

For Office Use Only Executive Office of Environmental Affairs MEPA Analyst: <i>Nick ZAVOLAS</i> Phone: 617-626-1030
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NPC

Notice of Project Change

The information requested on this form must be completed to begin MEPA Review of a NPC in accordance with the provisions of the Massachusetts Environmental Policy Act and its implementing regulations (see 301 CMR 11.10(1)).

Project Name: NPC for Phase 3 Wastewater System Improvements Wetland Alterations		EOEA #:11401
Street: Various streets within the Peters Pond and Eastern Broadway Areas of Dracut, MA		
Municipality: Dracut	Watershed: Merrimack	
Universal Transverse Mercator Coordinates:	Latitude: 42° 42' 48.26" W Longitude: 71° 15' 23.13" W	
Status of project construction: Phases 1 & 2 Built; Phase 3 - Contracts 26, 27, & 26A designed & permits/approvals are in progress; Phase 4 planning stages.		
Proponent: Dracut Board of Sewer Commissioners		
Street: 1196 Lakeview Avenue		
Municipality: Dracut	State: MA	Zip Code: 01826
Name of Contact Person From Whom Copies of this NPC May Be Obtained: Isabel Tourkantonis		
Firm/Agency: CDM	Street: 50 Hampshire Street	
Municipality: Cambridge	State: MA	Zip Code: 02139
Phone: 617-452-6603	Fax: 617-452-6603	E-mail:tourkantonis@cdm.com

In 25 words or less, what is the project change? The project change involves...a revision to the estimated temporary wetland alterations reported in the April 2007 Supplemental CWMP/NPC proposed as part of the Phase 3 (Contracts 26, 27, & 26A) sewer improvements program. The proposed work involves the installation of approximately 16 miles of new sewers and will result in the temporary alteration of approximately 14,950 square feet of bordering vegetated wetlands (original estimate was 6,200 square feet). This work has been approved by the local Conservation Commissions and is currently under review as part of an ACOE PGP Category II Permit application and MassDEP 401 Water Quality Certification application processes.

Date of ENF filing or publication in the Environmental Monitor:
 Was an EIR required? Yes No; if yes,
 was a Draft EIR filed? Yes (Date: 1/9/1998) No
 was a Final EIR filed? Yes (Date: 1/31/2001) No
 was a Single EIR filed? Yes (Date:) No
 Have other NPCs been filed? Yes (Date(s): 4/30/2007) No
 If this is a NPC solely for lapse of time (see 301 CMR 11.10(2)) proceed directly to
"ATTACHMENTS & SIGNATURES" on page 4.

PERMITS / FINANCIAL ASSISTANCE / LAND TRANSFER

List or describe all new or modified state permits, financial assistance, or land transfers not previously reviewed: None

Are you requesting a finding that this project change is insignificant? (see 301 CMR 11.10(6))

Yes No; if yes, attach justification.

Changes to Phase 3 since the completion of the 2007 CWMP/NPC involve an increase in the estimated temporary wetland alterations. Proposed unavoidable wetland alterations caused by sewer construction will be temporary and will be restored to pre-construction grades and stabilized to prevent erosion. Temporary wetland alterations have been reviewed and approved as part of the local Conservation Commission permitting process (3 separate local public hearings) and are currently being reviewed by federal and state wetland permitting agencies. We respectfully request that MEPA consider this change in Phase 3 insignificant since wetland permits from federal, state, and local permitting agencies will be issued with conditions that will adequately protect environmental resources. This project has been designed to avoid and minimize alterations to wetlands to the extent practicable and complies with the "no net loss policy" for wetlands.

Are you requesting that a Scope in a previously issued Certificate be rescinded?

Yes No; if yes, attach the Certificate

Are you requesting a change to a Scope in a previously issued Certificate? Yes No; if yes, attach Certificate and describe the change you are requesting:

Summary of Project Size & Environmental Impacts	Previously reviewed	Net Change	Currently Proposed
LAND			
Total site acreage	0	0	0
Acres of land altered	0	0	0
Acres of impervious area	0	0	0
Square feet of bordering vegetated wetlands alteration	6,200 sf (temporary)	+8,750 sf	14,950 sf (temporary)
Square feet of other wetland alteration	102,540 sf of BLSF (temporary) (includes work in roadways & cross-country areas)	-64,160 sf	38,380 sf of BLSF (temporary) (includes work in roadways & cc areas)
Acres of non-water dependent use of tidelands or waterways	N/A	N/A	N/A
STRUCTURES			
Gross square footage	N/A	N/A	N/A
Number of housing units	N/A	N/A	N/A
Maximum height (in feet)	N/A	N/A	N/A
TRANSPORTATION			
Vehicle trips per day	N/A	N/A	N/A
Parking spaces	N/A	N/A	N/A

WATER/WASTEWATER			
Gallons/day (GPD) of water use	0	0	0
GPD water withdrawal	0	0	0
GPD wastewater generation/ treatment	523,000 (Phases 3 & 4)	0	523,000 (Phases 3 & 4)
Length of water/sewer mains (in miles)	30	0	30

Does the project change involve any new or modified:

1. conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97? Yes No

2. release of any conservation restriction, preservation restriction, agricultural preservation restriction, or watershed preservation restriction? Yes No

3. impacts on Estimated Habitat of Rare Species, Vernal Pools, Priority Sites of Rare Species, or Exemplary Natural Communities? Yes No

-Copies of the Notices of Intents for Contract 26 (Dracut – DEP File No. 145-0810) and Contract 26A (Methuen – DEP File No. 219-1053) were submitted to the Natural Heritage and Endangered Species Program (NHESP) for work located within mapped Estimated/Priority Habitat. The NHESP subsequently issued review letters indicating the projects meet the state-listed species performance standard for issuance of Orders of Conditions and that the projects are exempt from MESA review pursuant to 321 CMR 10.14. No cross-country sewer work is proposed within or immediately adjacent to mapped certified or potential vernal pools.

4. impact on any structure, site or district listed in the State Register of Historic Place or the inventory of Historic and Archaeological Assets of the Commonwealth?

-A Reconnaissance and Intensive (Locational) Survey (MHC # RC.20528) was completed for all cross-country sewer segments and pumping station locations associated with Contracts 26, 27, and 26A. The *Field Completion Memorandum for Archeological Phase I Reconnaissance and Intensive Survey* was reviewed by the Massachusetts Historical Commission (MHC). MHC issued a letter on March 24, 2008 concurring that no further archaeological investigation of the proposed pumping stations and cross-country sewer alignments is required. Additional follow-up with MHC regarding implementation of an archaeological site avoidance and protection plan to protect a cultural resource located near a proposed pumping station is currently being coordinated.

Yes No; if yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources? Yes No

5. impact upon an Area of Critical Environmental Concern? Yes No
If you answered 'Yes' to any of these 5 questions, explain below:

PROJECT CHANGE DESCRIPTION (attach additional pages as necessary). The project change description should include:

- (a) a brief description of the project as most recently reviewed
- (b) a description of material changes to the project as previously reviewed,
- (c) the significance of the proposed changes, with specific reference to the factors listed 301 CMR 11.10(6), and
- (d) measures that the project is taking to avoid damage to the environment or to minimize and mitigate unavoidable environmental impacts. If the change will involve modification of any previously issued Section 61 Finding, include a proposed modification of the Section 61 Finding (or it will be required in a Supplemental EIR).

PROJECT CHANGE DESCRIPTION (CONTINUED)

The Town of Dracut received MEPA approval on June 10, 2007 to proceed with the design of Phases 3 and 4 of the Town's wastewater improvements program described in the April 2007 Supplemental CWMP/NPC. The Supplemental CWMP/NPC recommended a sequenced series of wastewater system improvements presented as Phases 3 and 4 to be designed and constructed over the next decade in sewer needs areas. Phase 3 of the sewer expansion program will establish the infrastructure needed to connect and convey sewage flow from the high-priority areas around Peters Pond and Eastern Broadway Road areas of Dracut to the Greater Lawrence Sanitary District (GLSD) treatment facility. These areas have been identified as unsuitable for continued long-term use of onsite disposal systems due to poor soils, shallow groundwater and failed septic tank inspections. Phase 3 of the sewer program is proposed as part of Inter-Municipal Agreements (IMA) between the Town of Dracut with the City of Methuen and Dracut and GLSD. Phase 3 Contracts 26, 27 and 26A are substantially designed and permitted.

The purpose of this Notice of Project Change (NPC) is to present a revision to the estimated temporary wetland impacts reported in the April 2007 Supplemental CWMP/NPC proposed as part of the Phase 3 sewer improvements program. The Supplemental CWMP/NPC provided a wetland alteration estimate of approximately 6,200 square feet of Bordering Vegetated Wetland which was based on planning level data commensurate with the level of design (primarily the MassGIS wetlands data and previous field checks completed in 1998 and 2001 associated with the Draft and Final Environmental Impact Reports). At the time the NPC was prepared, on-the-ground wetland boundaries within and adjacent to cross-country sewer easements had only been completed for Contract 26 and not for Contract 27, since sewer easement and design information was not yet available for Contract 27.

As stated in the 2007 Supplemental CWMP/NPC, contract areas and phases were to be flagged and surveyed in the field as each contract/phase is designed, enabling more detailed and accurate information on individual wetland crossings. Since the 2007 MEPA submittal, wetlands located within and adjacent to Phase 3 (Contracts 26, 27, and 26A) sewer crossings were subsequently delineated during the preliminary design phase. Wetland alteration estimates from on-the-ground wetland delineations and detailed survey are presented herein. A more accurate description of wetland communities and boundaries located within and adjacent to proposed sewer easements have been reviewed and approved by the Dracut and Methuen Conservation Commissions. These wetland alterations and associated alternatives analysis are currently being reviewed by the ACOE (Programmatic General Permit Category II Application) and MassDEP (401 Water Quality Certification Application). The attached Table 1 – Temporary Impacts to Wetlands provides a summary of the Bordering Vegetated Wetlands that will be temporarily disturbed as a result of Phase 3 sewer construction. Alterations caused by sewer construction will be temporary and will be restored to pre-construction grades and stabilized to prevent erosion.