



# The Commonwealth of Massachusetts

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August 25, 2006

## CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS ON THE COMPREHENSIVE WATER RESOURCES MANAGEMENT PLAN PHASE II REPORT/ EXPANDED ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : Comprehensive Water Resources Management Plan  
PROJECT MUNICIPALITY : Acton  
PROJECT WATERSHED : Assabet  
EOEA NUMBER : 11781/13828  
PROJECT PROPONENT : Town of Acton  
DATE NOTICED IN MONITOR : July 10, 2006

As Secretary of Environmental Affairs, I hereby determine that the Comprehensive Water Resources Management Plan (CWRMP) Phase II Report/Expanded Environmental Notification Form (EENF), here in after referred to as CWRMP Phase II Report, document submitted on this 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).

### Overview

As described in the CWRMP Phase II Report, the project involves the phased development of a Town-wide comprehensive wastewater collection and treatment management plan to address the immediate and long-term growth needs for the Town of Acton.

The Town has completed a CWRMP Phase II Report that addresses the planning process for town-wide water resources management with the evaluation of alternatives as part of a 20-year plan for water resources protection. The document includes recommendations of possible solutions for the Needs Planning Areas. The current wastewater disposal system for the majority of parcels in the Town of Acton is proposed to remain unchanged. The recommended plan is a combination of extensions of the existing sewers; cluster systems using existing private treatment systems and possible public/private solutions; shared systems between neighbors; and the establishment of wastewater management districts.

### MEPA History

The CWRMP Phase II Report is part of a wastewater planning process that has been ongoing since 1998. The Town of Acton prepared an ENF in October 1998 for the Middle Fort Pond Brook Sewer Project. The Town of Acton wanted to accelerate the engineering design of a new advanced wastewater treatment plant (WWTP) proposed to be built on a 35-acre town-owned parcel of land on Adams Street. The WWTP would treat up to 250,000 gallons per day (GPD) of waste and discharge treated effluent to a groundwater discharge system also located on Adams Street site. The Assabet River flows adjacent to the site. A chief reason for the accelerated WWTP design and construction and phased approach to Town-wide facilities and water resources planning was the impact to public health and water quality from older under-designed and failing onsite septic systems in several sections of Acton.

The Secretary of Environmental Affairs issued a Certificate for the project on December 1, 1998. A Special Review Procedure (SRP) was established to facilitate the review of the EIR/Facilities Plan. This allowed the Town of Acton to proceed with design and construction of an advanced WWTP on Adams Street and approximately ten miles of collection systems. The SRP was established to address the remaining town-wide wastewater facilities planning and assessment requirements under a comprehensive phased set of reports and subsequent filings of Expanded ENFs.

This assessment was also in conjunction with the guidelines issued by the Department of Environmental Protection (DEP) regarding comprehensive water resources management planning to address other factors to establish an effective town-wide wastewater management plan, such as stormwater management, groundwater recharge, natural resources protection and surface water quality.

The Secretary of Environmental Affairs issued a Certificate on the CWRMP Phase I Report of the Town-wide Needs and Growth Management Analysis on August 16, 2004. The Phase I Report presented the findings and conclusions of an assessment of current environmental conditions in and around Acton. Water demand projections were estimated for the 20-year study period and impacts to the present and future water supply were reviewed. Current stormwater systems and programs were also reviewed. In addition, current wastewater management systems were discussed, followed by a determination of wastewater needs. Finally, potential locations for satellite wastewater treatment facilities were also presented.

### CWRMP Phase II Report

Completion of MEPA review of the CWRMP Phase II Report is a key milestone for the Town of Acton, but it does not mark the end of planning for this project. Refinement of plan elements to address neighborhood concerns, additional work and Town Meeting approvals on

growth management measures and financing, and final design and permitting are scheduled in the future. I commend the Town for working diligently on these important issues, and anticipate that the discussion and deliberations in Town Meeting and other public forums will serve to ensure that measures that are acceptable to the majority of citizens will be implemented.

Many of the comments on the CWRMP Phase II Report expressed concerns with the "possible solutions" beyond the recommended plan of extensions of the existing sewers and cluster systems using existing private treatment systems. The Town should work closely with DEP to address any of the proposed possible solutions for wastewater disposal. I also encourage the Town to consult with the Massachusetts' Riverways Program, which has provide detailed suggestions in its comment letter for options as planning progresses. I remind the Town that further environmental analysis and a Ground Water Discharge Permit from DEP will be required if the Town proposes to discharge wastewater into Zone II areas.

The Town should work with DEP to develop detailed scopes of work for any hydrogeological investigations for groundwater discharge sites prior to the initiation of any fieldwork. DEP has stated in its comment letter that it has no further comments beyond those that were stated during the August 2004 review of the Phase I report. DEP has also indicated that its comments on the CWRMP Phase I Report were adequately addressed in the CWRMP Phase II Report.

The Town should also consult with the Natural Heritage and Endangered Species Program (NHESP) because several of the Needs Planning Areas are located within areas mapped as Priority Habitat for state-listed rare species as indicated in the 11<sup>th</sup> Edition of the *Natural Heritage Atlas*. The Town will need to provide NHESP with enough information to evaluate potential impacts to state-listed rare species impacts under the Massachusetts Endangered Species Act (MESA) Regulations (321 CMR 10.00).

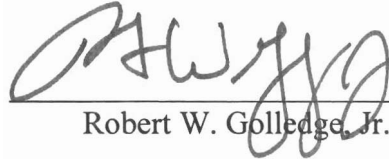
Several of the commenters expressed concern with growth management. This issue is one of the most complex and contentious for communities in metropolitan areas, such as Acton. The CWRMP Phase II Report describes measures to address growth and development that could potentially be induced by improvements in wastewater disposal infrastructure. Similarly, the projected costs and funding mechanisms for the project remain the subject of some controversy. While the subject of cost allocation and project financing are beyond the scope of MEPA review, I am confident that the well-developed public participation process in the Town of Acton and the need for Town Meeting approval of funding for the project will provide a mechanism for resolving this issue equitably.

The CWRMP Phase II Report is a plan and a framework for the Town of Acton to guide water and wastewater resources management as it manages growth and development. When the Town is ready to submit a specific infrastructure development or expansion project related to the CWRMP, it should submit a Notice of Project Change (NPC) for any portion of the plan that

exceeds MEPA review thresholds. In this way, I am hereby amending the Special Review Procedure (SRP) that was previously established by this Office to guide the review of the CWRMP. The Town should file a NPC under the original EOEA #11781. I recommend that the Town arrange a pre-filing meeting with the MEPA Office before finalizing and submitting any NPC.

August 25, 2006

Date



Robert W. Gollidge, Jr.

Comments received:

07/07/06	Water Supply District of Acton
07/17/06	Arthur Gagne
07/18/06	Billing Street Resident (unable to make out handwriting), former member of CAC
08/02/06	Carol LoPiccolo
08/03/06	Carol Holly
08/10/06	ACES-Acton Citizens for Environmental Safety
08/10/06	Nancy Tavernier
08/10/06	Andy Munro
08/11/06	Natural Heritage and Endangered Species Program (NHESP)
08/11/06	Don Barron
08/12/06	Paul Gaboury
08/14/06	Allen Nitschelm
08/15/06	Terra Friedrichs
08/15/06	Mary Michelman
08/15/06	Massachusetts Riverways Programs
08/15/06	Eric Hilfer
08/16/06	Clean Water Action
08/16/06	Charles Kadlec
08/17/06	OAR-Organization for the Assabet River
08/18/06	Department of Environmental Protection, Central Regional Office
08/18/06	Response to comments by Proponent

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