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July 28, 2006

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS
ON THE
THE NOTICE OF PROJECT CHANGE

PROJECT NAME : Canton Comprehensive Water Resources Management
Plan\Washington Commons
PROJECT MUNICIPALITY : Canton
PROJECT WATERSHED : Boston Harbor
EOEA NUMBER : 12172
PROJECT PROPONENT : Samson Home Builders
DATE NOTICED IN MONITOR : May 24, 2006

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 determine that this project **does not require** the preparation of an Environmental Impact Report (EIR). The proponent has requested a Phase I Waiver to allow the first phase of the project to proceed, pending the preparation of a Comprehensive Wastewater Management Plan (CWMP)/Environmental Impact Report (EIR) for the project. The Phase I Waiver Request was presented within this Notice of Project Change submittal (NPC). In a Draft Record of Decision (DROD), also issued today, I have proposed to **grant** a Phase I Waiver with conditions allowing the proposed Washington Commons project to proceed while the CWMP/EIR is being prepared.

Project History:

The Town of Canton is preparing a Comprehensive Water Resources Management Plan (CWRMP) to determine the most effective disposal methods for existing and future wastewater disposal flows within the town. Approximately 60% of Canton is connected to the existing sewage collection system, which discharges to the Massachusetts Water Resources Authority (MWRA) system. The remainder of the Town uses individually owned on-site Title 5 septic systems. The Town plans to extend sewer service to unsewered areas and to increase potable water supplies through construction of a new well, Well #9, to meet anticipated future demand.

In May 2004, the Town of Canton submitted a Phase I report as required by a Special Review Procedure for MEPA review created in accordance with 301 CMR 11.09. The Phase I document defined the wastewater disposal needs of the community and included a proposed scope for the Phase II report. The Phase I report included a needs analysis that identified high needs areas and neighborhoods where on-site wastewater disposal may not be a realistic long-term option. The Phase I report also indicated that Infiltration/Inflow (I/I) is a significant wastewater problem. In addition, as a condition for approval of an increase in the interbasin transfer rate, the WRC required that the Town of Canton offset withdrawals from Well #9 that are discharged out of the Neponset River Basin on a 2:1 basis. The Secretary's Certificate (June 14, 2004) on the Phase I Report, required the proponent to submit a Phase I Waiver Request to the MEPA Office for any future proposals for sewerage in the Town prior to the completion of an approved CWRMP/Final EIR under the Waiver provisions at 301 CMR 11.11.

Phase I Waiver Request:

Pursuant to Section 11.11 of the MEPA Regulations, the proponent is requesting a Phase I Waiver to construct a 560 linear foot (lf) extension of the Town of Canton's 8" sewer main within an existing right-of-way, and approximately 235 lf of new 1.5" force main sewer to the project's internal cul-de-sac roadway to serve a 14-lot residential subdivision (6,160 gallons per day (gpd)) located within a 17.29-acre development parcel located off Kenny Street and Washington Street in Canton. According to the information provided in the NPC, the project site is not located within a sewer needs area identified under the Town Canton's Sewer Needs Survey, but is located in close proximity to the service limits of the Town's existing sewer system. As a result, the project will be served by the Town of Canton's municipal water supply system and municipal sewer collection by the Town of Canton for treatment by the Massachusetts Water Resources Authority's (MWRA) Deer Island Wastewater Treatment Facility (WWTF).

Infiltration and Inflow Mitigation

According to DEP, the Town of Canton has developed and implemented an infiltration/inflow (I/I) removal program to enable sewer extension applicants to commit to the 4:1 removal of I/I to mitigate any proposed project's water supply and wastewater impacts. The proponent will need to work closely with the Town of Canton to conduct I/I removal activities that will result in the removal of I/I (24,640 gpd) to mitigate the project's water supply and wastewater impacts. The Town of Canton's Phase II submittal to the MEPA Office must include a detailed description of Canton's I/I program, and must also satisfactorily address DEP's comments pertaining to the Town's proposed Priority I and II Sewer Needs Areas.

Water Conservation

The proponent will need to demonstrate to DEP that the final project design meets the Commonwealth's water conservation standards. I strongly encourage the proponent to incorporate water conservation and water use efficiency in the project design to comply with the March 1989 state plumbing code. Specifically, the proponent should commit to employing efficient residential water conservation technologies for the project including water saving devices, low flow toilets, and low flow appliances (dishwashers, washing machines).

The proponent should also consider implementing an Irrigation Management Plan (IMP) to further reduce the project's irrigation water demand. An IMP could involve the use of amended soils and compost, the planting of native and drought-tolerant species of trees, shrubs, and turf grasses, an automated water efficient irrigation system, and a water management protocol for drought conditions. I ask that the proponent consult with DEP, and refer to the Massachusetts Water Resources Commission's *Lawn and Landscape Water Conservation, An Addendum to the Water Conservation Standards for the Commonwealth of Massachusetts, October 2002*, during the final design of the proponent's IMP.

Hazardous Waste Remediation

In their comments, DEP has identified at least three sites, located in the vicinity of the proposed project where a release of hazardous waste material to soil or groundwater has been reported (RTN 4-3017268, RTN 4-3014868, and RTN 4-3004609).

I strongly recommend that the proponent consult with DEP's Bureau of Waste Site Cleanup (BWSC) in the final design of this project to explore what impacts, if any, the proposed project might have on these hazardous waste release sites, and to evaluate the proponent's need for retaining a Licensed Site Professional (LSP) to assist in the project's construction. The proponent should ensure that the project contractors and sub-contractors maintain an emergency response plan for performing appropriate response actions in the event contamination is encountered during project construction.

I find that the NPC contains sufficient information upon which to make a determination that the relatively small amount of wastewater flow generated from the proposed project (6,160 gallons per day (gpd)), will not result in a significant increase in wastewater flow to the Massachusetts Water Resources Authority's (MWRA) Deer Island Wastewater Treatment Facility (WWTF), and that the construction of this project will not constrain the Town of Canton from exercising any option in its Town-wide Comprehensive Wastewater Management Plan.

I also anticipate that the agency action on phase one will contain terms such as a condition or restriction in a permit, contract or other relevant document approving or allowing the agency action, or other evidence satisfactory to the Secretary, so as to ensure due compliance with MEPA and 301 CMR 11.00 prior to commencement of any other phase of the project.

July 28, 2006
DATE



Stephen R. Pritchard, Secretary

Comments received:

07/28/06 Massachusetts Department of Environmental Protection – SERO

Phase I Waiver #12172 – Washington Commons, Canton
SRP/NCZ/ncz