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April 25, 2008

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

PROJECT NAME : Anna Maria College
PROJECT MUNICIPALITY : Paxton
PROJECT WATERSHED : Wachusett
EEA NUMBER : 14213
PROJECT PROPONENT : Anna Maria College
DATE NOTICED IN MONITOR : March 26, 2008

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) 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). However, the project as proposed in the Environmental Notification Form (ENF) does not appear to be permissible and the ENF does not provide sufficient detailed information to complete MEPA review. Therefore, if the proponent chooses to proceed with redesigning the project, the proponent should submit a Notice of Project Change (NPC).

The proposed project consists of a new dormitory building with associated roadway and parking areas, an office building with associated parking, an athletic field (200,000 square feet), and stormwater management system. The project, which is proposed as part of the Master Plan for Anna Maria College, will result in approximately 9 acres of land alteration (including 5 acres of new impervious area). Approximately 26,660 square feet of new building structures are proposed and a total of 250 new parking spaces. Water use for the proposed project is estimated in the Environmental Notification Form (ENF) at an additional 1,200 gallons per day ((gpd) for a total use of 12,300 gpd). Wastewater generation is estimated at 1,000 gpd (for a total flow of 12,368 gpd). The proposed project will connect to the existing municipal water and sewer system.

The project is located within the drainage area to Pine Hill Reservoir, a Class A Surface Public Water Supply. The site contains resource areas designated as Outstanding Resource

Waters (ORW) and areas protected under the Watershed Protection Act. The Socquet House, which is registered in the State Registry of Historic Places, is located on the project site.

The project is undergoing MEPA review pursuant to Section 11.03(4)(b)(6) because it will result in alteration requiring a Variance in accordance with the Watershed Protection Act. The project is also undergoing MEPA review pursuant to Section 11.03 (1)(b) because it will result in creation of five or more acres of new impervious area and may be subject to review under Section 11.03(1)(b)(4) because it will involve conversion of land in active agricultural use to non-agricultural use.

The project requires a Variance from the Watershed Protection Act from the Massachusetts Department of Conservation and Recreation (DCR). The project requires a National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges from Construction Activities (Construction General Permit or "CGP") from the United States Environmental Protection Agency (U.S. EPA). The project requires an Approval from the Massachusetts Department of Environmental Protection (MassDEP) of the proposed Stormwater Pollution Prevention Plan (BRP WM 09 - Approval of NPDES Storm Water Pollution Prevention Plans for the Construction General Permits Discharging to ORW). The project requires an Order of Conditions from the Paxton Conservation Commission (and, on appeal only, a Superseding Order from MassDEP).

The project will receive financial assistance from the Massachusetts Development Finance Agency. Therefore, MEPA jurisdiction is broad and extends to all aspects of the project that are likely to cause Damage to the Environment as defined in the MEPA regulations.

Project Description and Phasing

The ENF is not clear with regard to the proposed phasing of the project. The project description indicates that the first phase consists of a dormitory and that future phases include an office building and 250 parking spaces. However, some of the site plans in the ENF show roadway and parking associated with the dormitory portion of the project. During the MEPA site visit, the proponent indicated that project plans had changed since the ENF filing and then submitted additional information (in a letter dated April 11, 2008). Since the ENF was filed, the dormitory building size and configuration have changed and parking lots are proposed in other areas of the site, which were not identified on the ENF site plans. It is not clear whether the proposed athletic field will be located entirely on the existing Alumni field or whether it will involve additional alteration of undisturbed wooded area and wetlands buffer zone. The ENF does not include an overall development plan that shows proposed conditions upon completion of all project components or plans showing the conditions upon completion of each phase, as required. The ENF includes more detail on the proposed dormitory building compared with other phases, and very little information on the proposed office building and parking, which may be located within the Primary and Secondary Protection Zones subject to the Watershed Protection Act.

Watershed Protection Act

The project as proposed will require a Variance from DCR and, at this time, the extent of work within DCR jurisdiction, particularly the amount of alteration within two hundred feet, is unknown. As noted in the DCR comment letter, the ENF does not provide sufficient detail for DCR to comment on the proposed office building/parking component of the project and does not provide any alternatives analysis for the utilization of the substantial amount of non-jurisdictional land on the project site to justify the need to cause any additional alteration within the Primary Protection Zone (0-200 feet).

Wetlands and Stormwater

The project includes activities within the 100-foot buffer zone. No direct alteration of wetland resource areas are proposed. However, the proposed project is located within the Wachusett Reservoir watershed near wetland resource areas designated as Outstanding Resource Waters (ORW). Surface waters that may receive stormwater discharges from the site, during and after construction, include intermittent streams, perennial streams and bordering vegetative wetlands (BVW) to Pine Hill Reservoir. The proponent is required to design the project's stormwater management system in accordance with the revised Stormwater Management Standards and the newly promulgated regulations that took effect January 2, 2008. The proponent must also submit a Notice of Intent to EPA prior to construction for coverage under the NPDES General Permit for Storm Water Discharges from Construction Activities (CGP). I refer the proponent to the MassDEP comment letter for more information on applicable standards and regulations.

As noted in the MassDEP comment letter, the Storm Water Pollution Prevention Plan (SWPPP) included in the ENF is inadequate and does not comply with many of the terms and conditions of the EPA NPDES CGP. Proponents applying for coverage under the CGP are required to comply with Massachusetts statutory and regulatory provisions that protect and control pollutant discharges to surface waters designated as ORWs. The proponent must submit a complete application of BRP WM 09, for all the proposed construction activities at the project site, to the MassDEP Division of Watershed Management's Surface Water Discharge Permit Program. As further detailed in its comment letter, MassDEP will review the proponent's SWPPP and determine whether additional stormwater pollution control measures will be required beyond the SWPPP to protect the ORW. MassDEP would not approve the submittal of the SWPPP as detailed in the ENF.

The following information would facilitate subsequent MEPA review.

A detailed evaluation of alternatives to reduce impact to the Primary and Secondary Protection Zone, which should include an alternatives analysis as requested by DCR. The NPC should include plans for an alternative that would locate the project outside of the 200ft Watershed Protection Zone. The NPC should include a comparative analysis of alternatives, including a quantitative analysis of impacts to resource areas for each alternative. The NPC should provide additional information to show how the project will be designed to avoid impairment of water quality.

- Information on proposed stormwater management system to meet the MassDEP revised Stormwater Management Standards and the newly promulgated regulations;
- A revised SWPPP and any additional measures required to comply with Massachusetts statutory and regulatory provisions that protect and control pollutant discharges to surface waters designated as ORWs;
- Additional information to clarify whether or not the project meets or exceeds the MEPA review threshold at 301 CMR 11.03(1)(b)(4) relating to conversion of land in active agricultural use to non-agricultural use (including identification of any soils classified as prime, state-important or unique by the United States Department of Agriculture). If the project meets this threshold, the NPC should describe measures to avoid and minimize, or mitigate the loss of agricultural soils;
- A detailed description of all phases of the proposed project with a breakdown of impacts associated with each phase; a master plan that includes all project components (including proposed roadways, parking lots and athletic fields) as an overlay on the existing site plan; and detailed existing and proposed conditions plans for all project phases; and
- A description of alternative project designs and measures to avoid and minimize creation of new impervious area and alteration of undisturbed habitat.

April 25, 2008

DATE



Ian A. Bowles, Secretary

Comments Received:

4/11/08 Department of Conservation and Recreation
4/15/08 Department of Environmental Protection, Central Regional Office

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