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February 6, 2009

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

PROJECT NAME : Nantucket Municipal Facilities & Housing Project
PROJECT MUNICIPALITY : 2 Fairgrounds Road - Nantucket
PROJECT WATERSHED : Islands
EOEA NUMBER : 14362
PROJECT PROPONENT : Town of Nantucket
DATE NOTICED IN MONITOR : January 7, 2009

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 determine that the above project **does not require** the preparation of an Environmental Impact Report (EIR).

According to the Environmental Notification Form (ENF), the proposed project consists of the construction of a 57,000 square foot (sf) consolidated public safety facility (PSF) for police and fire departments, two municipal office buildings totaling about 15,000 sf each, and 42 affordable housing units (3 bedrooms each). The project will be divided into three phases. Phase I includes the construction of a PSF on eight acres. Phase II includes the construction of 42 affordable housing units on 6.39 acres. Phase III includes the construction of the municipal office buildings and the demolition of the existing 14,220 sf building on 5.37 acres. The project is estimated to generate approximately 1,705 new trips and require 260 new parking spaces. The site has 69 existing parking spaces. The project will be provided with municipal water and wastewater service. It is estimated to consume approximately 12,231 gallons per day (gpd) of water, and it will generate approximately 10,194 gpd of wastewater. The project site is approximately 19.76 acres. In 2003, an 82-unit residential subdivision and an unspecified amount

of commercial space was proposed by another proponent for this site (EEA #12915), and the Secretary determined that an EIR was required for the project. On February 12, 2008, the Town of Nantucket withdrew an ENF (EEA #14179) for a public safety facility on this project site.

The proponent is proposing the project to improve municipal facilities and to provide the necessary parking that these services require. The project is based on a Town-wide Feasibility Study of existing municipal facilities and parking. The proponent has developed both on-site and off-site alternatives for this project as part of its feasibility study. The current project is the Preferred Alternative.

The project is subject to MEPA review pursuant to Sections 11.03(1)(b)(2), 11.03(2)(b)(2), and 11.03(6)(b)(14) because the project creates 5 or more acres of impervious area; may involve the taking of an endangered or threatened species or species of special concern, provided that the site is greater than two acres of disturbance of designated priority habitat; and generates 1,000 or more new trips and includes the construction of 150 or more new parking spaces. It will require a Conservation & Management Permit from the Natural Heritage Endangered Species Program (NHESP) for the relocation of Nantucket Shadbush. The project should comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site. Because the proponent is not seeking financial assistance from the Commonwealth, MEPA jurisdiction is limited to those aspects of the project within the subject matter of state permits and that may cause Damage to the Environment, as defined in the MEPA regulations (in this case: significant habitat).

The quality of stormwater runoff generated by the project will be improved by the implementation of Best Management Practices. Existing site runoff is sheet flow. The project will create approximately 9.48 acres of impervious area. The proponent will utilize porous pavement in employee parking areas. Stormwater on the site flows to a combination of infiltration bioswales and bioretention/rain gardens for pavement areas and roof runoff. About 95 percent of the precipitation will be infiltrated on-site. The rate of water discharging from the site will remain less than existing peak runoff rates. The proponent has committed to perform an annual inspection and maintenance program for the stormwater collection system and a seasonal sweeping program of the proposed driveways and parking areas. The project site is located within the Zone II of a municipal water supply well.

The proponent has conducted a rare plant survey of the project site. In 2007, the proponent found a total of 44 populations of Nantucket Shadbush, a plant species of Special Concern. No other state-listed rare plants were found on the project site. Seven populations, consisting of about 261 individual plants will be protected from further disturbance within a ten to fifteen-foot no disturbance buffer area by the proponent. The remaining colonies of Shadbush will be transplanted to on-site designated open space areas, or they will be relocated off-site at the adjacent Town-owned Water Department parcel on the other side of Old South Road. The

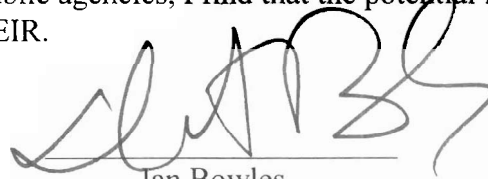
proponent will coordinate closely with the NHESP to protect and preserve the Nantucket Shadbush. It is working with NHESP to develop a relocation plan for the various Nantucket Shadbush plants that cannot be avoided based upon its Conceptual Master Plan.

There is an existing ten-foot wide bike path along Fairgrounds Road. The proponent has constructed an eight-foot wide bike/pedestrian path along the site's frontage with Ticcoma Way. There are four bus routes that pass the project site. They are the Siasconset, the Miacomet, the Airport, and the Surfside bus routes. I encourage the proponent to provide scaled existing and proposed conditions plans and building elevation drawings for the project to the Massachusetts Historical Commission (MHC) as requested in MHC's comment letter, as well as the Certificate of Appropriateness from the Nantucket Historic District Commission and its comments.

While I note the concerns of the Nantucket Land Council, the project will provide overall net benefits to the environment by protecting and preserving the Nantucket Shadbush and by providing improved stormwater infiltration/drainage on an already partially developed site. In addition, MEPA jurisdiction over this project is limited to the subject matter of the only state permit required for the project – the NHESP Conservation & Management Permit. The project's impacts to the Nantucket Shadbush can be adequately addressed and worked out with the NHESP during permitting. Therefore, based on a review of the information provided by the proponent and after consultation with relevant public agencies, I find that the potential impacts of this project do not warrant the preparation of an EIR.

February 6, 2009

Date



Ian Bowles

Comments received:

MassWildlife/NHESP, 1/22/09
MHC, 1/23/09
Nantucket Land Council, 1/26/09
MassDEP/SERO, 1/27/09
Horsley Witten Group, 1/30/09
Horsley Witten Group, 2/3/09

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