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March 24, 2006

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

PROJECT NAME: DCR Land Disposition for Public Safety Facility
PROJECT MUNICIPALITY: Revere
PROJECT WATERSHED: North Coastal
EOEA NUMBER: 12888
PROJECT PROPONENT: City of Revere
DATE NOTICED IN MONITOR: February 22, 2006

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and Section 11.10 of the MEPA regulations (301 CMR 11.00), I determine that this Notice of Project Change (NPC) **does not require** the preparation of an Environmental Impact Report (EIR). While the project as proposed in the NPC does not require further review under MEPA, the proponent should note comments from the Department of Environmental Protection (DEP) and the Department of Conservation and Recreation (DCR) regarding issues related to wetlands, stormwater and Chapter 91 jurisdiction that must be addressed during permitting.

The request for the Notice of Project Change has been submitted because the applicant, the City of Revere, proposes to acquire 3.7 acres of land from the DCR for the construction of a Public Safety Facility on Revere Beach Parkway. The land involved in the acquisition is the site of the former Metropolitan District Commission (MDC) Parkway Maintenance facility. In addition, the proponent proposes to construct a Fire Department Substation on the site in addition to a previously reviewed Police Headquarters.

In October of 2002, an Environmental Notification Form (ENF) was submitted to MEPA for a project involving the transfer of 1.8 acres of land along the Revere Beach Parkway from the MDC, now the DCR to the City of Revere. The project also involved the construction of a 36,000

square foot (sf) police station and associated infrastructure on the parcel. The project was subject to review under Section 11.03(1)(b)(3) of the MEPA regulations because it involved the conversion of land held for natural resource purposes in accordance with Article 97 of the Amendments to the Constitution of the Commonwealth to a purpose not in accordance with Article 97. The project requires a Land Transfer and Access Permit from the DCR, and an Order of Conditions from the Revere Conservation Commission. At the time of the ENF filing, the project had already received legislative authorization from the General Court (Chapter 351 of the Acts of 1996).

Although not noted in the ENF or the NPC, the project is also subject to review pursuant to Section 11.03(11)(b) of the MEPA regulations because the project site is located partially within the Rumney Marshes Area of Critical Environmental Concern (ACEC). The Rumney Marshes ACEC, designated in 1988, comprises approximately 2,800 acres in the municipalities of Boston, Lynn, Revere, Saugus and Winthrop. The waterbodies and wetlands of the Rumney Marshes ACEC are classified as Outstanding Resource Waters (ORW) in the Massachusetts Surface Water Quality Standards.

Because the project involves the transfer of land from the Commonwealth, MEPA jurisdiction over the project extends to all aspects of the project that may cause Significant Damage to the Environment as outlined in the MEPA statute. On December 16, 2002 the Secretary issued a Certificate on the ENF stating that the project did not require the preparation of an EIR.

The City of Revere originally acquired a 1.8-acre parcel of land from DCR, and now proposes to acquire the remainder of the 3.7-acre subject parcel. The proposed building program has been revised to consist of a 32,000 sf police headquarters and an 11,500 sf fire department substation. The original 1.8 acres has already been acquired by the City from DCR, and the State Legislature has authorized the conveyance of the additional 3.7 acres from DCR to the City. As outlined in the original ENF, the City of Revere will transfer approximately 9 acres of land back into Article 97 status as mitigation for the project. This parcel is located near the Belle Isle Marsh and has been identified as land of equal or greater value and utility for conveyance to DCR.

Although not addressed in the NPC, the project will impact jurisdictional wetland resource areas and will be subject to review under the MA Wetlands Protection Act. The proponent has filed a Notice of Intent (NOI) with the Revere Conservation Commission in conjunction with the NPC submission. The proponent and the City of Revere Conservation Commission should note comments from DCR's ACEC program regarding potential impacts to surrounding resource areas. The ACEC boundary on the project site is coincident with the 100-foot Buffer Zone jurisdictional to Conservation Commission. During local permitting, all resource areas, the ORW boundary and the ACEC boundary should be depicted on all site plans. The proponent should make every effort to avoid impacts to wetland resource areas and the ACEC, and should provide adequate mitigation for unavoidable impacts.

