



# The Commonwealth of Massachusetts

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May 26, 2006

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

PROJECT NAME : Provincetown Municipal Airport Capital Improvements Plan

PROJECT MUNICIPALITY : Provincetown

PROJECT WATERSHED : Cape Cod

EOEA NUMBER : 13789

PROJECT PROPONENT : Provincetown Airport Commission

DATE NOTICED IN MONITOR : April 26, 2006

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 **requires** the preparation of an Environmental Impact Report (EIR).

According to the Environmental Notification Form (ENF), the proposed project, the Capital Improvement Plan (CIP), consists of the following projects: realign the West Entrance Taxiway (TW) and clear obstructions; realign (with some widening) the Partial Parallel TW, install TW Edge lights, and reconstruct Parallel TW; construct an Electric Vault; restore the Sightseeing Shack; realign the Mid Entrance TW; realign the East Entrance TW; reconstruct the Terminal Apron; expand the Turf Apron; construct Service Access Roads to the Localizer Equipment Shelter and to the Weather Station; construct a complete Perimeter Security Fence along the lease line; expand auto parking; expand the Terminal Building; and purchase maintenance equipment (sweeper). The CIP would be completed over a period of five to ten years. The proponent is attempting to comply with Federal Aviation Administration (FAA) safety, security, and design standards. These improvements will have minor impacts on the normal runway operations, and there will be no runway expansion and no increase in capacity.

The existing Provincetown Municipal Airport (PMA) contains approximately 13,316 square feet (sf) of airport structures that include a terminal building, aircraft hanger, a snow removal equipment building (SRE), sightseeing shack, a 3,500 foot long runway (Runway 7-25),

a taxiway system, aircraft parking, an approach lighting system, navigational aids, and two auto parking areas. It is a public use, commercial service airport with scheduled airline passenger service to and from Logan International Airport, and it enplanes 10,000 or more passengers annually. PMA has a full Instrument Landing System runway approach capability. The PMA is located on 322 acres of federally owned land, which is within the Cape Cod National Seashore and is administered by the National Park Service. About 4-7 acres of land would be impacted by the project.

This project is subject to a mandatory EIR pursuant to Sections 11.03(3)(a)(1)(a) and 11.03(3)(a)(2) of the MEPA regulations because it alters one or more acres of Bordering Vegetated Wetlands (BVW) and the alteration requires a Variance in accordance with the Wetlands Protection Act. The project will also require a Variance from the Water Quality Certification Regulations. A Superseding Order of Conditions and a Section 401 Water Quality Certificate may be needed from the Department of Environmental Protection (DEP). The project will require review under the Massachusetts Endangered Species Act (MESA) by the Natural Heritage and Endangered Species Program (NHESP) to determine if it will require a Taking Permit. It will require a Notice of Intent to be filed with the Provincetown Conservation Commission. The project will need to obtain a Special Use Permit from the National Park Service. It must comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site. The project will need a Section 404 Programmatic General Permit from the U.S. Army Corps of Engineers. The project will also come under review as a Development of Regional Impact (DRI) with the Cape Cod Commission. Because an agency of the Commonwealth, the Massachusetts Aeronautics Commission (MAC) is providing a portion of the funding, MEPA jurisdiction extends to all aspects of the project that may have significant environmental impacts.

The proponent has identified that the project may impact the following wetland resource areas: 265,890 sf of permanent and 223,320 sf temporary impacts to Coastal Dune; 41,067 sf of permanent and 30,800 sf of temporary impacts to Bordering Vegetated Wetlands (BVW); and 62,110 sf of permanent and 53,360 sf of temporary impacts to Isolated Land Subject to Flooding (ILSF). Approximately 50,000 sf of isolated wetlands will be selectively cut to remove the trees, and this area would be managed as a scrub or shrub wetland to comply with the FAA clear zone safety requirements. Areas of isolated wetland and BVW along the fence alignment will be pruned to maintain an unobstructed area along the fence.

