Commonwealth of Massachusetts
Executive Office of Environmental Affairs ■ MEPA Office

ENF Environmental Notification Form

For Office Use Only
Executive Office of Environmental Affairs
EOEA No.: 14368
MEPA Analyst: Anne Canaday
Phone: 617-626- 1035

The information requested on this form must be completed to begin MEPA Review in accordance with the provisions of the Massachusetts Environmental Policy Act, 301 CMR 11.00.

Project Name: Lot 2B Liberty Street		
Street: 127 Liberty Street		
Municipality: Brockton	Watershed: Taunton River	
Universal Tranverse Mercator Coordinates:	Latitude: 42.0550° Longitude: 71.0638°	
Estimated commencement date:	Estimated completion date:	
Approximate cost:	Status of project design: %complete	
Proponent: R.J. Messina, Inc.		
Street: 103 Summer Street West		
Municipality: Brockton	State: MA	Zip Code: 02301
Name of Contact Person From Whom Copies of this ENF May Be Obtained: Desheng Wang		
Firm/Agency: Carr Research Laboratory, Inc.	Street: 251 West Central Street, Suite D-36	
Municipality: Natick	State: MA	Zip Code: 01760
Phone: 508-651-7027	Fax: 508-647-4737	E-mail: Desheng@carr-research-lab.com

Does this project meet or exceed a mandatory EIR threshold (see 301 CMR 11.03)?
☐Yes ☒No

Has this project been filed with MEPA before?
☐Yes (EOEA No._____) ☒No

Has any project on this site been filed with MEPA before?
☐Yes (EOEA No._____) ☒No

Is this an Expanded ENF (see 301 CMR 11.05(7)) requesting:

a Single EIR? (see 301 CMR 11.06(8))	☐Yes	☒No
a Special Review Procedure? (see 301CMR 11.09)	☐Yes	☒No
a Waiver of mandatory EIR? (see 301 CMR 11.11)	☐Yes	☒No
a Phase I Waiver? (see 301 CMR 11.11)	☐Yes	☒No

Identify any financial assistance or land transfer from an agency of the Commonwealth, including the agency name and the amount of funding or land area (in acres):

Are you requesting coordinated review with any other federal, state, regional, or local agency?
☐Yes(Specify_____) ☐No

List Local or Federal Permits and Approvals:

Permits/approval required	*Review agency*	*Status*
Approval of site plan	Brockton Planning Boards	Under review
Order of Conditions	Brockton Conservation Commissio	SE118-0608, Under review
401 Water Quality Certificate	DEP	Will file before Jan. 23, 2009
404 Programmatic General Permit	US Army Corps of Engineers	Will file before Jan. 23, 2009

Which ENF or EIR review threshold(s) does the project meet or exceed (see 301 CMR 11.03):

- ☐ Land
- ☐ Water
- ☐ Energy
- ☐ ACEC
- ☐ Rare Species
- ☐ Wastewater
- ☐ Air
- ☐ Regulations
- ☒ Wetlands, Waterways, & Tidelands
- ☐ Transportation
- ☐ Solid & Hazardous Waste
- ☐ Historical & Archaeological Resources

Summary of Project Size & Environmental Impacts	**Existing**	**Change**	**Total**
LAND			
Total site acreage	6.7		
New acres of land altered			
Acres of impervious area	0.26	1.00	1.26
Square feet of new bordering vegetated wetlands alteration		0	
Square feet of new other wetland alteration		9452	
Acres of new non-water dependent use of tidelands or waterways		0	
STRUCTURES			
Gross square footage	0	6250	6250
Number of housing units	0	1	1
Maximum height (in feet)	0	40	40
TRANSPORTATION			
Vehicle trips per day		<200	200
Parking spaces			
WATER/WASTEWATER			
Gallons/day (GPD) of water use	0	469	469
GPD water withdrawal	0	0	0
GPD wastewater generation/ treatment	0	469	469
Length of water/sewer mains (in miles)	0.09	0.03	0.12

State Permits & Approvals

- ☒ Order of Conditions
- ☐ Superseding Order of Conditions
- ☐ Chapter 91 License
- ☒ 401 Water Quality Certification
- ☐ MHD or MDC Access Permit
- ☐ Water Management Act Permit
- ☐ New Source Approval
- ☐ DEP or MWRA Sewer Connection/ Extension Permit
- ☐ Other Permits (*including Legislative Approvals*) – Specify:

CONSERVATION LAND: Will the project involve the conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97?

