



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

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

December 1, 2006

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

PROJECT NAME : Campanelli Business Park of Freetown
PROJECT MUNICIPALITY : Freetown
PROJECT WATERSHED : Taunton
EOEA NUMBER : 13895
PROJECT PROPONENT : Campanelli Freetown Land LLC
DATE NOTICED IN MONITOR : October 25, 2006

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and Section 11.03 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). In a separate Decision issued on December 1, 2006, I have proposed to grant a Waiver from the requirement to prepare a mandatory Environmental Impact Report (EIR) for the project. This Certificate sets forth the issues that must be addressed by the proponent during permitting and discusses recommendations that were submitted on the project during the MEPA comment period.

Project Description

As described in the Expanded Environmental Notification Form (EENF), the project consists of the construction of a 370,000 square feet (sf) brewery facility within Campanelli Business Park (the Park) in Freetown. The Park is approximately 78 acres in area, and presently contains a Weyerhaeuser lumber distribution facility on a 22-acre parcel. The Park is located at the end of Ridge Hill Road, which is proximate to Route 24 and Route 79, and is accessible via the CSX Fall River freight rail line. The proposed brewery facility will be owned and operated by the Boston Beer Company.

The project site is located on a former gravel pit, and is presently characterized by scrubby second-growth vegetation or open non-vegetated areas. The proponent has indicated that the project will meet all Massachusetts Department of Environmental Protection (MassDEP) stormwater management policy guidelines, and that the Park has been master planned for adequate stormwater management. The project will rely heavily on water and wastewater infrastructure to facilitate the brewing process. The EENF has indicated that sufficient water infrastructure is presently in place in Ridge Hill Road within the Park, and there is sufficient capacity for water supply from the City of Fall River. Additionally, a new sewer main will be constructed within existing rights of way to service the Park, with wastewater treatment services provided by the City of Fall River through an agreement with the Town of Freetown.

Jurisdiction

This project is subject to the preparation of a mandatory EIR pursuant to Section 11.03(3)(a)(1)(2) because the project will require a State Permit and will create more than 10 acres of impervious area. The project requires a Major Sewer Connection Permit from MassDEP. The project may require a street opening permit from the Massachusetts Highway Department (MassHighway) to allow the installation of the sewer main in Route 79 where it crosses the Route 24 layout. The project will require a National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges from Construction Activities from the United States Environmental Protection Agency (U.S. EPA). The project may require an Order of Conditions from the Freetown Conservation Commission, and in the case of an appeal, a Superseding Order of Conditions from MassDEP, if wetland areas are found on site and the proposed development will impact regulated wetland areas.

At the time of review of this EENF, it is undetermined as to whether State funding will be obtained for construction of the off-site sewer line. Additional State funding may be sought from the Office of Economic Development to facilitate development of the project. Therefore, MEPA jurisdiction for this project is broad and shall extend to all aspects of the project that are likely, directly or indirectly, to cause Damage to the Environment.

Land Alteration / Drainage

The project will create 26.0 new acres of impervious area, resulting in a total of 38.5 acres of impervious surfaces within the Park. The development area for the brewery was a former gravel pit and has been heavily disturbed due to past mining activities. It is anticipated that to achieve final grades earth movement will be limited to redistribution of earth within the property. Should importation or exportation of fill be necessary to achieve final grades, the proponent should conduct such activities in accordance with applicable MassDEP or local guidelines.

The proponent has indicated that the stormwater management system in place for the Park was designed in accordance with MassDEP Stormwater Management Policy guidelines and considered a development of this magnitude within the Park during its original design. The proponent should utilize Best Management Practices (BMPs) to recharge groundwater and infiltrate roof runoff to the extent practicable, manage peak stormwater flows, and improve water

quality in a post-development state. I encourage the proponent to investigate the feasibility of reducing impervious surfaces and enhancing stormwater management by implementing Low Impact Development (LID) techniques within the project site. Additionally, I encourage the proponent to investigate methods to improve wildlife habitat in the substantial areas of open space that will remain on the project site. While areas of manicured landscape are proposed near the entry drives and parking areas, there is an opportunity to allow secondary growth to persist, perhaps with some level of enhancement, in other areas of the site.

The project will be required to prepare a stormwater pollution prevention plan in association with its' NPDES construction general permit. The proponent should address operation and maintenance of stormwater management facilities within this stormwater pollution prevention plan. I encourage the proponent to develop a series of BMPs to address snow removal and stormwater management after construction is completed on site.

Wastewater

The project will generate approximately 480,000 gallons per day (gpd) of new wastewater flows in association with the brewery facility. The existing Weyerhauser facility in operation within the park also generates a nominal amount of wastewater which is treated on site in a Title 5 septic system. The project proponent and the Town of Freetown have worked with the City of Fall River to create an agreement whereby which wastewater effluent from the project will be conveyed to and treated at the Fall River wastewater treatment facility (WWTF). The conceptual building program for the project includes an on-site pre-treatment facility to pre-treat wastewater flows in accordance with requirements included within the City of Fall River's wastewater treatment permits. A pump station will be constructed near the intersection of Ridge Hill Road and Route 79 to assist in the conveyance of wastewater flows to the Fall River WWTF.

