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March 22, 2007

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

PROJECT NAME : Route 20 Wetland Restoration  
PROJECT MUNICIPALITY : Worcester  
PROJECT WATERSHED : Blackstone  
EOEA NUMBER : 13980  
PROJECT PROPONENT : ANCONA Realty  
DATE NOTICED IN MONITOR : February 20, 2007

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) 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).

The proposed project consists of construction of a 72,000 square foot (sf) wetlands area as mitigation for previous wetland filling on the project site. The proposed wetlands area is partially located in the buffer zone of bordering vegetated wetlands (BVW). The site has been used historically for industrial purposes and is currently used as a contractor's yard. According to the Environmental Notification Form (ENF), a Certificate of Compliance was issued by the Massachusetts Department of Environmental Protection (MassDEP) on May 7, 2004 to cover activities regulated by an Order of Conditions dating back to 1972. The Worcester Conservation Commission subsequently concurred with the Certificate of Compliance in July 2004. The proposed wetlands mitigation is being undertaken as part of the proponent's efforts to come to closure on historic wetlands compliance issues.

The proposed 72,000 sf restoration project will result in alteration of approximately 44,400 sf of previously-filled wetland, which will be restored in place, and alteration of a 27,600 sf area of land to expand this wetlands restoration area. The 27,600 sf expansion will provide mitigation for an additional 21,600 sf of wetlands that was previously filled on the project site (the 21,600 area of historic fill will be left in place).

The project is undergoing environmental review pursuant to Section 11.03(3)(b)(1)(d) of the MEPA regulations because it involves alteration of 5,000 sf or more of BVW. The project requires a 401 Water Quality Certificate from the MassDEP and an Order of Conditions from the Worcester Conservation Commission (and, on appeal only, a Superseding Order from MassDEP). The project also requires a Category II Programmatic General Permit from the U.S. Army Corps of Engineers, which was issued on November 30, 2006.

The proponent is not seeking financial assistance from the Commonwealth. Therefore, MEPA jurisdiction applies to those aspects of the project within the subject matter of required state permits with the potential to cause Damage to the Environment as defined in the MEPA regulations. In this case, MEPA jurisdiction extends to wetlands and stormwater.

The ENF has served to adequately disclose the potential impacts and mitigation associated with the project. Based on review of the ENF, comment letters received, and consultation with relevant agencies, I find that impacts associated with the project do not warrant further MEPA review. I am satisfied that any remaining issues can be adequately addressed during the state and local permit and review processes. The project may proceed to state permitting. However, based on the correspondence letter from the U.S. Army Corps of Engineers included in the ENF, and consultations during the MEPA site visit, it appears that a retail store may be proposed for the project site in the future. I remind the proponent that a Notice of Project Change (NPC) or ENF will be required for any future development on the site that exceeds a MEPA threshold. I advise the proponent to consult with the MEPA Office prior to filing.

March 22, 2007

DATE



Ian A. Bowles, Secretary

Comments Received: none

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