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March 28, 2008

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS  
ON THE  
FINAL ENVIRONMENTAL IMPACT REPORT

PROJECT NAME : Donnybrook Country Club Golf Course  
PROJECT MUNICIPALITY : Lanesborough  
PROJECT WATERSHED : Housatonic  
EOEA NUMBER : 13093  
PROJECT PROPONENT : Donnybrook, Inc.  
DATE NOTICED IN MONITOR : February 20, 2008

As Secretary of Energy and Environmental Affairs (EEA), I hereby determine that the Final Environmental Impact Report (EIR) submitted on this project **adequately and properly complies** with the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and with its implementing regulations (301 CMR 11.00).

Project Description

As described in the Supplemental Draft EIR, the project consists of development, operation and maintenance of a public 9-hole golf course, associated infrastructure and support facilities. The project includes the renovation of existing buildings for a clubhouse and maintenance facilities, construction of a building for additional storage and maintenance of golf course equipment, expansion of an existing parking area, construction of cart paths and modification of an existing curb cut. Also, the project includes installation of a groundwater well for irrigation, a new drinking water well and an on-site septic system.

The 365-acre site, which is bisected by Route 7, consists of forested areas, wetlands and agricultural pasture and fields forming large areas of open meadows. Town Brook flows from west to east (under Route 7). Portions of the project site are located within Priority Habitat for the Adder's Tongue-fern, the Long-styled Sanicle, and the Wall-rue Spleenwort, which are state listed as Threatened species under the Massachusetts Endangered Species Act and its implementing regulations. The project is also within Priority Habitat for Ginseng, a species of Special Concern. The site includes the Chadwick House, an eighteenth century stone house, which is listed in the state Inventory of Historic and Archaeological Assets.

### MEPA Jurisdiction and Permitting

The project is undergoing review pursuant to Section 11.03 (1)(a)(1) because it requires a state permit and, at the time of filing, would have altered more than 50 acres of land. The project requires a 401 Water Quality Certificate and a New Source Approval and Public Water Supply (PWS) authorizations for pumping tests and construction from the Department of Environmental Protection (MassDEP).<sup>1</sup> The project requires review by the Natural Heritage and Endangered Species Program (NHESP). It requires an Access Permit from the Massachusetts Highway Department (MassHighway), is subject to review by the Massachusetts Historical Commission (MHC) and requires Orders of Conditions from the Lanesborough Conservation Commission.

The proponent is not seeking financial assistance from the Commonwealth for the project. MEPA jurisdiction therefore extends to those aspects of the project that are likely to cause significant Damage to the Environment and that are within the subject matter of the required state permits. In this case, MEPA jurisdiction exists over land alteration, wetlands, water quality, drainage, water supply, wildlife habitat/rare species, traffic and historic resources.

### MEPA Procedural History

An Environmental Notification Form (ENF) was filed for an 18-hole golf course in August 2003. The Secretary's Certificate on the ENF indicated that the project was subject to a mandatory EIR and provided the Scope for the EIR. The Draft EIR was filed in December, 2005 and the Certificate on the DEIR was issued on January 13, 2006. The Draft EIR Certificate required that a Supplemental Draft EIR be filed to address inadequate information and analysis of alternatives.

The previously filed documents identify the work that was already completed on the front nine holes, located on the west side of Route 7, and described the related enforcement actions, in the form of an Administrative Consent Order with Penalty, taken by MassDEP. The enforcement action addressed the construction (and associated clearing and grading) of three holes (1, 8 and 9) and installation of three culverts (holes 2, 5 and 7).<sup>2</sup>

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<sup>1</sup> The Supplemental Draft EIR indicates, and MassDEP comments concur, that the project does not require a Water Management Act (WMA) Permit.

<sup>2</sup> DEP and the proponent entered into an Administrative Consent Order (ACO) requiring the creation of a wetlands replication area and a large monetary fine. DEP permitted the proponent to retain the culverts installed in the area of

An NPC was filed in December, 2006 identifying the change in scope from an 18-hole golf course to a 9-hole golf course. A Certificate on the NPC was issued on January 3, 2007 and contained a revised scope for the Supplemental Draft EIR based on the change in scope of the project and comments on the NPC.

The Supplemental Draft EIR was filed in January, 2008. Because the Supplemental Draft EIR provided adequate information regarding environmental impacts and mitigation upon which state agencies could base permitting decisions and no substantive issues remain to be addressed, I noticed the Supplemental Draft EIR as a Final EIR in the February 20, 2008 edition of the Environmental Monitor.


No comments were received on the Supplemental Draft EIR. The proponent did provide a copy of a letter to MassDEP and the Lanesborough Conservation Commission indicating its intention to provide water quality monitoring results to them. The Berkshire Regional Planning Commission (BRPC) was copied on the letter and will continue to receive copies of the submissions.

### Conclusion

Based on the above, no further MEPA review is warranted. The project may proceed to permitting.

March 28, 2008

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Date



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Ian A. Bowles

No comments received

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the second, fifth and seventh holes because it was determined that removal would cause additional impacts to wetlands.