



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

STEPHEN R. PRITCHARD
SECRETARY

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

February 24, 2006

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

PROJECT NAME : BJ's Wholesale Club
PROJECT MUNICIPALITY : Revere
PROJECT WATERSHED : North Coastal
EOEA NUMBER : 13717
PROJECT PROPONENT : BJ's Wholesale Club
DATE NOTICED IN MONITOR : January 25, 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 hereby determine that this project **requires** the preparation of a mandatory Environmental Impact Report (EIR).

Project Description

As described in the Environmental Notification Form (ENF), the proposed project consists of construction of a 121,635 square foot (sf) BJ's Wholesale Club building and associated fueling facility on a 19.85 acre site in Revere. The project will include associated access drives, parking spaces and other infrastructure. For environmental planning purposes, the project includes a conceptual 180-unit residential development on the eastern portion of the site. The site (consisting of three parcels) is located on Ward Street and is bounded to the west by an apartment building and the City of Revere Department of Public Works (DPW) facility, to the north by Rumney Marsh (an Area of Critical Environmental Concern (ACEC)) and Diamond Creek, to the east by Broadway (Route 107) and to the south by a US Postal Service (USPS) facility and multi-family housing. The site contains drainage ditches discharging to Rumney Marsh and wetland resource areas. The site has been previously disturbed including placement of fill since the 1940's and currently includes an auto salvage facility.

The project is undergoing MEPA review and subject to preparation of a mandatory EIR pursuant to Section 11.03 (1)(a)(2) and 11.03 (6)(a)(6) because it requires a state permit

and will create more than 10 acres of impervious area and generate more than 3,000 new average daily trips (adt). The project requires a Sewer Connection Permit and a 401 Water Quality Certificate from the Department of Environmental Protection (DEP). The project may require a Chapter 91 (c.91) license. The project requires an Access Permit from the Massachusetts Highway Department (MHD). Also, it requires an Order of Conditions from the Revere Conservation Commission (and hence a Superseding Order of Conditions in the event the local Order is appealed). The proponent is not seeking financial assistance from the Commonwealth for the project, therefore MEPA jurisdiction extends to those aspects of the project that may cause significant Damage to the Environment and that are within the subject matter of required or potentially required state permits. These include traffic, wetlands, drainage, water quality, tidelands and wastewater.

SCOPE

General

The EIR should follow the general guidance for outline and content contained in section 11.07 of the MEPA regulations, as modified by this Certificate. The EIR should include a description of the proposed project, including as much information as possible on lighting, grading and landscaping.

Project Description

The EIR should include a thorough description of the project and all project elements for the entire site. Summaries and descriptions of environmental impacts should include all impacts associated with potential development of the eastern portion of the site currently occupied by the auto salvage facility. The EIR should describe the construction phases of the project. It should include an existing conditions plan illustrating resources and abutting land uses for the entire project area and a proposed conditions plan (or plans) illustrating proposed elevations, structures, access roads, stormwater management systems and sewage and water connections. The EIR should also include a site circulation plan illustrating how motor vehicles, pedestrians and cyclists will be accommodated on the site.

Project Permitting and Consistency

The EIR should briefly describe each state permit required for the project and should demonstrate that the project meets applicable performance standards. In accordance with section 11.01 (3)(a) of the MEPA regulations, the EIR should discuss the consistency of the project with any applicable local or regional land use plans. The EIR should also address the requirements of Executive Order 385 (Planning for Growth).

Alternatives Analysis

The project will alter 14.1 acres of land and create 11.8 acres of impervious area. In addition to the Preferred Alternative and No Build Alternative, the EIR should include a Reduced Build Alternative that decreases the amount of impervious surfaces and impacts to

wetland resource areas. Alternatives should consider relocation of the proposed fueling facility to provide a larger buffer between it and the marsh. For each alternative, the EIR should quantify the amount of land altered, the amount of earth work involved in meeting final grades and the amount of impervious surfaces created. The EIR should investigate all feasible methods of avoiding, reducing, or minimizing impacts to land and wetlands.

