift wetlands? **No**

Wild and Scenic Rivers

Would the proposed project have a potential effect on water quality or water resources, visual and scenic resources, and/or vegetation, fish, and wildlife habitats within a Wild and Scenic Rivers area? **No**

Navigation thresholds

Would the proposed project have long-term impacts on navigation other than those associated with breakwaters, groins, or jetties?⁴ **No**

Would a structure be placed in or immediately adjacent to a navigation channel that could interfere with navigation? **No**

Coastal Resources

Would the proposed project have a permanent adverse effect on coastal resources inconsistent with MA CZM policies? **No**

Would the proposed project have an adverse effect on Coastal Barrier Resource Systems or Otherwise Protected Areas? **No**

⁴ A project may have additional adverse effects on navigation if project activities or structures would obstruct navigation channels or navigational aids, even in the short term.

Vegetation

Would the proposed project have an adverse effect such that it would reduce populations levels of native species or sufficient habitat would not remain to maintain the viability of all vegetation species in the project area? **No**

Fish and Wildlife

Would the proposed project have an adverse effect such that it would reduce populations levels of native species or sufficient habitat would not remain to maintain the viability of all fish and wildlife species in the project area? **No**

Would the proposed project affect Bald Eagle nesting areas or winter roosts? **No**

Would vegetation be removed during the migratory bird nesting/breeding season? **Maybe**

Threatened and Endangered Species

Would the determination of effect under Section 7 of the Endangered Species Act be “may affect, likely to adversely affect?” **Yes**

Cultural Resources

Has FEMA made, or is it expected to make, an Adverse Effect determination that would be resolved through state-specific Programmatic Agreement Treatment Measures or a memorandum of understanding with the SHPO, THPO, or other consulting parties? **No**

Land Use and Zoning

Is the proposed project or location inconsistent with existing land use policies and plans? **No**

Would the project result in effects such that a community would need to revise its land use plan (e.g., revise the zoning to increase setbacks to account for downdrift erosion)? **No**

Noise

Would the proposed project generate new long-term source(s) of noise? **No**

Would the proposed project require pile driving? **No**

If yes, are the piles being driven with an impact or vibratory hammer; and would the noise impacts be more than moderate after mitigation measures are employed?

Traffic and Transportation

Would the proposed project have long-term impact(s) on traffic and transportation? **No**

Public Services and Utilities

Would the proposed project have long-term impact(s) on public services and utilities, including a permanent loss or major rerouting of utilities? **No**

Public Health and Safety

Would the proposed project have long-term adverse effects on public health and safety, such as a permanent source of emissions or permanent reduction of water quality? **No**

Environmental Justice

Is there an environmental justice population in or adjacent to the proposed project area and would there be adverse impacts on those populations such that outreach and coordination to resolve potential adverse impacts would be required? **No**

Hazardous Materials

Would the proposed project involve the release of hazardous materials? **No**

Has a phase I or II environmental site assessment indicated that contamination exceeding reporting levels is present in or near the project area and further action is warranted? **No**

For Project Proponents completing this checklist: Upon completion, submit this checklist and all attachments to FEMA EHP.