

3 November 2021

**Ms. Harmony Wilson, Chair, Haverhill Conservation Commission
Haverhill City Hall, Room 300
4 Summer Street
Haverhill, MA 01830**

**Subject: Notice of Intent and Streamlined MESA/WPA Review
216 River Street Riverbank Stabilization Project
Haverhill, Massachusetts**

Dear Ms. Wilson and members of the Conservation Commission:

On behalf of Fugere LLC and pursuant to the Regulations of the Massachusetts Wetlands Protection Act (the Regulations), the Haverhill Wetlands Protection Ordinance, City Code Chapter 253 (the Ordinance), and the Massachusetts Endangered Species Act (MESA), Geosyntec Consultants, Inc. (Geosyntec) is pleased to submit the attached Notice of Intent (NOI) for the proposed Riverbank Stabilization Project, along the Merrimack River, at 216 River Street in Haverhill, Massachusetts (Site).

The submitted information includes the following:

- Notice of Intent, including Local Ordinance Fee Calculation Form and Fee, WPA Form 3 with Appendix A (Simplified Wildlife Habitat Evaluation), HCC Local Application Form 3 including abutter notification information, Figures, Project Narrative, and Existing Conditions Photographs.
- Biological Assessment for Shortnose and Atlantic Sturgeon;
- Wetland Resource Evaluation;
- One (1) full-sized set of Project Plans entitled "Riverbank Stabilization Project", prepared by Geosyntec Consultants, Inc., Revision A, dated October 2021.

A copy of this NOI is being sent concurrently to the Massachusetts Natural Heritage and Endangered Species Program for streamlined MESA Rare Species and WPA Review; and to the Division of Marine Fisheries, North Shore Office and the Massachusetts Department of Environmental Protection, Northeast Regional Office. All abutters within 300 feet of the project property are being notified via certified mail, a copy of which will be provided at the Public Hearing.

The intent of the project is to restore and stabilize the eroded riverbank which is in poor condition and exhibiting extensive scour, slumping, and related damage. The bank is severely eroded due to scour likely caused by ice and high flows during storm conditions and exacerbated by recent barge

traffic associated with the Comeau Bridge construction project¹. Vegetation growing on the bank has been undermined and trees have leaned toward the River. Other trees on the bank recently became undermined and fell into the River. If the slope is not stabilized, this deterioration will likely continue and will ultimately result in additional loss of property and potential damage to infrastructure at the Site. A drone video was flown on November 20, 2020 to photo and video document the Site which is available on a public domain at the following link: <https://vimeo.com/482177273/99595da6f1>.

Restoration of the riverbank will include the installation of armor stone along the toe and up to the approximate high tide line (elevation 6 feet [ft] NAVD88), and re-grading portions of the eroded bank to restore a vegetated slope. Vegetated reinforced soil slopes (VRSS) will be used in areas along the bank that have experienced severe erosion and require filling to restore slope grades. Selected trees and vegetation will be retained for preservation of habitat, while undermined and fallen vegetation will be thinned. New plantings of perennial grasses, native trees and shrubs will be installed to restore habitat as in-place and in-kind restoration.

Native trees and shrubs will be planted on the slope to provide stability and replace vegetation in-kind that are being removed due to restoration activities. Existing vegetation including invasive Japanese knotweed (*Polygonum cuspidatum*) will be removed during the project and replaced with native non-invasive species.

Impacts to jurisdictional areas include unavoidable work on inland Bank and within Bordering Land Subject to Flooding (BLSF) and 200-foot Riverfront Area, as well as within the 100-foot Buffer Zone and municipal No-Build and No-Disturbance zones. The proposed bank restoration has been designed to minimize resource area impacts to the greatest extent possible.

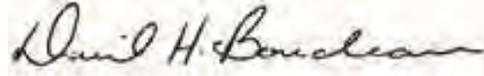
Impacts to important fisheries will be mitigated by restricting in-water work during the sturgeon spawning period, egg and yolk-sac period, and diadromous fish spawning period. Specifically, no in-water work will be performed the anticipated time of year restriction between April 1st through July 15th. In addition, a weighted turbidity curtain will be installed to prevent sediment from entering the river channel, to act as a sturgeon exclusion barrier, and to minimize potential elevated acoustic levels.

¹ Barge traffic over the past three years between the Comeau Bridge and the barge support terminal located approximately 200 feet upstream of 216 River Street on the same (north) side of the River has exacerbated erosion due to barge and boat traffic wakes in the River.

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Thank you very much for your consideration in this matter and we look forward to discussing the project during the public hearing. If you have any questions, please feel free to contact me at (603) 205-8052.

Sincerely,
Geosyntec Consultants, Inc.



Daniel Bourdeau, P.E.
Principal

Attachment:
NOI Application Package

CC: MassDEP Northeast Regional Office
Division of Fisheries and Wildlife, NHESP - Attn: Ms. Misty-Anne Marold
Division of Marine Fisheries, North Shore Office (via email: dmf.envreview-north@mass.gov)
Fugure LLC – Attn: Mr. Jeff Fugere (via electronic copy)