In particular, I encourage the proponent to evaluate sustainable design alternatives such as Low Impact Development (LID) techniques in site design and stormwater management plans. LID techniques incorporate stormwater best management practices (BMPs) and can reduce impacts to land and water resources by conserving natural systems and hydrologic functions. The primary tools of LID are landscaping features and naturally vegetated areas, which encourage detention, infiltration and filtration of stormwater on-site. Other tools include water conservation and use of pervious surfaces. Clustering of buildings is an example of how LID can preserve open space and minimize land disturbance. LID can also protect natural resources by incorporating wetlands, stream buffers and mature forests as project design features. For more information on LID, visit <http://www.mass.gov/envir/lid/>. Other LID resources include the national LID manual (Low Impact Development Design Strategies: An Integrated Design Approach), which can be found on the EPA website at: <http://www.epa.gov/owow/nps/lid/>.

Traffic and Transportation

The ENF indicates that the project will generate approximately 7,246 new adt and will include 788 parking spaces. Access will be provided to the site via driveways from Ward Street. The EIR should include a traffic study prepared in conformance with the EOEA/EOTC Guidelines for EIR/EIS Traffic Impact Assessments. The traffic study should compare impacts for the various alternatives. It should identify appropriate mitigation measures for areas where the project will have an impact on traffic operations. The proponent should provide a clear commitment to implement and fund mitigation measures and should describe the timing of their implementation based on the phases of the project. The EIR should present capacity analyses and a summary of the average and 95th percentile vehicle queues and actual delay times for each intersection within the study area presented in a tabular format. Any proposed traffic signal must include a traffic signal warrant analysis according to the Manual of Uniform Traffic Control devices (MUTCD). At a minimum, the traffic study should analyze Mahoney Circle, Copeland Circle and Brown Circle and the following state highway and local roadway locations:

- Ward Street at Site Drive (3 locations);
- Copeland Circle (Route 1/Route 60);
- Route 60 at Sigourney Street;
- Route 60 at Charger Street;
- Route 60 at Revere Street
- Route 107 at Ward Street
- Brown Circle – Route 107 (Broadway)
- Manoney Circle – Route 1A/Route 16/ Route 60 and Beach Street.

Also, any intersection that will experience an increase attributable to the project of 10% or more over existing traffic volumes and that currently operates at level of service (LOS) D or worse should be included.

The EIR should describe the amount of truck traffic associated with the development, identify proposed truck routes and provide a delivery schedule.

The EIR should provide the parking ratios used to determine the parking supply for the retail and residential uses. The EIR should demonstrate that the parking supply is the minimum necessary to accommodate project demand without encouraging additional single occupant vehicle (sov) trips. Implementation of a transportation demand management (TDM) program (discussed below) and provision of good bicycle and pedestrian access could reduce the amount of parking needed.

The EIR should include conceptual plans for any proposed roadway improvements that should be of sufficient detail (e.g. 80 scale) to verify the feasibility of constructing such improvements. The conceptual plans should clearly show proposed lane widths and offsets, layout lines and jurisdictions, and the land uses (including access drives) adjacent to areas where improvement are proposed. Any mitigation within the state highway layout must conform to the MHD Development and Design Guidebook, including but not limited to, provisions for lane, median and shoulder widths and bicycle lanes and sidewalks.

Air Quality

In accordance with the State Implementation Plan (SIP) for ozone attainment, the proponent must conduct an indirect source review analysis because this is a non-residential project generating 6,000 or more new trips per day. This analysis should be conducted in accordance with DEP Guidelines for Performing Mesoscale Analysis of Indirect Sources. The proponent should consult with DEP for guidance and for confirmation of the appropriate study areas. If hydrocarbon emissions are greater than the No Build scenario, the EIR must include appropriate mitigation including the development of TDM measures.

