



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Deval L. Patrick
GOVERNOR

Timothy P. Murray
LIEUTENANT GOVERNOR

Ian A. Bowles
SECRETARY

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

December 24, 2008

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

PROJECT NAME : 10 Commerce Way
PROJECT MUNICIPALITY : Norton
PROJECT WATERSHED : Taunton River
EEA NUMBER : 14344
PROJECT PROPONENT : Norton Commerce Center 10, LLC
DATE NOTICED IN MONITOR : November 24, 2008

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62I) 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).

As described in the Environmental Notification Form (ENF), the project consists of the construction of an 18,200 square foot (s.f.) commercial building and associated driveway, parking areas, loading area, and stormwater management facilities. The project also includes 8,200 s.f. of proposed future expansion space for a total of 26,400 s.f. of building space. The proposed site is located within the Hockomock Swamp Area of Critical Environmental Concern (ACEC).

The proponent has voluntarily filed an ENF to provide additional opportunities for public review of the project. I appreciate the proponent's efforts to promote public awareness and understanding of the environmental impacts associated with this development. I encourage the proponent to continue its outreach efforts to abutters and others in the local community as project design and implementation progresses.

This ENF was filed voluntarily by the proponent. The project does exceed an ENF review threshold, but it does not require any State Agency Action for the purposes of MEPA review. The project exceeds the ENF review thresholds contained in Section 11.03(11)(b) of the MEPA regulations because the project will be located within a designated ACEC. The project will require an Order of Conditions (OOC) from the Norton Conservation Commission, and hence a Superceding OOC from the Massachusetts Department of Environmental Protection (MassDEP) if the local Order is appealed.

A portion of the project is located within the Hockomock Swamp ACEC. The Hockomock Swamp ACEC, designated in 1990, comprises approximately 16,950 acres within the towns of Bridgewater, Easton, Norton, Raynham, Taunton, and West Bridgewater. This ACEC primarily includes the Hockomock Swamp and associated wetlands and water bodies which form the largest vegetated freshwater wetland system in Massachusetts. These wetlands act as a huge water reservoir and serve as the headwaters for the Town River, which flows into the Taunton River. I recommend that the proponent consider additional Low Impact Development ("LID") design elements and Best Management Practices ("BMPs") in order to minimize any potential impacts to this important resource.

The ENF states that all proposed activity at the site is only within the Buffer Zone to Bordering Vegetated Wetland, so there will be no direct impacts to any wetland resource areas. MassDEP has stated in a comment letter that the proponent has filed a Notice of Intent under the Wetlands Protection Act with MassDEP and the Norton Conservation Commission on October 7, 2008. The Norton Conservation Commission provided detailed comments on the ENF requesting certain modifications to the proponent's construction plans. I am confident that the Conservation Commission's concerns can be adequately addressed during the review of the Notice of Intent.

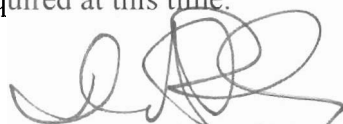
The ENF also indicates that the project has been designed in compliance with the MassDEP's Stormwater Management Standards. I note that this project is located within a Zone II of a public water supply. The revised Standards, which became part of the Wetland Protection Act Regulations on January 2, 2008, include additional design measures that must be met for proposals within a Zone II, such as this project. Design of the stormwater facilities should meet Standard 6, Critical Areas, of the Stormwater Management Standards.

The ENF states that 434 gallons per day (gpd) of water will be required for the project. The Town of Norton is authorized under the Water Management Act to withdraw on average 1.85 MGD. Norton's 2007 average daily water demand was 1.36 MGD, and therefore, Norton has sufficient authorized volume to supply this project.

Based on the information in the ENF and after consultation with relevant public agencies, I find that no further MEPA review is required at this time.

December 24, 2008

Date



Ian A. Bowles

Comments received:

12/03/2008 Norton Conservation Commission

12/15/2008 Massachusetts Department of Protection

IAB/ACC/acc