### SCOPE

As modified by this scope, the EIR should conform to Section 11.07 of the MEPA regulations for outline and content. The DEIR should resolve the remaining issues outlined below. It should address the comments listed at the end of this Certificate to the extent that they are within this scope, and it should include a copy of this Certificate and all comment letters. This DEIR may be prepared in conjunction with the federal environmental review process as an Environmental Impact Assessment (EA) by the FAA and as a Development of Regional Impact

(DRI) under the Cape Cod Commission (CCC) Act and subject to their review. The proponent should work with these agencies and the MEPA Office to ensure that it coordinates the review of the EIR..

**Project Description:**

The EIR should provide a detailed project description with a summary/history of the project. It should include existing and proposed site plans. The EIR should describe the existing (2005) and projected level of passengers and flights and airport operations (including general aviation) for the next ten years (2015). It should identify and describe how the various projects would be phased over the anticipated five to ten years.

The EIR should describe each local, regional, state, and federal agency action required for the project. It should demonstrate how the project is consistent with the applicable performance standards. The EIR should contain sufficient information to allow the permitting agencies to understand the environmental consequences of their official actions related to the project.

The EIR should identify if the CIP projects will have any impacts on the Hatches Harbor restored earthen dike. It should describe how the proponent is proposing to inspect its proposed fence around the airport perimeter for security and maintenance purposes; via foot, vehicle patrols, or camera monitoring. The EIR should clearly distinguish which of the projects within the CIP are safety improvement projects required by the FAA, airport maintenance projects, or capital improvement projects to the airport.

**Alternatives Analysis:**

In addition to the Preferred Alternative, the No-Build Alternative, the EIR should summarize the alternatives for each of the CIP projects. The proponent should demonstrate with these alternatives that it has evaluated alternatives with the ability to avoid or minimize wetland related impacts. The analysis should clearly present the alternative configurations at the site and identify the advantages and disadvantages of the Preferred Alternative. The EIR should provide a comparative analysis that clearly shows the differences between the environmental impacts associated with each of the alternatives. It should identify if the CIP is compatible with zoning, regional planning, and Executive Order 385. The EIR should clarify the differences between Federal Aviation Administration (FAA) safety and design requirements and recommendations specifically for each project proposed within the CIP. Each project's alternatives need to be analyzed within the EIR based on FAA requirements to determine where impacts can be avoided or reduced.

**Wetlands:**

The Commonwealth has endorsed a "No Net Loss Policy" that requires that all feasible means to avoid and reduce the extent of wetland alteration be considered and implemented. The

Wetland Section of the EIR should conform to this approach by first examining options that avoid impacts to inland and coastal wetland resource areas, their associated buffer zones, riverfront protection areas and 100-year flood plain areas. Where it has been demonstrated that impacts are unavoidable, the EIR should illustrate that the impacts have been minimized, and that the project will be accomplished in a manner that is consistent with the Performance Standards of the Wetlands Regulations (310 CMR 10.00).

The EIR should address the significance of the wetland resources on site, including public and private water supply; riverfront areas; flood control; storm damage prevention; fisheries; shellfish; and wildlife habitat. It should identify the location of nearby public water supplies and wells. The EIR should identify any fencing proposed in tidal creek areas where tidal movements may encumber debris. It should have a plan to deal with the blockage of tidal flow material.

All resource area boundaries, riverfront areas, applicable buffer zones, and 100-year flood elevations should be clearly delineated on a plan. Bordering vegetated wetlands that have been delineated in the field should be surveyed, mapped, and located on the plans. Each wetland resource area and riverfront area should be characterized according to 310 CMR 10.00. The text should explain whether the local conservation commission has accepted the resource area boundaries, and any disputed boundary should be identified. The EIR should identify how the project proponent will maintain the amount of shading along the streambed and water temperatures after removing overhead plant species. It should provide an accurate measurement of the wetland resource areas that will be affected by the project.

For any amount of required wetlands replication, a detailed wetlands replication plan should be provided in the EIR that, at a minimum, includes: replication location(s) delineated on plans, elevations, typical cross sections, test pits or soil boring logs, groundwater elevations, the hydrology of areas to be altered and replicated, list of wetlands plant species of areas to be altered and the proposed wetland replication species, planned construction sequence, and a discussion of the required performance standards and monitoring.