☐Yes (Specify_____) ☒No

Will it involve the release of any conservation restriction, preservation restriction, agricultural preservation restriction, or watershed preservation restriction?

☐Yes (Specify_____) ☒No

RARE SPECIES: Does the project site include Estimated Habitat of Rare Species, Vernal Pools, Priority Sites of Rare Species, or Exemplary Natural Communities?

☐Yes (Specify_____) ☒No

HISTORICAL /ARCHAEOLOGICAL RESOURCES: Does the project site include any structure, site or district listed in the State Register of Historic Place or the inventory of Historic and Archaeological Assets of the Commonwealth?

☐Yes (Specify_____) ☒No

If yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources?

☐Yes (Specify_____) ☒No

AREAS OF CRITICAL ENVIRONMENTAL CONCERN: Is the project in or adjacent to an Area of Critical Environmental Concern?

☐Yes (Specify_____) ☒No

PROJECT DESCRIPTION: The project description should include **(a)** a description of the project site, **(b)** a description of both on-site and off-site alternatives and the impacts associated with each alternative, and **(c)** potential on-site and off-site mitigation measures for each alternative (*You may attach one additional page, if necessary.*)

This project triggers ENF review in one category: Wetlands, for alteration of 5,000 or more square feet of isolated vegetated wetlands (310 CMR 11.03 (3) (b) 1.d.).

(a) Description of the project site

The project site (Lot 2B) consists of 6.7 acres including 3.4 acres of upland and 3.3 acres of wetland. The property is accessed from Liberty Street located to the east. Coweeset Brook spilt the site into two parts: eastern and western. See Figure 1 for site locus. A 30 ft wide sewer easement running along the east bank of the brook, acts as the buffer between the bordering vegetated wetland and the upland. There is a very steep drop in elevation from the upland to the sewer easement. The protected resource areas including Coweeset Brook and its bordering vegetated wetlands are delineated for the site and approved on February 8, 2007 (ORAD dated February 27, 2007).

Under the existing condition, the area to the west of the sewer easement is undeveloped woods, mostly wetland except for some small upland area at the southwest corner. To the east of the sewer easement, most of the land is upland except for two isolated wetlands associated with historical gravel harvesting. One of the two isolated wetlands contains 9,451.5 ft^2 in the central north and the other 28,445.6 ft^2, of which 3521.6 ft^2 are off site. The upland area is occupied with about 41,000 sq. ft of gravel parking and storage area, 11,000 sq. ft of partly paved driveway, and 5,456 sq. ft of detention/infiltration basin. The materials currently stored there include concrete forms, bricks, concrete and PVC pipes, metal, and construction debris. Construction equipments including trucks and excavators, backhoes are also parked in the upland area. The stormwater detention/infiltration basin is located in the northeast corner of the

site for the previous development on Lot 2A, which will be expanded to accommodate the current phase of development.

According to USDA soil map, the on-site soil consists of Windsor in upland area and Scarboro soil in the low laying area in the floodplain of the river. Windsor soil is very permeable sand and gravel.