Both EOT and DEP have indicated that a TDM program should be developed for this site, and provided detailed comments regarding its development. The ENF indicates that the proponent is committed to developing a TDM program. The program should consider all feasible measures to reduce site trip generation. The TDM plans should include specific measures that have been successful in reducing trip generation for retail projects. The TDM plan should also identify the exiting modes along the corridor such as transit, walking and bicycling; analyze their existing and future conditions based on the project impacts; and provide improvements to attract mode usage. The proponent should work with the Massachusetts Bay Transportation Authority (MBTA) regarding the potential for extending transit service to the site via bus route 429. If appropriate, the site should include amenities to encourage transit usage such as bus shelters and bus turnouts and provide pedestrian connections to existing land uses within close proximity to the site.

DEP has noted that this project may be subject to the Rideshare regulation (310 CMR 7.16), a clean air program that applies to employers with 250 or more daily employees. The EIR

should indicate how many employees are associated with the project and, if applicable, describe how consistency with these regulations will be achieved.

Wetlands and Drainage

The ENF indicates that the project will alter approximately 8,900 sf of Land Subject to Coastal Storm Flowage (LSCSF). Other resource areas include Salt Marsh and Coastal Bank. A portion of the northeastern and eastern property lies within the boundary of the Rumney Marshes ACEC, which is defined as the limit of the 100-year flood elevation in this location. The Rumney Marshes ACEC and waterbodies associated with wetlands adjacent to the site are classified as Outstanding Resource Waters (ORWs).

Commentors have identified opportunities for salt marsh restoration on- and off-site. These include habitat enhancement along the edges of the salt marsh, within and along the drainage ditch and where the drainage ditch flows into the marsh. Incorporation of the previously mentioned LID techniques could be designed to support salt marsh colonization within the drainage ditch and avoid direct discharge into ORWs. The EIR should evaluate these opportunities as mitigation for wetlands impacts.

The EIR should include plans that clearly delineate all applicable resource area boundaries including riverfront areas, buffer zones, 100-year flood elevations, water supply wells, wellhead protection areas, priority and/or estimated habitat, wetland replication areas, waterways, ponds and agricultural fields. BVW that have been delineated in the field should be surveyed, mapped and located on the plans.

The EIR should quantify the project's estimated impact on each resource area. It should describe the nature of all likely impacts that cannot be avoided, including crossings, grading and construction-related disturbances and whether they are temporary or permanent in nature. It should quantify the extent of unavoidable wetland alteration. It should describe how it will comply with applicable performance standards including the Coastal Wetlands regulations, the Surface Water Quality regulations (314 CMR 4.00) and the National Flood Insurance Program (NFIP).

If any wetlands replication is proposed, it should be provided at a ratio of replication to alteration of approximately 2:1. A detailed wetlands replication plan should be provided in the EIR which, at a minimum, should include: replication location(s), elevations, typical cross sections, test pits or soil boring logs, groundwater elevations, the hydrology of areas to be altered and replicated, list of wetlands plant species of areas to be altered and the proposed wetland replication species, planned construction sequence and a discussion of the required performance standards and monitoring.

DEP has indicated that most of the site should be considered new development for compliance with the Stormwater Management Policy (SMP). Also, the project should conform to the critical area standard for discharges to ORWs, to the standard for areas of higher potential pollutant load and with the antidegradation provisions of the Surface Water Quality regulations that prohibit and restrict new or increased discharges to ORWs.

The EIR should include a section on stormwater that demonstrates that source controls, pollution prevention measures, erosion and sediment controls and the drainage system will comply with the SMP standards water quality and quantity both during construction and post-development. The EIR should also demonstrate compliance with the City of Revere's Nonpoint Pollution Discharge Elimination System (NPDES) Storm Water General Permit. The EIR should include an operations and management plan to ensure the long-term effectiveness of the stormwater management system. It should also include an emergency contingency plan relative to the fueling facility. The locations of detention basins, distances from wetland resource areas, and the expected quality of the effluent from the basins should be identified. The EIR should also analyze indirect impacts to wetlands from receipt of drainage and stormwater runoff from the site. In addition, a snow removal plan and disposal location should be specified.

