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December 10, 2008

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

PROJECT NAME : Proposed Fairgrounds Well Site
PROJECT MUNICIPALITY : Marshfield
PROJECT WATERSHED : South Coastal
EEA NUMBER : 14339
PROJECT PROPONENTS : Marshfield Department of Public Works, Water Division
DATE NOTICED IN MONITOR : November 10, 2008

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62I) 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 proponent, the Town of Marshfield, intends to construct a well and pumping/treatment facility to meet its growing water demands. A site, north of the Marshfield Fairgrounds has been identified by exploratory test wells off Clay Pit Road. This would be the second well within the Fairgrounds Aquifer. The project will include a gravel-packed well, a pumping/treatment facility and a continuation of an access road from South River Street. The facility will be one story with a floor area of approximately 1,000 square feet.

The project is undergoing review pursuant to Section 11.03(4)(b)(1) and Section 11.03(2)(b)(1) of the MEPA regulations, because it requires State permits and will involve new water withdrawal of more than 100,000 gallons per day that requires new construction and because it involves possible alteration of a designated significant habitat for rare species. The project will require a Water Management Act (WMA) Permit and a New Source Approval from the Department of Environmental Protection (MassDEP). A direct filing with the Natural Heritage Endangered Species Program (NHESP) for compliance with the Massachusetts Endangered Species Act (MESA) is also required. The project will also require an Order of Conditions from the Marshfield Conservation Commission (and hence a Superseding Order from MassDEP if the local Order were appealed).

Because the proponent is not seeking financial assistance from the Commonwealth for the project, MEPA jurisdiction is limited to those aspects of the project that may cause Damage to the Environment as defined in the MEPA regulations and that are within the subject matter of required or potentially required state permits. In this case, MEPA jurisdiction extends to water use and management, including potential drawdown on adjacent water bodies, and impacts to rare species habitat.

The ENF indicates that the Town of Marshfield proposes to increase the total capacity of its drinking water wells by 432,000 gallons per day (gpd), or 0.43 million gallons per day (MGD), by the installation of the proposed well north of the Marshfield Fairgrounds. The ENF also states that the total capacity of Marshfield's existing sources is 504,000 gpd, to be increased to 936,000 gpd (0.94 MGD) by the addition of this proposed new source.

A pumping test has been conducted at the site and is currently under review by MassDEP. MassDEP has noted in its comment letter that the pumping test report will be closely reviewed for impacts to the nearby Zenas Brook, which flows to the South River. An existing municipal water supply well with an approved Zone II rate of 0.50 MGD, the South River Street Well, is also located 1400 feet downgradient (south and east) of the proposed well. MasDEP has stated that potential impacts to that source by the proposed withdrawal will also be evaluated.


According to the Natural NHESP, the project site is located within Priority and Estimated Habitat as indicated in the 13th Edition of the MA Natural Heritage Atlas. The project therefore requires review through a direct filing with the NHESP for compliance with the Massachusetts Endangered Species Act. The proposed project will occur within the habitat of the Eastern Box Turtle (*Terrapene carolina*). The Eastern Box Turtle is listed as a species of "Special Concern" pursuant to the provisions of the Massachusetts Endangered Species Act (M.G.L. c. 131A) and its implementing regulations (321 CMR 10.00). Therefore, the proponent should consult with the NHESP to determine whether the proposed project will result in a significant impact to the Eastern Box Turtle, and whether a Conservation and Management permit will be required for the project.

The Massachusetts Historical Commission (MHC) has requested additional information to determine what effect the project may have on historic and archaeological resources. The proponent should consult with MHC and the Marshfield Historical Commission in an effort to avoid any impacts to historic or archaeological resources.

The review of the ENF has served to adequately disclose the potential impacts of the project and related mitigation. I find that the project does not warrant the preparation of an EIR. The New Source Approval process includes a series of three permits (BRP WS 17, 19, 20). Therefore, I advise the proponent to work closely with MassDEP's Drinking Water Program and WMA Program staff during permitting. The MassDEP permitting process for water supply projects is quite detailed, and I am confident that MassDEP has sufficient permitting authority to ensure that any potential impacts to the watershed are minimized and mitigated. No further MEPA review is required.

December 10, 2008

Date



Ian A. Bowles, Secretary

Comments Received:

11/13/08 Massachusetts Historical Commission
12/01/08 **Division of Fisheries and Wildlife's Natural Heritage Endangered Species
Program**
12/01/08 Department of Environmental Protection, Southeast Regional Office

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