The proponent will construct the appropriate infrastructure within Route 79 to accommodate the project. Portions of a sewer main are already in place within Route 79; notably a connection to the Stop & Shop distribution facility and a "dry" section of the sewer main installed during repaving activities on Route 79. Construction of the sewer main is anticipated within existing rights of way and will be designed and operated in accordance with a MassDEP sewer connection permit and the agreement between the City of Fall River and the Town of Freetown.

Water Supply

The project will require approximately 600,000 gpd of water to facilitate the brewing process. The Town of Freetown and the City of Fall River have negotiated an agreement for the City of Fall River to provide the anticipated quantities of water to the Town of Freetown for use by the project proponent. Water infrastructure is presently in place along Route 79 and Ridge Hill Road, leading from the City of Fall River to the project site in Freetown. No State agency action is necessary related to water supply for this project to proceed as presented in the EENF.

Transportation

The proponent has indicated that raw materials for the brewery operations will likely arrive at the facility via the CSX freight rail tracks adjacent to the property. It is anticipated that an additional switching mechanism will be added to the existing spur servicing the Park, and Boston Beer and Weyerhaeuser will coordinate delivery schedules, etc. The proponent will need to work with CSX to coordinate modifications to the freight rail system to accommodate the proposed project. The applicant's traffic trip estimates presented in the EENF considered the use of rail in the facility's operation. Should rail access be constrained or eliminated, the proponent should evaluate the potential impact to truck traffic in the area and may need to file a Notice of Project Change (NPC) if a significant increase in environmental consequences may occur.

The proponent has provided a letter to MassHighway stating the company's commitment to work cooperatively with the Town of Freetown and MassHighway to design and build certain intersection improvements at the intersection of Route 79 and Ridge Hill Road (a roadway under local jurisdiction). The goal of these intersection modifications will be to improve maneuverability to Ridge Hill Road due to the number of larger, articulated trucks that access the Park via this intersection. The proponent should work with MassHighway to modify the No Access Line associated with the Route 24 freeway alignment and access ramps to facilitate improvements at Ridge Hill Road. Under existing conditions, this No Access Line presents a constraint on the Town's ability to widen Ridge Hill Road to accommodate large vehicle maneuvers from Route 79. The proponent has indicated its understanding that alteration of this No Access Line will require petition by the Town of Freetown to the MassHighway Board of Commissioners and subsequent approval by the Federal Highway Administration.

The proponent should coordinate traffic impact concerns outlined within the comment letter issued by the Southeastern Regional Planning & Economic Development District (SRPEDD). Supplemental data should be provided to SRPEDD prior to project commencement. I encourage the proponent to coordinate any traffic improvements and provide trip generation estimates to the proponent of the Fly Ash Landfill Redevelopment (EOEA No. 1982) to be located proximate to the Boston Beer facility.

Wetlands

The proponent should conduct a wetlands survey in accordance with the Wetlands Protection Act Regulations (310 CMR 10.00) to confirm that the development area does not contain regulated wetlands. If wetland resource areas are identified on site, the proponent is advised that they may need to file a Notice of Intent with the Freetown Conservation Commission.

Historical/Archaeological

The proponent acquired the services of the Public Archaeology Lab, Inc. (PAL) to assess potential archaeological sites within the project area. The Massachusetts Historical Commission (MHC) had identified an ancient Native American archaeological site (19-BR-422) on the

project site, as included in MHC's Inventory of Archaeological Assets of the Commonwealth. The MHC's comment letter concluded that based upon the memorandum and study performed by PAL that 19-BR-422 and any other archaeological site once present was destroyed as a result of the gravel removal operations and subsequent development impacts at the project site.

Hazardous Materials

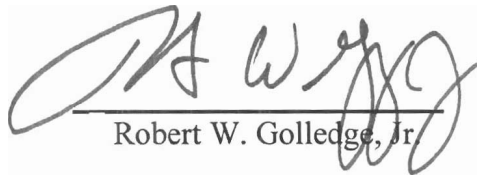
The MassDEP, Bureau of Waste Site Cleanup, has indicated that there are two former disposal sites located in the immediate vicinity of the proposed project. The proponent is advised that, if oil and/or hazardous material is identified during the implementation of this project, notification pursuant to the Massachusetts Contingency Plan (310 CMR 40.0000) must be made to MassDEP, if necessary.

Conclusion

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 specific project do not currently warrant further MEPA review. Outstanding issues may be addressed during the permitting process.

December 1, 2006

Date



Robert W. Golledge, Jr.

Comments received:

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| 10/27/2006 | Massachusetts Historical Commission |
| 10/30/2006 | Town of Freetown Board of Selectmen |
| 11/7/2006 | Joan M. Menard, State Senator, First Bristol and Plymouth; John F. Quinn, State Representative, Ninth Bristol; David B. Sullivan, State Representative, Sixth Bristol; Stephen R. Canessa, State Representative, Twelfth Bristol |
| 11/14/2006 | Edward M. Lambert, Jr., Mayor, City of Fall River |
| 11/17/2006 | Southeastern Regional Planning and Economic Development District (SRPEDD) |
| 11/22/2006 | Campanelli Companies (proponent) |
| 11/24/2006 | Massachusetts Department of Environmental Protection – SERO |
| 11/24/2006 | Executive Office of Transportation |

RWG/HSJ/hsj