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COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION  
SECTION 61 FINDING PURSUANT TO  
M.G.L. CHAPTER 30, SECTION 61

**PROJECT NAME:** Fruit Street Well Site H-2  
**PROJECT LOCATION:** Hopkinton, MA  
**PROJECT PROPONENT:** Town of Hopkinton  
**EOEA NUMBER:** #13092

The following Section 61 Findings for the proposed Fruit Street Well Site H-2 in Hopkinton, Massachusetts have been prepared to comply with the requirements of Massachusetts General Laws Chapter 30, Section 61. Under M.G.L. c.30, s.61, State agencies and authorities are required to review, evaluate, and determine the impacts on the natural environment of all works, projects, or activities conducted by them and to undertake all feasible means and measures to minimize and prevent damage to the environment. As part of any determination made, this law requires that state agencies and authorities issue a "finding" describing any impacts of the project and certifying that all feasible measures have been undertaken to either avoid or minimize these impacts.

**I. PROJECT DESCRIPTION**

The Town of Hopkinton is proposing to construct a new well and pumping station at Site H-2 located east of Fruit Street and west of Whitehall Brook on the Fruit Street property. Site H-2 will encompass 11.54 acres of the 257 acres of total land area. The Town prepared a Water Master Plan dated May 2003 and completed a Comprehensive Wastewater Management Plan (CWMP) and Final Environmental Impact Report (FEIR), approved by Massachusetts Environmental Policy Act (MEPA) on January 28, 2005. The CWMP and Water Master Plan detailed that the construction of Site H-2 is the best alternative to help the Town to serve all of its existing and future residents and businesses. The Town received a draft WMA Permit Amendment in May 2006 approving Site H-2 for up to 0.72 million gallons per day (MGD). Site H-2 is a supplemental source that will allow the existing Fruit Street wells to rest. It's pumping

limit has been set at 0.72 MGD, with a cumulative total for all of the Fruit Street wells at 0.75 MGD, which is the Zone II approved rate for the existing Fruit Street wells. So while each well has a maximum authorized daily withdrawal volume, the total of all four wells cannot exceed the Zone II rate established at 0.75 MGD. Additionally, this supplemental source will not provide water supply to new growth, but, again, allow the Town's primary wells Fruit Street wells 1, 2, and 3 to rest.

An Environmental Notification Form (ENF) was prepared and submitted, pursuant to M.G.L. c. 30, Section 61 and 62A-H of MEPA, to the Executive Office of Environmental Affairs (EOEA) on August 1, 2003. The Secretary of Environmental Affairs issued two certificates on the ENF on September 22, 2003. The first certificate established a special review procedure to guide MEPA review of the project. The second certificate issued an ENF required for the preparation and filing of a Single Environmental Impact Report (SEIR). The SEIR was filed on November 15, 2004. The Secretary issued a certificate requiring submittal of a Supplemental SEIR (SSEIR) for certain aspects of the Master Plan. The SSEIR was filed on October 8, 2005 and received a certificate on November 14, 2005. This certificate required the filing of a second SSEIR to clarify certain aspects of the Fruit Street project and present different alternatives to the proposed master plan. The second SSEIR was filed on January 17, 2006 and received a certificate from the Secretary on March 3, 2006. A Notice of Project Change (NPC), which provided detailed information on the proposed well located at Fruit Street, was filed in June 2006.

The Massachusetts Department of Environmental Protection (MassDEP) has reviewed and commented on the above MEPA submissions and has considered the comments of various parties on the MEPA process in connection with the permit application submitted by the proponent. This Section 61 finding is based upon the information disclosed and discussed in the MEPA review process.

## **II. PROJECT IMPACTS**

The proposed well site construction deals mainly with temporary impacts associated with the construction of the pump station itself. Every effort has and will continue to be taken to avoid or minimize damage to the environment. The existing roadway on the site will be used to gain access from Fruit Street for deliveries of project materials, construction crews as well as utility installation. The utility installation consists of underground (in existing roadway) electric and gas. When the roadway is completed it will be a gravel packed roadway so as not to be an impervious surface. This will eliminate any environmental impact at this location.