The dirt parking and storage area do not have any stormwater management system. For proposed conditions, a commercial building of 6,250 ft^2 and required parking lot and utilities are proposed on a parcel located at Liberty Street in Brockton, MA (Assessor's map 7, plot 13, including lots 2A and 2B). The development will occur mostly in the existing gravel construction storage area and will also require filling of an isolated wetland of 9451.5 ft^2 which was created from historical sand and gravel harvesting. The following table presents the land use under both existing and proposed conditions:

Land use	Existing (ac)	Proposed (ac)
Building	0	0.14
Driveway/road	0.26	1.12
Gravel drive and parking	0.70	0
Vegetated upland	2.44	2.36
Wetlands	3.3	3.08
Total Impervious (house+driveway+road)	0.26	1.26
Total Disturbance (house+driveway+road+lawn)	0.96	1.26
Total	6.7	6.7
Wetland replication area	0	0.23

Flood control and stormwater management have been designed to the latest MADEP stormwater BMPs standards. An operation and maintenance plan of the stormwater structures has been prepared to maintain the performance as designed. Details can be found in The Storm Water Management Report Gallagher Engineering. A Stormwater Pollution and Prevention Plan (SWPPP) has also been prepared for NPDES to reduce/prevent contamination of stormwater during the construction.

(b) Alternatives

To mitigate the impact, three alternatives are evaluated and discussed with MA DEP and U.S. Army Corps of Engineer. The details are discussed in the following.

Alternative one: Use the site as it is.

This alternative will leave the site without any stormwater management system. Significant sediment and erosion will be continued. The isolated wetland will be still low value invasive species dominant area surrounded by disturbed steep bank. This is an old abandoned gravel pit.

Alternative Two: Fill the isolated wetland and deed restricted to preserve 15 times of filled area of mixed upland and wetland.

This alternative was recommended in letter of Regulatory Division, Department of the Army dated March 4, 2008. The preservation area is based on the CENAE recommended Compensatory Mitigation Rations Table. However, this alternative was rejected by MA DEP Southeast Region Office at phone consultation with Ms. Tina Davies.

Alternative Three: The engineered alterative in the mitigation and replication plan.

This alternative will selectively excavate the upland area on the west bank of the river to enhance the riparian zone by:

- Creating 10,009 sq. ft of BVW with a vernal pool habitat incorporated in the BVW;
- Preserving all large red maples (10) on mounded islands and fringe buffer to the replication area, which will preserve 6537 sq. ft.
- About 15,000 sq. ft of upland on the eastern bank will be preserved to better protect the perennial river, Coweeset Brook.
- 3.08 acres of existing wetland on the property will be preserved.
- The replication (10,009 sq. ft) to fill (9451.50 sq. ft) ratio is 1.1 to 1. The total preservation (150,773 sq. ft) including replication to fill (9451.50 sq. ft) will be 15.95 to 1, which exceeds the recommended 15:1 ratio.
- A stormwater management system is provided to the new development to meet all 10 DEP Stormwater Management Standards.

(c) Mitigation

As mitigation for the alteration, a total of 10,009 ft^2 of wetland replication is proposed, which yields a replication ratio of 1.1 to 1. The replication area is a wooded upland peninsular on the west bank of Coweeset Brook. This area can only be accessed from abutting property, namely T & C Realty Trust. Admission will be required to access the replication area before this replication can be valid. The grading of the replicated wetland will go around 10 large red maple trees, resulting in 3 small wooded upland islands in the wetlands. In the center of the replication area, a small venal pool is devised. The replicated wetlands will connect to the bordering vegetated wetlands at wetland flags WF4 to WF 5A at the southern edge, and WF 535 in the middle.

The replication area are located at the up gradient of the wetlands system bordering the Coweeset Brook, and will be subject to adequate hydrologic forces given proper excavation, and should offer wetland resource functions and flood control superior to the filled isolated wetland. The wildlife habitat will be created through plantings and the creation of a vernal pool habitat in the center. Features of the replication area include:

- Hydraulic connection to the 100-year floodplain, therefore, more storage available for flood storage.
- Area easily integrated with bordering vegetated wetland.
- Sandy subsoil to encourage groundwater recharge.

LAND SECTION – all proponents must fill out this section

I. Thresholds / Permits

A. Does the project meet or exceed any review thresholds related to **land** (see 301 CMR 11.03(1)
___ Yes x No; if yes, specify each threshold:

II. Impacts and Permits

A. Describe, in acres, the current and proposed character of the project site, as follows:

	Existing	Change (acres)	Total (acres)
Footprint of buildings	0	+ 0.14	0.14