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June 2, 2006

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS
ON THE
FINAL ENVIRONMENTAL IMPACT REPORT

PROJECT NAME	: Green Lodge Interceptor Sewer Replacement
PROJECT MUNICIPALITY	: Canton
PROJECT WATERSHED	: Neponset River
EOEA NUMBER	: 13152
PROJECT PROPONENT	: Town of Canton Department of Public Works
DATE NOTICED IN MONITOR	: April 26, 2006

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H), I hereby determine that the Final Environmental Impact Report (FEIR) **adequately and properly complies** with MEPA and its implementing regulations.

As described in the FEIR, the project consists of the replacement of approximately 8,635 linear feet of existing 18-inch diameter gravity sewer with a 30-inch diameter gravity sewer. In addition, 610 linear feet of existing sewer will be cleaned, inspected and repaired. The sewer is located between the Massachusetts Water Resources Authority (MWRA) Neponset Valley Interceptor near the University Avenue commuter rail station in Westwood and Cedar Drive in Canton. This site is within a wetland corridor associated with the Ponkapoag Brook and approximately 800 linear feet is located within the Fowl Meadow-Ponkapoag Area of Critical Environmental Concern (ACEC). An existing, although overgrown, access road runs adjacent to the sewer for most of the pipe alignment.

The purpose of the project is to correct existing deficiencies regarding capacity, inflow/infiltration (I/I), and pipe slope and condition. The project is being designed to handle a peak flow at build-out of approximately 6.0 million gallons per day (gpd). A major benefit of the project will be the significant reduction of existing I/I that will prevent future sewer surcharges and associated impacts to wetlands, wildlife habitat and the Ponkapoag Brook. Potential impacts are associated with 4.4[1] acres of temporary alteration to Bordering Vegetated Wetlands (BVWs) and work within Priority and Estimated Habitat for rare species.

The project was subject to preparation of a mandatory EIR pursuant to Section 11.03 (3)(a)(1)(a) because it requires a state permit and will alter one or more acres of BVW. The project requires a 401 Water Quality Certificate from the Department of Environmental Protection (DEP) and an Access Permit from the Massachusetts Highway Department (MHD). It may require a Conservation Permit from the Department of Fish and Game's (DFG) Natural Heritage and Endangered Species Program (NHESP). The project also requires an Order of Conditions from the Canton Conservation Commission.

The proponent may receive financial assistance from the Commonwealth for the project. The Town has applied for and received eligibility for funding of the construction under the Massachusetts Clean Water State Revolving Fund (CWSRF). MEPA jurisdiction therefore extends to those aspects of the project that are likely to cause significant Damage to the Environment including those issues that relate to wetlands, water quality, wildlife habitat/rare species, historic resources and transportation.

Review of the FEIR

The FEIR includes an updated project description and project plans that reflect changes to the project alignment and construction techniques. Because the Town conducted an adequate and thorough alternatives analysis (presented in the Environmental Notification Form (ENF) and the Draft EIR (DEIR)) that supported its choice of the Preferred Alternative, no additional analysis of alternatives was required in the FEIR. However, additional analysis regarding construction techniques was required to determine if any of the stream crossings could be avoided.

The FEIR affirms that Alternative 1 will be used for the sewer alignment and that, because of the shallow depth of cover, a conventional cut-and-cover method of construction is proposed for most of the pipeline length. As directed, the Town examined the feasibility of pipe jacking or directional drilling and indicated that this technique could be used to avoid the northern crossing of the Ponkapoag Brook in the vicinity of Interstate 95 (I-95). Based on DEP's comments on the DEIR, the length of pipe to be installed by boring/jacking operation would be extended to avoid open cut of the Ponkapoag Brook near I-95. In its comments, the Department of Conservation and Recreation's Areas of Critical Environmental Concern (ACEC) Program expressed continued concern regarding the project's impacts to wetlands and recommends that pipe jacking or directional drilling be utilized at all stream crossings in the absence of alignment adjustments.