Construction of the well site may encompass working in the wetland buffer area and all possible means to minimize damage to the environment will be taken. Coordination with the local Conservation Commission will be a priority in order to determine the specific route(s) necessary for the construction of the well. Considerable effort to provide the necessary mitigation measures will be taken whether it be silt fencing or hay bales, etc. The Conservation Commission commented during the testing of Site H-2 on January 12, 2004 and determined that the testing was outside of the 100-foot zone of the nearest wetland on the site and outside of the 200-foot riverfront of Whitehall Brook.

Evaluation of any potential impacts to existing water, groundwater and surface water has been completed as part of the preplanning process. Issues previously addressed include potential impact to Whitehall Brook. The Zone II analysis was completed as part of the "Prolonged Pumping Test and Zone II Delineation Test Well Site H-2 Hopkinton, Massachusetts", dated May 2004, and under the extreme conditions of pumping 24/7 for 180 days with no recharge, less than 3 percent of water would come from the Brook and this is beyond the State's 2-year travel time. The influence of the well comes from the south, towards Whitehall Reservoir, the same direction that the current Fruit Street wells Nos. 1, 2 and 3 now pump. Observation wells installed during the prolonged pump test revealed no significant impact on the groundwater or Whitehall Brook.

At the time of the Fruit Street Master Plan filing and CWMP/FEIR, the following items were reviewed, with no permanent environmental impact noted:

- Historical, Archaeological, Cultural, Conservation and Recreation – None noted
- Wetlands, Flood Plains and Agricultural Lands – None noted
- Zones of Contribution – This project includes a Zone I for a new well source. The Zone II for the three existing Fruit Street wells was amended to include the withdrawal at the new Fruit Street Well. It does not impact any other Zone of Contribution
- Surface and Groundwater Resources – None noted
- Displacement of Households, Businesses and Services – None noted
- Noise Pollution, Air Pollution, Odor or Public Health Issue – Any Noise Pollution will be temporary during construction.
- Violation of Federal, State or Local Environmental and Land Use Statutes – None noted

### **III. MITIGATION MEASURES**

As part of the overall Fruit Street Master Plan, and by agreement between the Town and MassDEP, the following Section 61 mitigation measures will be implemented:

- Regarding of the Fruit Street roadway in the Zone I of the existing Fruit Street wells
- Stormwater mitigation in the Fruit Street roadway in the existing Zone I
  - Catch Basin cleaning
  - Pavement Sweeping
- Installation of an emergency shut-off gate valve at the Water Quality inlet
- Installation of guardrail along the roadway in the Zone I

A plan was developed, "Stormwater Operation and Maintenance Plan", dated April 12, 2005 by Beals and Thomas, Inc. to carry out the necessary mitigation agreed to.

The Town will undertake this mitigation when the roadway work begins. At the time of construction for the utilities when the road is open, the above-noted mitigation will be undertaken as agreed in the overall planning. The Town will be responsible for the planning, oversight, budget and all necessary mitigation for this component of the Master Plan.

#### IV. FINDINGS

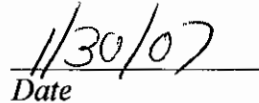
MassDEP hereby finds that, with the implementation of the mitigation measures described above, all practicable means and measures will be taken to avoid minimize adverse impacts in the areas noted above to the proposed project. It does not relieve the proponent from complying with additional MEPA requirements when applying for permits from other applicable Departments or Agencies. Appropriate and more detailed conditions will be included in the WMA Permit Amendment issued by MassDEP that will describe more fully and assure the implementation of the mitigation measures described in this finding.



*Paul R. Anderson*

*MEPA Coordinator*

*MassDEP – Central Region*



*Date*