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April 24, 2009

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

PROJECT NAME : Sale, Lease or Transfer of the Rights to the Dever Wells
from the Department of Conservation and Recreation to
the City of Taunton
PROJECT MUNICIPALITY : Crane Avenue North – Taunton
PROJECT WATERSHED : Taunton River
EOEA NUMBER : 14058
PROJECT PROPONENT : City of Taunton
DATE NOTICED IN MONITOR : March 25, 2009

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

Project Description

The project originally consisted of the transfer of the rights for the use of the Dever State School's Wells #1, 2, 3, and 4 to the City of Taunton for the installation and operation of a water supply and treatment facility. It included the construction of two new gravel-packed wells that would be capable of producing 200,000 gallons per day (gpd)/71.5 million gallons per year (gpy). The proponent had planned to construct a centralized pump station/ treatment facility with a parking/loading area for chemical delivery near Well #1. The proponent proposed to abandon Well #3, and Well #4 has not been used for decades and is no longer considered a water supply. The project was planned to include the installation of a new gravel or porous access driveway

with a width of about ten-feet for approximately 5,500 linear feet, from Crane Avenue North to the pump station and from the pump station to the existing water tower. The proponent also proposed the installation of about 1,200 linear feet of water main from the new wells within the existing gravel roadways to the Taunton distribution system. The project included the demolition of the four pump stations.

The project site is approximately 25 acres and contains Wells #1, 2, 3, and 4 and is located within the Canoe River Aquifer Area of Critical Environmental Concern (ACEC). On August 10, 2007, I determined that the ENF submitted on the proposed project did not require the preparation of an Environmental Impact Report.

As described in the NPC, the proponent is now proposing to replace the Myles Standish Industrial Park water tank and the Dever Tank with a new one million gallon elevated steel water storage tank of about 180 feet in height. The project will also include an approximately 672 square foot (sf) booster station on Bay Street. These water system improvements will allow the proponent to establish a High Service Water System and to incorporate the proposed Dever wells into the system. The creation of a High Service System will allow for the continued development of the Industrial Park by improving water pressure and fire flow capacity. The new water tank will be located adjacent to the existing Dever Tank. The two new wells will be located within fifty feet of the original Dever Wells #1 and #2. The previously-anticipated chemical feed building near Well #1 has been eliminated in favor of locating the needed facilities inside the pedestal of the replacement water tank. Once the new tank is installed and operational, the existing Dever Tank and the Industrial Park Tank will be removed.

As described in the NPC, the new structures will increase the impervious area by 15,246 sf. About one acre of land will be altered in connection with the project changes. The square footage of the proposed buildings will increase by about 860 sf from what was presented in the ENF. The length of water mains will increase by about 634 linear feet. The proposed project will provide four parking spaces at the proposed facilities.

Permits and Jurisdiction

The land transfer is proceeding in accordance with Chapter 395 of the Acts of 2002. In addition to the conveyances authorized in that Act, DCR has been working with the Division of Capital Asset Management (DCAM) to transfer the care and control of approximately 250 acres of land surrounding Watson Pond that includes the well locations to DCR. A separate agreement is being developed by DCR and the proponent to authorize the proponent to enter the property for access to install, operate and maintain the wells or any replacement wells at their current permitted levels. In its comment letter, DCR has stated that this proposed transfer of land and rights is consistent with the provisions of Section 11A of Chapter 395 of the Acts of 2002.

The project was originally subject to review pursuant to Section 11.03(11)(b) of the MEPA regulations because the project site is located within an ACEC. It will require a Transfer of the Water Management Act Permit to City of Taunton, a Water Distribution System Modification Permit, and potentially a Permit for the demolition of asbestos containing pump houses from the Department of Environmental Protection (MassDEP). The project may also need to obtain a Permit to Construct a Water Treatment Facility of less than 1 million gpd from MassDEP. It will also require a Site Access License from the Division of Capital Asset Management (DCAM). It may need to comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site. The proponent has submitted three Notices of Intent for the wells and water tank, the booster station and the extension of water mains to the Taunton Conservation Commission (TCC). The NPC will also require the approval of the Department of Conservation and Recreation (DCR) for the location of the two wells and the water storage tank on land that will be under DCR's jurisdiction after the land transfer arrangements are completed. Because the proponent is seeking financing from the State Drinking Water Revolving Loan Fund (SRF) to develop the wells, MEPA jurisdiction is broad and extends to all aspects of the project that may cause Damage to the Environment, as defined in the MEPA regulations.

Review of the NPC


The storage tank will be constructed within the 100-foot Buffer Zone to Bordering Vegetated Wetlands (BVW). The proponent will provide sedimentation and erosion controls prior to the commencement of work to prevent sediments from entering the adjacent BVW. Any disturbed vegetated areas outside of the project limits will be seeded with a naturalized area seed mixture until eighty percent ground coverage is achieved. The proponent will incorporate Best Management Practices (BMPs) to comply with MassDEP's Stormwater Management Standards. The access road and parking area at the water tank will be constructed of a pervious material that includes a gravel border to minimize stormwater runoff. The proponent has developed a monitoring plan to evaluate the potential for groundwater drawdown from the two proposed wells.

According to comments submitted by MassDEP, the project may impact the 100-year floodplain or Land Subject to Flooding (LSF). If LSF is impacted by the project, the proponent may be required to provide compensatory flood storage by the TCC.

In its comment letter, the Massachusetts Historical Commission (MHC) has requested that the proponent submit full-scale project plans showing existing and proposed conditions, soil boring logs, and current original photos of the project areas and structures within the project areas that are keyed to the project plans. I ask the proponent to provide MHC with the above information so that it can conduct its review of the project site.

Based on a review of the information provided by the proponent, a review of the comment letters, and after consultation with the state agencies, I am confident that MassDEP and DCR have sufficient permitting authority to condition this project so that no significant environmental impacts will occur. No further MEPA review is required for the Transfer of the Rights to the Dever Wells to the City of Taunton.

April 24, 2009
Date


for Ian A. Bowles

Comments received:

Massachusetts Department of Environmental Protection/Southeast Regional Office, 4/13/09
Massachusetts Historical Commission, 4/13/09
Department of Conservation and Recreation, 4/15/09

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