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January 6, 2006

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

PROJECT NAME : East Taunton Industrial Park
PROJECT MUNICIPALITY : Taunton
PROJECT WATERSHED : Taunton River
EOEA NUMBER : 12631
PROJECT PROPONENT : Taunton Development Corporation
DATE NOTICED IN MONITOR : October 8, 2005

Pursuant to the Massachusetts Environmental Policy Act (MGL, c. 30, ss. 61-62H) and Section 11.10 of the MEPA regulations (301 CMR 11.00), I have reviewed the Notice of Project Change (NPC) submitted on this project and determine that it **does not require** the preparation of a Supplemental Environmental Impact Report (EIR) at this time.

Previous MEPA Review

The 307-acre project site encompasses portions of two separate sites, which were originally reviewed as the East Taunton Industrial Park (EOEA #12631), and Powhattan Estates (EOEA #12529). The East Taunton Industrial Park was first reviewed in an ENF filed in October 2001. A Certificate requiring an EIR, and setting out the scope of that EIR, was issued on November 23, 2001. As described in the ENF, the project involved the development of a 121-acre industrial park, located on the north side of Stevens Street, containing 759,000 square feet (sf) of office/manufacturing facilities and a salt depot facility. Following the review of the ENF, the original project site for the Industrial Park was reduced in size from 121 to 63 acres, and the proponent acquired 244 acres of the Powhattan Estates site, located on the south side of Stevens Street. An FEIR for the downsized Powhattan Estates project was found adequate on December 30, 2002.

In the Supplemental FEIR, the Industrial Park project involved two separate phases. Phase I, located on the 244 acres south of Stevens Street, was comprised of approximately 1,783,360 sf of warehouse/distribution facilities, including office related facilities (about 183,440 sf of office space), in four buildings. Phase II, located on the 63 acres north of Stevens Street, was comprised of approximately 663,400 sf of warehouse/distribution facilities, including about 69,900 sf of office space, in six buildings. Thus, the total project involved approximately 2.447 million sf of warehouse, distribution, and office space, in ten buildings, and 2,348 parking spaces, on approximately 307 acres of land. On January 17, 2003, the SFEIR Certificate was determined to be adequate. In this Certificate, the proponent was required to submit a NPC to identify the actual traffic conditions for Phase I and the appropriate traffic mitigation proposed for Phase II. The NPC was required to also address the operational impacts of the proposed rail spur for Phase II.

In 2003, an NPC was submitted and identified new federal (non-state) wetlands impacts, wetland replacement areas, and modifications to project elements intended to reduce impacts to federal wetlands. The project would now impact approximately 4,800 sf of bordering vegetated wetlands (BVW). It would remove two sections of Cotley Street to restore connectivity between existing wetlands. The proponent would restore the portion of Cotley Street on the Liberty and Union property within the Riverfront Area. It would also restore a portion of the off-site buffer zone. On November 24, 2003, the MEPA Office determined these changes to the project do not require a Supplemental EIR. However, the proponent must implement the mitigation commitments that are listed in the Certificate for the Supplemental EIR. No further MEPA review is required for Phase I, with the exception of the traffic monitoring. On May 23, 2005, the Secretary required a Supplemental EIR on a NPC. The NPC included the addition of a Phase III that added an additional 43 acres to the East Taunton Industrial Park for a total of 350 acres. The proponent proposed to construct approximately 670,840 sf of new space. This would be a total of approximately 3.118 million sf of constructed space.

NPC Project Change Description

This NPC was submitted for MEPA review on September 30,

2005. The change includes the relocation of the access roadway to the Phase II parcel through an abutting property. This relocation allows a four-way intersection alignment of the Phase I and II access roadways with Stevens Street. This change increases the area of the site from 307 to 310.2 acres. The Phase III development has been suspended by the proponent. Once the Phase III development proceeds forward, the proponent will file an additional NPC with the MEPA Office. The proponent is requesting that the Certificate of May 23, 2005, which required a Supplemental EIR, be rescinded.

In this NPC, the wetlands delineation for the site was updated. The Traffic Monitoring Study for Phase I, which was required in the January 17, 2003 MEPA Certificate, was included with the NPC. The traffic volume generated by Phase I (2,010 weekday trips) is less than the estimated volumes in the Supplemental FEIR (12,412 weekday trips). The proponent would alter approximately 9,611 sf of bordering vegetated wetlands (BVW) and 316 linear feet of Bank as part of Phase I and II. In Phases I and II, the proponent proposes to build 2.447 million sf of warehouse, distribution, and office space in 10 buildings, and 2,348 parking spaces on 310.2 acres of land. Access would be provided via Stevens Street. The proponent has estimated that the full-build out for Phase I and II would generate approximately 17,030 new trips.

According to the Executive Office of Transportation's (EOT) comment letter, occupancy on the Phase II site will be subject to completion of the Route 24/Route 140 interchange interim roadway improvements.

Based upon a review of the information provided by the proponent and after consultation with the state permitting agencies, I find that potential impacts of the changes to Phase I and Phase II do not warrant the preparation of a Supplemental EIR and can be addressed through the local and state permitting processes. The proponent's mitigation commitments, which were identified in the Certificate on the Supplemental FEIR dated January 17, 2003, must be implemented, or it must satisfy the permitting agency as to why they are no longer relevant. The May 23, 2005 Certificate requiring a Supplemental EIR is rescinded because the proponent has suspended Phase III development. The proponent is required, however, to submit a NPC when it begins to proceed with Phase III.

January 6, 2006
Date


Stephen R. Pritchard

cc: Sharon Stone, DEP/SERO

Comments received:

MHC, 10/21/05
Field Engineering Co, 10/24/05
Greenman-Pedersen, Inc, 10/26/05
DEP/SERO, 11/4/05
Greenman-Pedersen, Inc, 11/14/05
Greenman-Pedersen, Inc, 12/1/05
EOT, 12/27/05

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