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April 25, 2008

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

PROJECT NAME : Swansea Desalinization Project
PROJECT MUNICIPALITY : Swansea
PROJECT WATERSHED : Narragansett Bay
EOEA NUMBER : 13183
PROJECT PROPONENT : Swansea Water District
DATE NOTICED IN MONITOR : March 26, 2008

Pursuant to the Massachusetts Environmental Policy Act (M.G.L. c. 30, ss. 61-62H) and Section 11.10 of the MEPA regulations (301 C.M.R. 11.00), I have reviewed the Notice of Project Change (NPC) submitted on this project and determine that it **does not require** a Second Supplemental Environmental Impact Report (EIR).

Previous MEPA Review

In the Supplemental Final EIR, the project consisted of the proposed desalination plant project with three elements: installation of an intake structure and pumping station on the Palmer River, including a pipeline to transmit the raw water; construction of a desalination plant and an ultrafiltration/membrane filtration plant at the site of an existing well-field; and construction of a brine concentrate pipeline and discharge structure back to the Palmer River. The Supplemental Final EIR included significant changes in the project design since the submittal of the Final EIR. The changes included the proposed use of an infiltration bed structure on the river bottom with a footprint of approximately 2500 square feet as the intake structure and increasing water

withdrawal rates (up to 1.6 million gallons per day varying seasonally) to allow blending to ensure that the brine water discharge will never exceed a salinity of 32 parts per thousand.

Since the completion of the Supplemental EIR the proponent has submitted an NPC in July 2006 requesting approval to move the discharge diffuser approximately 1,800 feet upstream from the thalweg location off the golf course to the south scour hole location near the Old Providence Road Bridge. The primary project elements including those related to water withdrawal, discharge flow rate, and maximum salinity remained unchanged as a result of the project change. The purpose of the project change was focused solely on the location of the discharge diffuser. On August 9, 2006 a Certificate was issued determining that the project did not require a Second Supplemental EIR.

NPC Project Change Description

This NPC was submitted for MEPA review on March 19, 2008 describing three changes. The proponents are requesting that they be allowed to move the primary pipeline route from State Route 6 onto an easement of I-195. The move will lessen traffic and provide more of a buffer between the construction activity and natural resources and private property. The project change also describes moving the primary pump station to a previously developed town owned property away from the Palmer River and associated salt marsh which will minimize the potential impacts. The third component of the NPC describes moving the raw water and concentrate tanks from the Vinnicum Road Water Treatment Plant site to the same previously developed town owned property as the proposed primary pump station.

The shift of the pipeline route is the result of conversations with the Massachusetts Highway Department (MassHighway) regarding potential traffic impacts of the previously proposed route. A letter from MassHighway approving the revised routing concept along the I-95 corridor was included as an attachment to the NPC submittal.

The project change will result in a temporary impact of 2000 square feet of Bordering Vegetated Wetlands. I note that a new Notice of Intent and receipt of a valid Final Order of Conditions from the Swansea Conservation Commission will be required for this project change. In addition, an amendment to the Water Quality Certification issued by the Department of Environmental Protection (MassDEP) is also required. I also remind the proponents that they must file for a New Source approval permit.

Based on the information provided in the NPC, MasDEP has stated in its comment letter that there is one former disposal site located in the vicinity of the address of the proposed project. The proponent is advised that, if oil and/or hazardous material is identified during the implementation of this project, notification pursuant to the Massachusetts Contingency Plan must be submitted to MassDEP.


This NPC also discusses the recent land swap between the Town of Swansea and the Swansea Water District (SWD). SWD is providing the town with a portion of a land parcel adjacent to Route 6 that the town had identified as the most suitable location for a new Public

Safety Building. Because this land was purchased with state funds for watershed protection it is also under the jurisdiction of Article 97. In compensation, the town is providing SWD with a surplus parcel of town owned land on Old Providence Road that is suitable for locating water supply facilities associated with the desalination plant. To meet the standards of Article 97, SWD has agreed to place a conservation restriction on the Old Providence Road parcel ensuring that there will be no net loss of Article 97 lands in the transaction. The legislature approved the transaction on February 14, 2008.

The Old Providence Road contains the Mason Barney School (MHC #SWN.215), an inventoried historic property. The Massachusetts Historical Commission (MHC) has requested in its comment letter written clarification from the proponent whether the Mason Barney School will be affected. The proponent should also provide MHC current, original photos of the structure.

Based on a review of the information provided by the proponent and after consultation with the state permitting agencies, I find that the potential impacts of this project change do not warrant the preparation of an EIR and can be addressed through the local and state permitting processes. No further MEPA review is required.

April 25, 2008
Date


Ian A. Bowles

Comments Received

- 04/07/08 Massachusetts Historical Commission
- 04/15/08 Department of Environmental Protection, SERO

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