The proponent must also address issues raised by DEP regarding the characterization of flood plain areas on the site. An approved Order of Resource Area Delineation (ORAD, DEP #61-0525), identifies one of the resource areas at the project site as Bordering Land Subject to

Flooding (BLSF), for which compensatory flood storage would need to be provided. However, according to DEP, the NOI recently submitted by the proponent claims that this resource area is actually Land Subject to Coastal Storm Flowage (LSCSF), not BLSF. In addition, DEP notes that flood elevations depicted on plans submitted with the NOI and NPC do not agree with the Flood Insurance Rate Map (FIRM) for the project area. The proponent should work with DEP to clarify the resource area delineation and flood storage requirements as necessary. This issue must be resolved during the local permitting process for the project.

Plans submitted with the NOI show alteration of bank, which has not been addressed by the proponent. The proponent should note comments from DCR regarding salt marsh restoration. Mitigation for impacts to wetland resource areas should be addressed during local wetlands permitting.

The proponent must also submit a Request for a Determination of Applicability to DEP's Chapter 91 Waterways Program for potential impacts to filled tidelands. If the project requires Chapter 91 Licensing, the historic and current mean high water (MHW) line and any proposed fill should be clearly depicted on all development plans. Other criteria for Chapter 91 licensing, including public access to the waterfront and the Waterways Regulations provision that does not allow new fill in ACECs should be addressed by the proponent.

The work proposed in the NPC will cause an increase in stormwater discharge from the developed portion of the site. The proponent should note detailed comments from DEP and DCR regarding the design of stormwater treatment systems at the site. As currently designed, two detention basins and a portion of a third detention basin are located within the ACEC. Outlets from these detention basins direct flow into adjacent BVW, which is classified as an ORW. According to the Surface Water Regulations, new or increased discharges to ORWs are prohibited. DEP has stated that the stormwater management system will need to be redesigned in accordance with the Stormwater Management Policy and the antidegradation provisions in the surface water regulations at 314 CMR 4.04.

In addition, the proposed development is considered a "Land Use with Higher Potential Pollutant Loads" under the DEP guidelines, due to a proposed fueling facility. The proponent should note comments from DEP and DCR regarding the lining of detention basins. The proponent must ensure that all structural and non-structural Best Management Practices (BMPs) comply with regulations for critical areas such as ORWs.

The proponent should note comments submitted by the Massachusetts Water Resources Authority (MWRA) regarding Section 97 of MWRA's water distribution system, which is located in Revere Beach Parkway near the proposed site. The proponent should coordinate with the MWRA on the proposed location of underground utilities in order to avoid potential impacts to the Water Resources Authority's facilities.

The Massachusetts Historical Commission (MHC) submitted comments on the NPC stating that the proponent must provide additional information so that MHC can determine the impacts of the proposed project on historic resources. The Revere Beach Parkway is eligible for listing in the National Register of Historic Places. Additionally, the existing City of Revere

police station is included in MHC's Inventory of Historic and Archaeological Assets of the Commonwealth. MHC has requested the following information from the proponent: proposed elevations and/or renderings of the new police station and fire substation; photographs of the construction site extent; and information on the fate of the existing police station. The proponent should coordinate with MHC to avoid or minimize impacts to historic resources.

Based on a review of the information provided in the NPC, and after consultation with the relevant public agencies, I find that the potential impacts of this project change do not warrant the preparation of an EIR. No further MEPA review is required at this time.

March 24, 2006

Date


Stephen R. Pritchard

Comments Received:

3/2/2006	Massachusetts Historical Commission
3/10/2006	Department of Environmental Protection, Northeast Regional Office
3/13/2006	Massachusetts Water Resources Authority
3/14/2006	Department of Conservation and Recreation

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