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April 24, 2009

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

PROJECT NAME : Onset Fire District Well and Pump Station #7  
PROJECT MUNICIPALITY : Wareham  
PROJECT WATERSHED : Buzzards Bay  
EEA NUMBER : 14393  
PROJECT PROPONENT : Onset Fire District Water Department  
DATE NOTICED IN MONITOR : March 25, 2009

Pursuant to the Massachusetts Environmental Policy Act (M.G. L. c. 30, ss. 61-62I) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **does not require** the preparation of an Environmental Impact Report (EIR).

As described in the Environmental Notification Form (ENF), the project consists of the development and construction of one gravel-pack well (756,000 gallons per day (gpd)) and an associated 700 square foot (sf) pump station by the Onset Fire District Water Department (the Water Department). The well will be located within a 360-acre property controlled by the Water Department accessed off Sand Pond Road in Wareham. The project will also include the installation of approximately 2,000 linear feet (lf) of new water main and underground electric along an existing unpaved access roadway to connect Well #7 to the larger water system. The project has been proposed as a means of supplementing current water supply wells on-site, primarily to meet the system's peak summer demand. The project does not propose to increase the overall permitted withdrawal volumes authorized under the Water Management Act (WMA) for the Water Department.

Anticipated project impacts include a new maximum withdrawal of 756,000 gpd, the construction of 0.39 miles of new water mains, and electric and water main installation work within the 100-foot buffer zone to the inland bank of Sand Pond. The project site has been mapped by the Natural Heritage and Endangered Species Program (NHESP) as containing *Priority* and *Estimated Habitat* for rare species.

### Jurisdiction

The project is undergoing MEPA review pursuant to Section 11.03(4)(b)(1) because the project requires a State agency action and will result in the new withdrawal of 100,000 or more gpd of water. The project will require a New Source Approval and a WMA Amendment from the Massachusetts Department of Environmental Protection (MassDEP). The project will require an Order of Conditions from the Wareham Conservation Commission, or in the case of an appeal, a Superseding Order of Conditions from MassDEP. The project will require review in accordance with the Massachusetts Endangered Species Act (MESA). The project will also require a National Pollutant Discharge Elimination System (NPDES) Construction General Permit from the United States Environmental Protection Agency (U.S. EPA).

Because the proponent is not seeking financial assistance from the Commonwealth for the project, MEPA jurisdiction extends to those aspects of the project that are within the subject matter of required or potentially required state permits and that may cause Damage to the Environment as defined in the MEPA regulations. In this case, MEPA jurisdiction exists over water, rare species, wetlands, and stormwater.

### Water

The project consists of the development of a new public water supply well, with a maximum capacity of 756,000 gpd, to provide redundancy within the existing water supply system. The pump station will include a chemical feed (sodium hydroxide) for corrosion control and system controls. The development of an additional well will allow other older existing wells longer periods of recovery time between pumping cycles during peak periods of demand, reducing operations and maintenance costs. The primary goals of the project are to supplement the Water Department's existing sources, increase the reliability of the system, increase flexibility in water management, and aid in meeting present and future peak water demand.

According to MassDEP, the Water Department's existing water withdrawal permit under the Water Management Act (Permit # 9P-4-24310.01) authorizes the removal of 1.4 million gallons per day (MGD). In 2007, the Water Department used 0.58 MGD and operated their system at a rate of unaccounted-for water (UAW) that, at 17%, exceeds MassDEP's performance standard for UAW. Amendment of the WMA permit is required to approve the location of the new well, not to increase existing authorized water withdrawal volumes.

Development of the well site should proceed under MassDEP's Guidelines for New Source Approval (NSA). The NSA and WMA permit amendment process will include an evaluation of environmental impacts, determination of aquifer parameters, and cumulative impacts to sensitive receptors. I encourage the Proponent to consider additional measures that may be implemented to reduce UAW and present these to MassDEP during the permit review process.

### Rare Species

The NHESP stated that upon review of the 13<sup>th</sup> Edition of the Massachusetts Natural Heritage Atlas, the project site is located within *Priority* and *Estimated Habitat* for rare species. The NHESP database indicates that the project will occur within the habitat of the Barrens Buckmoth (*Hamileuca maia*), Gerhard's Underwing Moth (*Catocala herodias gerhardi*), and the Eastern Box Turtle (*Terrapene carolina*), all species of Special Concern. These species and their habitats are protected pursuant to the Massachusetts Endangered Species Act (MESA) (M.G.L. c. 131A) and its implementing regulations (321 CMR 10.00).

The Proponent must complete a MESA filing with the NHESP to facilitate a determination as to whether or not the project will result in a prohibited "take" of state-listed species. The NHESP anticipates being able to address any state-listed species concerns through the MESA review process.

### Wetlands and Stormwater

The project will not result in the direct alteration of wetland resource areas. The access roadway, which will be widened to accommodate construction vehicles and allow the placement of new water mains and electrical service, will encroach into the 100-foot buffer zone to Sand Pond. Sand Pond is a kettle pond, with a clearly defined Bank, with no transitional Bordering Vegetated Wetland (BVW). The Notice of Intent (NOI) should detail the proposed activities and mitigating measures demonstrating compliance with the performance standards of the Wetlands Protection Act.

The access road will not be paved and no formal drainage structures will be installed. The ENF indicated that stormwater impacts during the construction phase will be mitigated through the use of appropriate Best Management Practices (BMPs) (e.g., siltation controls in areas bordering Sand Pond) and others as may be required by the Order of Conditions.

Based on the information in the ENF and after consultation with relevant public agencies, I find that no further MEPA review is required at this time. The project may proceed to State permitting.

April 24, 2009  
Date

  
for Ian A. Bowles

Comments received:

04/07/2009 Division of Marine Fisheries

04/13/2009 Division of Fisheries and Wildlife – Natural Heritage and Endangered Species  
Program (NHESP)

04/14/2009 Massachusetts Department of Environmental Protection - SERO

IAB/HSJ/hsj