Chapter 91/Public Access

The project proponent has asserted that a c.91 jurisdiction is not required and submitted a Request for Determination of Applicability (RDA) to the DEP Waterways Regulation Program (WRP). The RDA is being reviewed by DEP. The EIR should identify whether a c.91 license is required and, if a license is required, identify how the project will meet associated regulatory standards including applicable requirements for public benefits and public access.

Water and Wastewater

The proponent has indicated that full build-out of the site will require 29,700 gallons per day (gpd) of water and generate an equivalent amount of wastewater. The ENF indicates that wastewater generated by the project will discharge into the Boston Water and Sewer Commission (BWSC) sewer system, that flows into the Massachusetts Water Resources Authority (MWRA) system and ultimately to the Deer Island Wastewater Treatment Facility. The ENF states that there is sufficient capacity in the existing collection system to accommodate the new wastewater flow from the BJs Wholesale Club project at full build out of the site, which includes about from the retail and fueling facilities. The EIR should provide confirmation that this capacity is available for project related flows.

DEP, in cooperation with the MWRA and its member communities (including Revere), are implementing a program to remove extraneous clean water (e.g., infiltration/ inflow (I/I)) from the system. Projects that generate significant new wastewater flow are required to mitigate impacts through participation in the program. DEP is using a 10:1 ratio for I/I removal for projects in Revere. The proponent should consult with the City and DEP regarding this program and describe its commitment to I/I reduction in the EIR.

Hazardous Waste/Solid Waste

It is possible that the site contains contaminated soil and/or groundwater due to previous fill, dumping and operations of the auto salvage facility. DEP identified records of releases of fuel oil to soil and groundwater near the project site. Removal of contaminated soil, pumping of contaminated groundwater or working in contaminated media is subject to the provisions of MGL c.21E/21C and OSHA. In addition, demolition activities must comply with both the Solid Waste and Air Quality Control regulations. The EIR should describe relevant regulatory requirements, provide results of

soil and groundwater tests, describe the extent of clean-up planned for the site. The EIR should include measures to minimize potential impacts from contaminated soils, including the need to prevent or minimize the movement of leachate from buried automotive materials and other refuse materials to the tidally influenced ditch. Also, DEP provided extensive comments on recycling and solid waste management that should be addressed in the EIR.

Construction Period Impacts

The EIR should include a discussion of construction phasing, evaluate potential impacts associated with construction activities and propose feasible measures to avoid or eliminate these impacts. The proponent should implement measures to alleviate dust, noise, and odor nuisance conditions during construction. Because the project will take place in a densely developed area and is directly adjacent to residential buildings, I strongly encourage the proponent to participate in DEP's Diesel Retrofit Program to mitigate impacts associated with diesel emissions from construction equipment. This program includes the installation of after-engine emission controls such as oxidation catalysts or diesel particulate filters and use of Low Sulfur Diesel (LSD) fuel.

Mitigation

The EIR should include a separate chapter on mitigation measures. It should include a Draft Section 61 Finding for all state permits that includes a clear commitment to mitigation, an estimate of the individual costs of the proposed mitigation, and the identification of the parties responsible for implementing the mitigation. A schedule for the implementation of mitigation, based on the construction phases of the project, should also be included.

Response to Comments

The EIR should contain a copy of this Certificate and a copy of each comment received. The EIR should respond to the comments received, to the extent that the comments are within MEPA subject matter jurisdiction. The EIR should present additional narrative and/or technical analysis as necessary to respond to the concerns raised.

Circulation

The EIR should be circulated in compliance with Section 11.16 of the MEPA regulations and copies should be sent to any state agencies from which the proponent will seek permits or approvals, to the list of "comments received" below, and to Revere officials. A copy of the EIR should be made available for review at the Revere Public Library.

February 24, 2006

Date


Stephen R. Pritchard

Comments Received:

2/14/06 Department of Environmental Protection Northeast Regional Office (DEP NERO)
2/15/06 Executive Office of Transportation (EOT)
2/14/06 Department of Conservation and Recreation (DCR)
2/14/06 US Environmental Protection Agency (EPA)
2/14/06 Saugus River Watershed Council

SRP/CDB/cdb