



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Deval L. Patrick
GOVERNOR

Timothy P. Murray
LIEUTENANT GOVERNOR

Ian A. Bowles
SECRETARY

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

September 21, 2007

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

PROJECT NAME : Lexington Technology Park
PROJECT MUNICIPALITY : Lexington
PROJECT WATERSHED : Charles River
EEA NUMBER : 14087
PROJECT PROPONENT : Patriot Partners Lexington, LLC
DATE NOTICED IN MONITOR : August 22, 2007

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).

As described in the Environmental Notification Form (ENF), the project involves the redevelopment of approximately 354,950 square feet (sf) of commercial office space and expansion to approximately 672,000 sf of the former Raytheon Corporation Headquarters campus in Lexington into a life-science based campus. The project is expected to generate 2,029 vehicle trips for a total of 5,830 vehicle trips on an average weekday and the construction of 719 additional parking spaces, for a total of 1699. Proposed uses of the site include life science research, development and manufacturing with supporting office and related functions, which is consistent with the Town of Lexington's rezoning of the site in 2004.

The project is undergoing review pursuant to Sections 11.03 (6)(b)(13) and Section 11.03 (6)(b)(15) of the MEPA regulations, because the project will generate more than 2,000 new vehicle trips per day and provide more than 300 new parking spaces (719 spaces total). The proponent has used an existing trip credit for a site occupied during the most recent three year period. Using the trip credit the project is expected to generate an additional 2,029 vehicle trips, which is less than the generation of 3,000 or more new additional trips per day requiring the preparation of a mandatory EIR. With the inclusion of the new trips, the total

vehicle-trips on an average weekday will be 5,830. The project is also undergoing review pursuant to Section 11.03 (5)(b)(4)(a) and Section 11.03 (1)(b)(2) of the MEPA regulations because the project will provide a new sewer discharge to a sewer system of 100,000 or more gpd of sewage (129,785 gpd) and create five or more acres of impervious area (8.0 acres). The project requires an Indirect Access Permit from the Massachusetts Highway Department (MHD), a Sewer Connection/Extension Permit from the Massachusetts Department of Environmental Protection (MassDEP) and a Sewer Use Discharge Permit from the Massachusetts Water Resources Authority (MWRA).

Because the proponent is not seeking financial assistance from the Commonwealth for the project, MEPA jurisdiction extends to those aspects of the project that may cause significant Damage to the Environment and that are within the subject matter of required or potentially required state permits. In this case, MEPA jurisdiction extends to issues concerning land alteration, traffic, stormwater and wastewater.

The project is also proposing to apply for an Environmental Protection Agency (EPA) NPDES General Permit to discharge Reverse Osmosis (RO) Reject Water to surface waters in accordance with Massachusetts General Permit MAG 450000. Currently, there are four facilities with coverage under the general permit in Massachusetts. The proponent is advised that the stringent, weekly monitoring requirements of total residual chlorine (TRC) or pH may be difficult to meet. In the event that the discharge is planned to Hobbs Brook/Cambridge Reservoir, an approval from the public water supplier also would be required. I advise the proponent to work with MassDEP, the City of Cambridge's Water Department, as well as the Charles River Watershed Association (CRWA) and the Water Supply Citizens Advisory Committee (WSCAC).

The ENF has demonstrated that the traffic impacts of the project, properly mitigated, should prove minor. MHD has also stated in their comment letter that the traffic impacts of this project on the state highway system can be accommodated within the existing infrastructure and will not require the preparation of an updated traffic study. MHD has committed to working with the Town of Lexington to resolve the issue of mitigation at the Route 2A/Spring Street intersection and will assist in identifying additional funding sources to complement the commitment of the proponent to provide monetary contribution for improvements at the location.

The ENF states that there is sufficient capacity in the existing collection system to accommodate the increase of about 129,785 gpd of new wastewater flow from the Lexington Technology Park project. Wastewater generated by the project will discharge into the MWRA system and ultimately to the Deer Island Wastewater Treatment Facility. I note that MassDEP, in cooperation with MWRA and its member communities (including Lexington), are implementing a flow control program in the MWRA regional wastewater system, to remove extraneous clean water (e.g., infiltration/ inflow (I/I)) from the system. MassDEP is requiring proponents that are adding significant new wastewater flow, such as the proponents for this project, to assist in the I/I reduction effort and to ensure that the additional wastewater flows are offset by the removal of I/I.

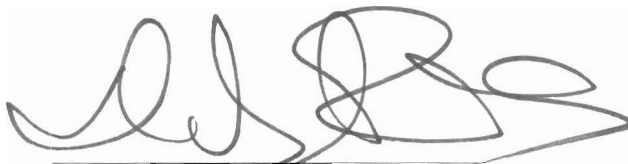
MassDEP is using a minimum 4:1 ratio for I/I removal to new wastewater flow added.

This ratio may be increased if specific flow constrictions/overflows already exist in the service area to which the new flow is added. The proponent should therefore work with the Town of Lexington, and consult with MassDEP on this issue. Assuming that the proponent can demonstrate that there is 30,000 gpd of existing wastewater flow, and that a 4:1 ratio is utilized, the proponent will need to remove, or cause to be removed, 519,140 gpd of I/I.

The MWRA prohibits the discharge of groundwater to the sanitary sewer system, pursuant to 360 C.M.R. 10.023(1) except in a combined sewer area when permitted by the MWRA and the municipality. The Town of Lexington is not a combined sewer area and, therefore, the discharge of groundwater to the sanitary sewer system from this project is prohibited. The proponent must also comply with 360 C.M.R. 10.016 if the intention is to install gas/oil separators in the parking areas.

MassDEP has noted in their comment letter that there are bordering vegetated wetland and bank resource areas, in addition to locally regulated freshwater wetlands on the project site. According to the ENF, the project would alter areas of buffer zone to these wetland resource areas. The ENF describes that impervious area will increase from 16.5 to 24.5 acres, which is a 48 percent increase above existing levels to more than 25 percent of the site. When imperviousness reaches 25 to 30 percent, stream quality becomes consistently poor with diminished aquatic diversity, habitat, and water quality deteriorate. I note that the proponent is considering low impact development measures and opportunities to modify the stormwater management plan to maintain and restore natural hydrologic conditions. I also note that the plan to leave reserve parking areas unpaved keeps the imperviousness area lower.

I conclude that no further MEPA review is required. The review of the ENF has served adequately to disclose impacts and mitigation, and the impacts of the project do not warrant the preparation of an EIR. The proponent can resolve any remaining issues during the permitting process.



Ian A. Bowles

September 21, 2007
Date

Comments Received:

- 09/07/07 Water Supply Citizens Advisory Committee
- 09/07/07 Massachusetts Water Resources Authority
- 09/11/07 Department of Environmental Protection
- 09/11/07 Charles River Watershed Association
- 09/11/07 City of Cambridge, Water Department
- 09/11/07 Executive Office of Transportation, Massachusetts Highway Department

IAB/ACC/acc