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June 6, 2008

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

PROJECT NAME : Crop Circle Cranberry
PROJECT MUNICIPALITY : 131 Ring Road – Plympton and Kingston
PROJECT WATERSHED : Jones River
EOEA NUMBER : 14221
PROJECT PROPONENT : **Crop Circle Cranberry**
DATE NOTICED IN MONITOR : April 9, 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 determine that this project **does not require** the preparation of an Environmental Impact Report (EIR). However, I will require the proponent to submit a Notice of Project Change (NPC), as described below in greater detail, before the project can proceed to permitting by state agencies.

According to the Environmental Notification Form (ENF), the proposed project consists of the proponent obtaining a Water Management Act (WMA) Withdrawal Permit for the existing 12.7-acre cranberry bogs with the potential to include a future expansion of the bogs by 7.3 acres. The proponent withdraws approximately 110,000 gallons per day (gpd) or 29 million gallons per year (mgpy) from two existing on-site surface reservoirs. The bogs are irrigated with a sprinkler system. The irrigation water is recovered to the reservoir for reuse through dikes, culverts, and flumes via a closed-loop tailwater recovery system. The future expansion of the bog would be located in an upland area. The project site consists of a cranberry bog operation on approximately 85 acres.



The project is subject to review pursuant to Section 11.03(4)(b)(1) of the MEPA regulations because the project requires a new withdrawal of 100,000 or more gallons per day (gpd) from a water source that requires new construction for withdrawal. It may need a WMA Withdrawal Permit and a Water Quality Certificate from the Department of Environmental Protection (MassDEP). The proponent will consult with the Natural Heritage and Endangered Species Program (NHESP) under the Massachusetts Endangered Species Act regarding the measures necessary to avoid a "Take" of the Eastern Box Turtle during the construction of new bogs and its cranberry farm operations. It may require a Conservation and Management Permit from NHESP. The project should comply with the National Pollution Discharge Elimination System (NPDES) General Permit from the U.S. Environmental Protection Agency for stormwater discharges from a construction site. It will need to obtain Orders of Conditions from the Plympton and Kingston Conservation Commissions for the potential bog expansion into an upland area (within the buffer zones and for wetland resource area impacts within Plympton). MEPA jurisdiction is limited to those aspects of the project within the subject matter of state permits and that may have significant environmental impacts (wetlands, species habitat, and water withdrawal).

According to the proponent, the project may impact approximately 1,500 square feet of Riverfront Area. The proponent currently obtains 110,000 gpd from two existing reservoirs, which are fed by Barrows Brook. It is proposing to potentially increase its withdrawal to approximately 180,000 gpd or 46 mgpy. The proponent has developed a Farm Plan in cooperation with the U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS) to conserve water usage. The Farm Plan must be updated to include the additional bogs.

According to the proponent's plan dated May 13, 2008, the project may alter up to 1,500 sf of Riverfront Area (RA), potential areas of Bordering Vegetated Wetlands (BVW), and buffer zones in the 7.3 acre cranberry bog expansion area. I have received comments from state agencies identifying additional information required in order to permit the project, these issues do not rise to the level at which an Environmental Impact Report (EIR) would be required. Upon review of supplemental information submitted by the proponent during the extended comment period, I expect that many of the concerns initially expressed by commenters have been addressed. However, in its comment letter of June 4, 2008, MassDEP stated that "the information presented remains inadequate for this office to address the potential environmental impacts from the project." Therefore, in order to proceed to permitting, I am requiring the proponent to submit a Notice of Project Change (NPC) that thoroughly addresses MassDEP's comments and concerns, as expressed in its comment letters. Prior to submitting the NPC, I strongly recommend that the proponent to consult with MassDEP.

The NPC should be circulated to the list of "comments received" below and to Plympton and Kingston officials. A copy of the EIR should be made available for public review at the Plympton and Kingston Public Libraries.

June 6, 2008
Date



Ian A. Bowles

Comments received:

Jones River Watershed Association (JRWA), 4/18/08
Marti Nover, 4/23/08
MassWildlife, 4/28/08
MassDEP/SERO, 4/28/08
Site Design Engineering (SDE), 4/28/08
Kingston Conservation Commission, 4/28/08
MassDEP/SERO, 4/29.08
Leslie McDonald, 4/29/08
JRWA, 4/29/08
SDE, 5/2/08
SDE, 5/5/08
SDE, 5/15/08
MassDEP/SERO, 6/3/08
MassDEP/SERO, 6/4/08

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