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April 25, 2008

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

PROJECT NAME : Richard Property Well Site
PROJECT MUNICIPALITY : 192 West River Road – Upton
PROJECT WATERSHED : Blackstone River
EOEA NUMBER : 14214
PROJECT PROPONENT : Upton Department of Public Works
DATE NOTICED IN MONITOR : March 26, 2008

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 **does not require** the preparation of an Environmental Impact Report (EIR).

According to the Environmental Notification Form (ENF), the proposed project consists of the development and construction of five large diameter gravel-packed wells to create a wellfield network with a capacity of 396,000 gallons per day (gpd). The proposed project will include the construction of a remote pump control and treatment facility of approximately 7,000 square feet (sf). The pump station will house containment for treating for the removal of iron. It will include an emergency generator. The proposed access roads from the wells to the treatment facility and from the treatment facility to West River Road will be gravel. The well is being developed to address long-term water supply needs and to augment the existing Glen Avenue and West River Street water supply sources, create flexibility and reliability in the water system, improve fire protection, meet future demands, and take pressure off existing wells. The proponent is not proposing to increase its overall water withdrawal. The project includes the installation of about 650 linear feet of 12-inch diameter water main from the new well field to the treatment facility and approximately 6,000 linear feet along the access road and West River Road from the treatment facility to the distribution system. The project site is approximately 15 acres.

This project is subject to review pursuant to Sections 11.03(2)(b)(1) and 11.03(4)(b)(1) of



the MEPA regulations because it alters a designated significant habitat and involves a new withdrawal of 100,000 or more gpd from a water source that requires new construction for the withdrawal. The Department of Environmental Protection (MassDEP) will need to approve the Pump Test Report. The project will also require a New Source Approval, a Permit to Construct, and a Water Management Act Permit Amendment from MassDEP. The proponent should consult with the Natural Heritage and Endangered Species Program (NHESP) to ensure that there are no impacts to the Climbing Fern and the Wood Turtle in the area of the pump control and treatment facility and during its operation. It may need to obtain a Programmatic General Permit from the U.S. Army Corps of Engineers. The project will require an Order of Conditions from the Upton Conservation Commission for impacts to wetland resource areas. MEPA jurisdiction is limited to those aspects of the project within the subject matter of state permits and that may have significant environmental impacts (habitat and water withdrawal and treatment).

According to the proponent, the project will impact approximately 2,429 sf of Bordering Land Subject to Flooding/Riverfront Area.

The proponent currently is authorized by MassDEP to withdraw 0.48 million gallons per (average) day (mgd) or approximately 175 million gallons per year from its existing sources. The addition of this proposed wellfield to its withdrawal permit would provide redundancy; it would not authorize an increase in the total volume withdrawn by the system within the current permit period. The Zone I is approximately 6.7 acres and will be controlled by the proponent.

The proponent conducts a leak detection survey every two years. The unaccounted-for-water in the system is approximately 8 percent, which is below the Department of Conservation and Recreation's (DCR) recommended goal of 10 percent. The Town of Upton's residential consumption rate is about 70 gallons per capita per day (gpcd). The proponent has been approved for a DCR grant to conduct a meter replacement program and to educate the public regarding water conservation. Water bills are based on an increasing block rate. The water system is 100 percent metered. Town buildings have been retrofitted with low-flow fixtures. The proponent has adopted a Water Use Restriction Bylaw, based on the DEP Model Bylaw, which allows the proponent to place restrictions on outdoor water use. It has a public education program to inform customers of the efficient use of water. The Town of Upton has a Groundwater Protection Overlay District regulation in place, and a floor drain regulation that meets the requirements of 310 CMR 22.21(2)(a)(8).

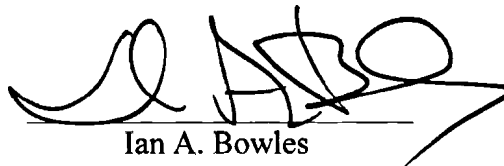
The proponent should operate a fully-funded water system in which customers pay for the actual cost of water. The water meters should be replaced on a periodic basis (every ten years). All master meters should be calibrated annually. The proponent should consider distributing free water conservation kits to all customers. The installation of water saving devices and low-flow toilets should be required in new construction and renovations by the

Town of Upton.

The Zone II area for the well site should be incorporated into the Town's appropriate overlay mapping. The proponent should consider adding a seasonal price increase during hot and dry weather to its water conservation program, to discourage outdoor watering. The Town of Upton should adopt Low Impact Development (LID) techniques that maximize infiltration, minimize the need for irrigation, and encourage water-efficient appliances. During construction, the proponent will provide an individual on-site, who is qualified in identifying Box Turtles to minimize impacts on the species. The NHESP has requested that the proponent minimize the use of the access road during the months of June and September and gate the access road. It has requested pump tests be performed during the summer low flow periods to determine if there are any impacts to the coldwater fishery resources of West River and Center Brook. I agree with these requests.

Based on a review of the information provided by the proponent and after consulting with the relevant public agencies, I find that the potential impacts of this project do not warrant the preparation of an EIR and can be adequately addressed in the DEP permitting process and during the consultation with the NHESP.

April 25, 2008
Date



Ian A. Bowles

Comments received:

MassDEP/CERO, 4/3/08
MassDEP/CERO, 4/8/08
USACOE, 4/9/08
MassWildlife, 4/14/08
MassDEP/CERO, 4/16/08
Tata & Howard, 4/17/08

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