



The Commonwealth of Massachusetts

Executive Office of Environmental Affairs

100 Cambridge Street, Suite 900

Boston, MA 02114-2524

MITT ROMNEY
GOVERNOR

KERRY HEALEY
LIEUTENANT GOVERNOR

ROBERT W. GOLLEDGE, JR.
SECRETARY

October 26, 2006

Tel. (617) 626-1000
Fax. (617) 626-1181
<http://www.mass.gov/envir>

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

PROJECT NAME : Johnson's Pond Land Sale
PROJECT MUNICIPALITY : Lakeshore Road - Boxford
PROJECT WATERSHED : Merrimack River
EOEA NUMBER : 13881
PROJECT PROPONENT : City of Haverhill
DATE NOTICED IN MONITOR : September 26, 2006

Pursuant to the Massachusetts Environmental Policy Act (G. L., c. 30, ss. 61-62H) and Sections 11.05 and 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).

As described in the Environmental Notification Form, the proposed project consists of the sale of 11.4 acres of land along Lakeshore Road in the Town of Boxford bordering Johnson's Pond. The parcel is forested and vacant of buildings. This land was purchased by the proponent to protect Johnson's Pond, which used to be an active public drinking water supply. The City of Haverhill has not used Johnson's Pond as a public drinking water supply since 1980. It has no plans to reactivate Johnson's Pond as a future public drinking water supply. To meet future demands, the City of Haverhill is evaluating the feasibility of utilizing the Merrimack River to meet future water demands. The proponent is seeking approval to release its interest in the parcel for watershed protection purposes. The Town of Boxford would purchase the land for open space.

The project is subject to review pursuant to Sections 11.03(1)(b)(5) of the MEPA regulations because it converts land held for watershed preservation purposes. The project will require a Bureau of Resource Protection Water Quality Assurance Permit (BRPWS 26) from the Department of Environmental Protection (MassDEP). The Haverhill Conservation Commission and the City Council must approve the release of Haverhill's interest in the parcel for watershed

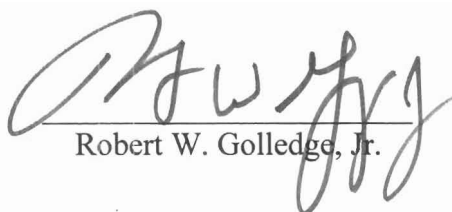
protection purposes. The Massachusetts Legislature must also approve the release and sale of this land by a 2/3 vote. The Town of Boxford will be seeking some portion of the funds to purchase this parcel from the Community Preservation Act. Because the Legislature must approve the sale of the land, MEPA jurisdiction extends to all aspects of the project that may have significant environmental impacts.

At this time, the Town of Boxford intends to utilize the property as open space. No additional facilities or changes to the property are proposed at this time.

Based on a review of the information provided by the proponent and after consultation with the relevant public agencies, I find that the potential impacts of this project do not warrant preparation of an EIR.

October 26, 2006

Date



Robert W. Golledge, Jr.

Cc: Nancy Baker, MassDEP/NERO

Comments received:

City of Haverhill, 9/29/06

City of Haverhill, 10/3/06

MassDEP/NERO, 10/4/06

MassDEP/NERO, 10/16/06

13881enf

RWG/WTG/wtg