The EIR should provide the information required by DEP in a request for a variance, as outlined in 310 CMR 10.05(b). In addition to evaluating practicable alternatives and explaining why each alternative is unreasonable, and describing mitigation measures, the EIR should provide evidence of an overriding public interest that is associated with the project as stated in DEP's comment letter.

### **Rare Species:**

The EIR should provide a summary of the proponent's site habitat assessment. The Natural Heritage Endangered Species Program (NHESP) requires a habitat assessment for the Eastern Spadefoot Toad, the Vesper Sparrow, the Eastern Box Turtle, and the Broom Crowberry. The EIR should identify if the project will impact any state-listed species. It should explain any proposed monitoring program. The EIR should describe any habitat enhancements. The proposed

fencing project will likely have the greatest impact on wildlife habitat migration within the Cape Cod National Seashore. The EIR should specifically identify any potential impact from the proposed fencing project on rare or endangered species. The proponent should explain its proposed documentation procedures regarding its actual mowing practices of grasslands and vegetation management.

**Drainage:**

The EIR should evaluate potential drainage impacts on water resources from the project. It should include a detailed description of the existing runways' drainage system design in the construction area and identify any proposed changes, including a discussion of the alternatives considered along with their impacts. The EIR should identify the quantity and quality of flows.

Proposed activities, including construction mitigation, erosion and sedimentation control, phased construction, and drainage discharges or overland flow into wetland areas, should be evaluated. The locations of detention/infiltration basins and their distances from wetland resource areas, and the expected water quality of the effluent from said basins should be identified. This analysis should address current and expected post-construction water quality of the predicted final receiving water bodies. Sufficient mitigation measures should be incorporated to ensure that no downstream impacts would occur. The drainage analysis should ensure that on- and off-site wetlands are not impacted by changes in stormwater runoff patterns.

The EIR should address the performance standards of DEP's Stormwater Management Policy. It should demonstrate that the project is consistent with this policy. The proponent should use the DEP Stormwater Management Handbook when addressing this issue.

The EIR should discuss consistency of the project with the provisions of the National Pollutant Discharge Elimination System (NPDES) General Permit from the U.S. Environmental Protection Agency for stormwater discharges from construction sites. It should include discussion of best management practices employed to meet the NPDES requirements, and should include a draft Pollution Prevention Plan.

**Traffic:**

The traffic section of the EIR should be prepared in conformance with the EOEA/EOTC Guidelines for EIR/EIS Traffic Impact Assessment. It should identify appropriate mitigation measures for areas where the project will produce impacts on local and regional traffic operations, especially where delay increases at intersections.

The proponent should complete a Level-of-Service (LOS) analysis for the Race Point Road/Airport Driveway/Race Point Parking Area and the Race Point Road/Route 6 intersections. The EIR should determine when the weekday morning and evening peak hours and Saturday/Sunday peak hours are occurring (summer season). The LOS analysis should include volume to capacity ratios, a traffic distribution map, and background growth from other proposed

developments in the area. The EIR's LOS tables should include each movement for these above intersections. The EIR should include a summary of average and 95th percentile vehicle queues for each intersection within the study area. It should examine present and future build and no-build traffic volumes for all impacted roadways and intersections. The proponent should identify the land use Codes (LUC) used and how its trip generation estimates have been generated. The EIR should include a map of the traffic study area.

In the EIR, traffic accident problem areas should be identified, and solutions should be proposed.

The EIR should discuss the proponent's coordination efforts with MHD and Provincetown as they address regional and local traffic concerns within this area. It should provide the most current information on the proposed construction dates for any roadway improvements in the area.

The EIR should discuss the suitability of proposed signalization improvements, visibility enhancements, and any roadway widening. It should discuss right-of-way (ROW) implications of possible widening and describe how such right-of-ways (ROW) would be acquired.

**Parking:**

The EIR should identify how the number of parking spaces was determined by the proponent. It should determine if local zoning requires a certain number of parking spaces. The EIR should identify the number of parking spaces recommended by the Institute of Traffic Engineers for such a facility. Is the proponent proposing to designate parking for employees, taxicabs, shuttle buses, rental cars, long-term, and short-term parking? The EIR should identify whether the proponent is considering controlling parking through fees or timed restrictions. It should consider pervious parking areas to reduce impacts.

