



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Deval L. Patrick
GOVERNOR

Timothy P. Murray
LIEUTENANT
GOVERNOR

Ian A. Bowles
SECRETARY

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

April 25, 2008

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

PROJECT NAME : Fed Ex Ground Distribution Center
PROJECT MUNICIPALITY : Brockton
PROJECT WATERSHED : Taunton River
EOEA NUMBER : 12590
PROJECT PROPONENT : Scannell Properties
DATE NOTICED IN MONITOR : N/A

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 change is insignificant and does not require the preparation of an Environmental Impact Report.

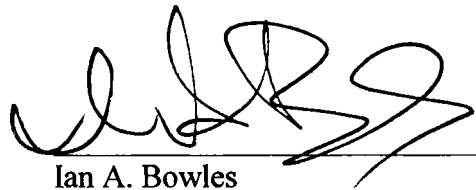
The project was the subject of an Environmental Notification Form (ENF) in 2001 that did not require the preparation of an Environmental Impact Reports (EIR). As originally proposed, the project entailed the alteration of 2, 460 square feet (sf) of Bordering Vegetated Wetlands (BVWs) and 12,220 sf of Isolated Vegetated Wetlands (IVWs) (for a total of 14,680 sf of impacts, with an approximately 15,000 sf wetland replication area proposed as mitigation for these impacts. The project obtained an Order of Conditions from the Brockton Conservation Commission, a Section 401 Water Quality Certification from the Massachusetts Department of Environmental Protection (MassDEP) and a Section 404 Programmatic General Permit from the U.S. Army Corps of Engineers. The project also entailed the creation of 5.05 acres of new impervious surfaces. The project was constructed largely in accordance with the plans and permits, with the exception of a parking area and associated grading that entailed the filling of a small 1,593-sf IVW located in the northwestern portion of the project site. As a result, cumulative wetlands impacts to date total 13,087 sf.

The proponent now wishes to construct parking in this area of the site. However, because the previously issued permits had expired, a new review of the wetlands boundaries was required. As a result of this review, it was determined that the 1,593-sf IVW was, in fact, a BVW because of a previously unidentified pipe providing a hydraulic connection to a nearby stream. Additionally, the wetland was determined to be larger than previously delineated, occupying 4,890 sf. In response, the proponent modified the design of the proposed parking area to limit filling to 2,156 sf of BVW, for a total of 4,616 of cumulative BVW fill. Thus, the currently proposed filling of 2,156 sf replaces the previously proposed 1,593 sf of IVW fill, an increase of 563 sf. Additionally, the project change entails an increase in total impervious area from 5.71 acres to 6.43 acres, an increase of 0.72 acres. The proposed project change has received a new Order of Conditions from the Brockton Conservation Commission and a new Section 404 Programmatic General Permit from the U.S. Army Corps of Engineers, but still requires a new Section 401 Water Quality Certification from MassDEP.

In the NPC, the proponent requested that I find this project change insignificant, in accordance with the MEPA regulations at CMR 11.10(6) because these proposed new impacts represent less than a 25 percent increase in the levels specified in the applicable MEPA review thresholds, specifically 5,000 sf of BVW impacts, as specified at 301 CMR 11.03(3)(b)(1)(d), and five acres of new impervious surfaces, as specified at 301 CMR 11.03(1)(b)(2).

Based on the information presented in the NPC, I find that the proposed project change is insignificant, in accordance with the MEPA regulations at 310 CMR 11.10(6). No further MEPA review is required.

April 25, 2008
Date



Ian A. Bowles

Comments received:

None

IAB/RB/rb