[1] Previously, wetland impacts associated with this project were estimated at 4.2 (ENF) and 4.5 acres (DEIR). Field delineations documented additional wetland areas (including the abandoned road) within the project area prior to filing of the DEIR. Changes to the project since the filing of the DEIR reduced these impacts slightly.

The ACEC Program also recommends that Best Management Practices (BMPs) be used throughout the project, in particular for sedimentation control, and that these monitored for high performance standards by a wetlands specialist and an environmental monitor during construction, wetlands restoration, and post-restoration phases. Wetlands restoration should use only native plants, and mitigation monitoring should continue for a minimum of five years and include conditions to correct errors and restore wetlands areas that are not successful.

As recommended previously by DEP, a small segment of the existing eight-inch gravity sewer should be inspected and rehabilitated during construction to reduce I/I. The Town also should provide access to inspect and maintain the proposed sewer line. Maintenance of the sewer line would entail routine inspections, cleaning, and access to perform future I/I investigative work, provide emergency repairs, and sewer rehabilitation and improvements.

The FEIR includes additional detail on dewatering and stream diversion and the wetlands restoration plan. Additionally, it includes a more detailed set of construction plans that shows areas of wetland disturbance, placement of erosion and sedimentation control measures, areas where materials will be stockpiled, and access routes for construction equipment throughout the sewer line corridor. The FEIR describes a change to the alignment for the replacement sewer line that will provide a small reduction in wetlands impacts (approximately 2,200 square feet).

During review of the DEIR, NHESP indicated that the project may result in the 'take' of a state listed rare species (the Elderberry Long-Horned Beetle) because of impacts to its habitat (the Elderberry Bush) and that it may require a Conservation Permit. The FEIR includes a description of consultations to date with NHESP and proposes mitigation commitments including protection of existing plants, transplanting of plants that would be impacted by construction, pre-construction inspection and post-construction monitoring. NHESP comments indicate that, based on the plan provided, it does not appear that a 'take' will occur and therefore a Conservation Management Permit will probably not be required.

Mitigation

The DEIR included updated draft Section 61 Findings as required. These findings should be revised to incorporate the commitment to use micro tunneling for the northern crossing of the Ponkapoag Brook. The DEIR includes a commitment to implement the following mitigation measures:

- Full time inspection services for the duration of the construction contract
- Pre-construction submission of dewatering plan for review and implementation of dewatering plan during construction if necessary
- Construction prohibition during high water conditions
- Use of temporary cofferdam for work within limits of Ponkapoag Brook to maintain streamflow and minimize erosion
- Use of existing roadway within the corridor to avoid and minimize the need to import additional fill materials
- Use of haybales and siltation control fencing for erosion control and protection of wildlife habitat(fencing will include "critter gaps" at fifty-foot intervals)

- Use of construction mats or other approaches to minimize impacts to wetland soils
- Development of a SPCC Plan and a SWPPP
- Wetting of soils, erosion control for stockpiled soils, and street sweeping will be used to minimize fugitive dust
- Stockpiling and replacement of excavated organic soils
- Implementation of approved wetlands restoration plan
- Wetlands restoration plan including planting of native species, monitoring of restoration work, and completion of repairs or replacement for period required in permits.
- Pre-construction inspection for presence of rare animal and plant species
- Periodic site inspection by qualified biologist for compliance with rare species mitigation required by permits
- Protection of elderberry bushes during construction and transplantation of bushes that would be impacted by construction
- Excess idling of construction equipment engines will be prohibited
- Replacement of existing, leaking manholes with new and watertight manhole frames and covers

Based on a review of the FEIR and consultation with public agencies, I have determined that the FEIR is adequate. Any outstanding issues can be addressed during project permitting. The project may proceed to permitting.

June 2, 2006
Date

Stephen R. Pritchard

Comments received:

05/26/06	Department of Conservation and Recreation Areas of Critical Environmental Concern (ACEC) Program
05/26/06	Department of Environmental Protection Northeast Regional Office (DEP NERO)
05/18/06	Executive Office of Transportation (EOT)
04/25/06	Massachusetts Historical Commission (MHC)

SRP/CDB/cdb