**Transportation Demand Management (TDM) and Public Transportation:**

The EIR should identify the potential TDM measures that the proponent will commit to implementing. It should describe how rental cars may be picked up and dropped off at the airport. The EIR should identify the proponent's TDM measures during peak periods, such as employee ridesharing, an automatic teller machine, shuttle bus service to the hotels and guest houses, rental cars, and taxicab service.

**Pedestrian/Bicycle Facilities:**

The EIR should identify the existing and proposed locations for sidewalks. It should identify the crossing points for all roadways and bike paths near the airport. The EIR should identify the measures the proponent will undertake to reduce any safety/visibility/signage conflicts between autos and bikes.

**Noise:**

The EIR should describe the existing noise levels at the airport, including the noise contours. It should estimate projected noise levels and contours for the next ten years (2015) and any potential changes to noise levels from the CIP. I remind the proponent that the airport is located within a sensitive receptor, parkland.

**Historical/Archaeological Issues:**

The proponent should consult with the Massachusetts Historical Commission (MHC) and the local Historic Preservation Commission as it proceeds with the project planning.

**Construction Issues:**

The EIR should include a construction management plan that describes the project's phasing, erosion and sedimentation controls, monitoring, and contingencies. It should describe the amount of fill material required and estimate the number of truck trips per day and the time period involved for the different projects contained in the CIP.

**Visual/Aesthetics:**

The EIR should include a visual resource assessment . The visual resource assessment should examine the visual impacts of the project included in the CIP, especially building expansions and vegetation clearing, on the Cape Cod National Seashore.

**Hazardous Wastes:**

The EIR should present a summary of the results of hazardous waste studies and remediation efforts undertaken at the project site by the proponent to comply with the Massachusetts Contingency Plan, 310 CMR 40.0000.

**Sustainable Design:**

This project presents a good opportunity to successfully incorporate cost-effective sustainable design elements and construction practices into the project. These elements can minimize environmental impacts and reduce operating costs. I strongly encourage the proponent to consider incorporating elements, such as those noted below, into its project design, construction and management:

- water conservation and reuse of wastewater and stormwater
- renewable energy technologies to meet energy needs
- optimization of natural day lighting, passive solar gain, and natural cooling

- energy efficient HVAC and lighting systems, appliances and other equipment, and solar preheating of air
- building supplies and materials that are non-toxic, made from recycled materials, and made with low embodied energy
- easily accessible and user-friendly recycling system infrastructure into building design
- development of a solid waste reduction plan
- development of an annual audit program for energy consumption, waste streams, and use of renewable resources.

**Mitigation:**

The EIR should include a separate chapter on mitigation measures. It should outline the proponent's wetland replication areas as part of its mitigation package.

This chapter on mitigation should include a proposed Section 61 Finding for all state permits. The proposed Section 61 Finding should contain a clear commitment to mitigation, an estimate of the individual costs of the proposed mitigation and the identification of the parties responsible for implementing the mitigation. A schedule for the implementation of mitigation should also be included.

**Response to Comments:**

The EIR should respond to the comments received to the extent that the comments are within the subject matter of this scope. Each comment letter should be reprinted in the EIR. I defer to the proponent as it develops the format for this section, but the Response to Comments section should provide clear answers to the questions raised.

**Circulation:**

The EIR should be circulated in compliance with Section 11.16 of the MEPA regulations and copies should also be sent to the list of "comments received" below and to Provincetown officials. A copy of the EIR should be made available for public review at the Provincetown Public Library.

May 26, 2006  
DATE

  
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Stephen R. Pritchard

Cc: Sharon Stone, DEP/SERO



Comments received:

Edwards & Kelcey, 5/1/06  
Edwards & Kelcey, 5/3/06  
Division of Marine Fisheries, 5/4/06  
Association to Preserve Cape Cod (APCC), 5/8/06  
Division of Marine Fisheries, 5/9/06  
DEP/SERO, 5/11/06  
MassWildlife, 5/12/06  
Cape Cod Commission, 5/16/06  
Edwards & Kelcey, 5/15/06  
Mass Audubon, 5/16/06  
DEP/SERO, 5/18/06

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