



The Commonwealth of Massachusetts

Executive Office of Environmental Affairs

100 Cambridge Street, Suite 900

Boston, MA 02114-2524

MITT ROMNEY
GOVERNOR

KERRY HEALEY
LIEUTENANT GOVERNOR

STEPHEN R. PRITCHARD
SECRETARY

May 17, 2006

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

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS ON THE FINAL ENVIRONMENTAL IMPACT REPORT

PROJECT NAME : Wal-Mart Store
PROJECT MUNICIPALITY : 160 Broadway (Route 138) – Raynham
PROJECT WATERSHED : Taunton River
EOEA NUMBER : 13258
PROJECT PROPONENT : Wal-Mart Store, Inc.
DATE NOTICED IN MONITOR : April 10, 2006

As Secretary of Environmental affairs, I hereby determine that the Final Environmental Impact Report (FEIR) submitted on the above project **adequately and properly complies** with the Massachusetts Environmental Policy Act (G. L., c. 30, ss. 61-62H) and with its implementing regulations (301 CMR 11.00).

As described in the FEIR, the proposed project consists of the construction of a 210,000 square foot (sf) discount super store with a total of 1,073 surface parking spaces. The proponent is proposing to construct the store in two phases. Phase I would include 145,736 sf with a garden and auto center. Phase II would include another 64,250 sf of retail space. In order to meet Raynham's open space requirements, the proponent has an agreement to acquire approximately one acre of land from the abutting property to the west of the site or a comparable area from the southern abutter. This land is intended to be acquired only as open space and not for development. The site will increase to approximately 26.6 acres.

The project required a mandatory EIR. It will require a Massachusetts Highway Department (MHD) access permit onto Route 138. The project will require a Sewer Connection/Extension Permit from the Department of Environmental Protection (DEP). It must comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site of over five acres. On May 19, 2005, an Order of Conditions was received from the Raynham Conservation Commission for work within buffer

zones to resource areas.

Review of the FEIR:

The FEIR included a map showing what portions of the project site are within the Zone II Aquifer Protection Zone for municipal well fields. A maintenance program for the drainage system was included in the FEIR (Appendix B).

The FEIR addressed the stormwater concerns as stated in DEP's comment letter of September 7, 2004. The proponent has committed to use a non-sodium based deicer in its parking area to protect the Zone II wellhead.

The FEIR included more detailed roadway plans as requested by MHD. In the FEIR, the proponent has proposed no mitigation at the Route 138/I-495 southbound and northbound ramps. The proponent has committed to design the signalization and improvements at the Route 138/Center Street intersection. It will not move forward with the construction of Phase 2 until these improvements have been implemented. The FEIR discussed the proponent's coordination efforts with MHD, the Southeast Regional Planning & Economic Development District (SRPEDD), and Raynham and Taunton officials. It provided the most current information on the proposed construction dates for roadway improvements in the area. The FEIR included 40-scale plans showing the configuration of each roadway intersection proposed for modification.

In the FEIR, the proponent indicated that it was discussing the feasibility of establishing transit service to the site with the regional transit provider. The proponent has committed to initiate or to become a member in the Route 138 Transportation Management Agency (TMA).

Summary of the FEIR Mitigation:

The FEIR included a separate chapter on mitigation measures. This chapter on mitigation included proposed Section 61 Findings for MHD and DEP. The proposed Section 61 Findings contained a clear commitment to mitigation, an estimate of the individual costs of the proposed mitigation and the identification of the parties responsible for implementing the mitigation. A schedule for the implementation of mitigation was also included.

In the FEIR, the proponent committed to fund approximately \$2,372,000 for the following mitigation measures:

- Widen Route 138 to four lanes from the proposed site drive intersection to the King Philip Street intersection (the cost is figured into intersection improvements);
- Install traffic signals and make geometric improvements at the Route 138/site driveway intersection (\$292,000);
- Install traffic signals and make geometric improvements at the Route 138/King Philip Street intersection (\$367,000);

- Design the signalization and roadway improvements at the Route 138/Center Street intersection (\$100,000);
- Propose traffic signal timing adjustments and revised lane striping at the Route 138/Carver Street (\$5,000), Washington Street/East Britannia Street (\$175,000), and the Route 138/Washington Street intersections (\$10,000);
- Contribute \$200,000 to the City of Taunton for additional improvements along the Route 138 corridor;
- Install vehicle detection at First Street to facilitate exiting movements (\$5,000);
- Coordinate the traffic signals along Route 138 corridor where feasible and acceptable to MHD (Market Basket driveway signal -\$10,000);
- Construct a sidewalk along the west side of Route 138 from the project site north to King Philip Street in areas where a four-lane cross section is proposed by the proponent (\$75,000);
- Provide \$58,000 as its connection/mitigation fee to enter the proposed wastewater system;
- Install water lines and provide an easement to the North Raynham Water District through the project site (\$55,000);
- Extend the sewer line within Route 138 from King Philip Street approximately 2,100 feet north of the site and construct a pump station (\$500,000);
- Contribute \$400,000 to the North Raynham Water District to help fund the installation of a public water well;
- Provide \$100,000 to the Town of Raynham toward emergency service equipment upgrades;
- Modify the site plan to incorporate a bus stop shelter, a drop off area, and a bus turn around in accordance with the Greater Attleboro Taunton Regional Authority (GATRA) needs with a sidewalk providing direct store access for bus patrons (\$15,000); and
- Implement the following TDM measures: designate an on-site transportation coordinator, implement a carpool program with preferred parking spaces, schedule truck deliveries during off-peak hours, provide an employee break room, provide an automatic teller machine, post public transit services, and install bicycle racks (\$5,000 per year).

The proponent has developed an energy management system that monitors all heating, air conditioning, lighting, and refrigeration systems, and the building design includes a super-insulated roof. The proponent has developed a waste reduction and recycling plan that removes cardboard, toner and ink cartridges, used alkaline and button cell batteries, used automotive oil, oil filters, one-time use camera bodies, fluorescent bulbs, and plastic shopping bags from its waste stream. The proponent also recycles their used cooking oil.

I ask MHD to review the intersections at the proposed site drive and the Market Basket site drive on Route 138 to determine if an exclusive right-turn lane on Route 138 southbound is required at both driveway intersections. These closely spaced traffic signals and the King Philip Street intersection will need a hard-wired closed loop traffic signal system, which the proponent will be responsible for implementing as part of its MHD mitigation requirements. In its comment

letter, MHD states that it will require that the improvements at the I-495/Route 138 interchange be implemented prior to the proponent's site occupancy. If MHD has not constructed the proposed improvements at the Center Street/Route 138 intersection, the proponent will be required to construct them in order to occupy Phase II. The proponent must address these additional mitigation measures in an updated commitment letter to MHD.

No further MEPA review is required for completion of the above project. The proponent must finalize its permitting requirements with the state agencies as indicated above.

May 17, 2004
DATE


Stephen R. Pritchard

Cc: Sharon Stone, DEP/SERO

Comments received:

TEC, 5/10/06
EOT, 5/10/06
DEP/SERO, 5/12/06

13258feir
SRP/WTG/wtg