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June 19, 2009

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

PROJECT NAME : Southcoast Center for Cancer Care at Fairhaven  
PROJECT MUNICIPALITY : Fairhaven  
PROJECT WATERSHED : Buzzards Bay  
EEA NUMBER : 14421  
PROJECT PROPONENT : Southcoast Hospitals Group  
DATE NOTICED IN MONITOR : May 20, 2009

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

As described in the Environmental Notification Form (ENF), the project consists of a 101,046 square foot (sf) consolidated cancer treatment center by Southcoast Hospitals Group on a 29.7-acre parcel of land located off Mill Road and adjacent to Interstate 195 and Route 240 in Fairhaven. The project is proposed in two phases, with Phase I consisting of a two-story 51,046 sf building to begin construction in 2009 and a Phase II, 50,000 sf building expansion to be constructed as needed in the future. The site will include 257 parking spaces for Phase I, with an expansion to 302 spaces upon full build-out, with an anticipation of a parking reduction waiver from the Town of Fairhaven. The project will require an extension of the sewer system by approximately 0.55 miles to facilitate wastewater conveyance.

Estimated environmental impacts associated with the project include 12.5 acres of land alteration, the creation of 5.6 acres of new impervious area, the generation of 1,060 new vehicle trips per day, 302 new parking spaces, and 0.55 miles of new sewer main. The project site has been in active agricultural use (grazing) within the past three years and site soils have been mapped as "prime farmland".

### Jurisdiction

The project is undergoing review pursuant to Sections 11.03(1)(b)(2), 11.03(1)(b)(4), and 11.03(6)(b)(14) of the MEPA regulations because the project will require State agency action and will result in: the creation of five or more acres of impervious area, the conversion of land in active agricultural use to nonagricultural use, and the generation of 1,000 or more new vehicle trips per day and construction of 150 or more parking spaces at a single location. The project will require an Access Permit from MassHighway and a Sewer Extension Permit (BRP WP 71) from the Massachusetts Department of Environmental Protection (MassDEP). The project will require an Order of Conditions from the Fairhaven Conservation Commission, or in the case of an appeal, a Superseding Order of Conditions from MassDEP. The project will also require a National Pollutant Discharge Elimination System (NPDES) Construction General Permit from the United States Environmental Protection Agency (U.S. EPA). The project received a Determination of Need from the Department of Public Health for the establishment of new radiation service in the Fairhaven area.

Because the Proponent is not seeking financial assistance from the Commonwealth for the project, MEPA jurisdiction extends to those aspects of the project that are within the subject matter of required or potentially required state permits and that may cause Damage to the Environment as defined in the MEPA regulations. In this case, MEPA jurisdiction exists over land alteration, transportation, wastewater, wetlands, and stormwater.

### Land Alteration

Full build-out of the project will alter approximately 12.5 acres of the 29.7-acre project site, with the creation of a total of 5.6 acres of impervious area. Land alteration and impervious areas are associated with the construction of the buildings, access driveways and parking, and landscaped areas. The ENF has indicated that the Proponent will evaluate on-site parking demand and traffic generation associated with the first phase of development to support a request to limit the amount of parking proposed in association with the second phase of development. A reduction in parking areas, as well as the proposed use of low impact design (LID) stormwater management techniques, will serve to reduce potential land alteration impacts on-site.

The site has, until very recently, been used for grazing of cattle. The on-site soils have been mapped as Prime Farmland by the United States Department of Agriculture. Grazing will no longer be conducted on-site. As part of the project no soils will be exported off-site; they will be productively reused on-site within the landscaping areas, thereby resulting in no net-loss of prime soils on the project site.

### Transportation

The project at full build-out will generate approximately 1,060 new vehicle trips per day. Trip generation predictions were based on traffic counts at a similar facility; these counts were factored up based on the facility size, then compared to trip-making projections based on the expected number of patients, staff, and vendors at the proposed project. The most conservative (highest) traffic projections were used to evaluate anticipated traffic impacts. Given the nature of the proposed site use, vehicle turnover is generally lower than at a traditional medical facility, as patients tend to remain at the facility for longer periods of time to receive treatment.

To mitigate traffic impact, the Proponent has proposed to re-time the traffic signals at the intersection of Route 240 and Bridge Street. As part of the MassHighway permitting process, the Proponent should address concerns raised in the Executive Office of Transportation (EOT) comment letter. This includes commitments to monitor traffic upon occupancy of Phase I and Full-Build to allow for evaluation of both the Route 240/Bridge Street intersection and the Bridge Street/Alden Road intersection. If requested by MassHighway, the results of this monitoring program may require the Proponent to expand its traffic mitigation commitments to include signal timing adjustments at the Bridge Street/Alden Road intersection. Furthermore, the Town of Fairhaven is presently developing improvements to the Bridge Street and Alden Road intersection. I encourage the Proponent to continue to work with the Town of Fairhaven to provide appropriate improvements to local roadways (i.e. sidewalks, geometry) in response to projected traffic increases associated with the project.

As part of the MassHighway permitting process, the Proponent should finalize the project's Transportation Demand Management (TDM) program to reduce single-occupancy vehicle (SOV) trips. EOT has recommended the investigation of the use of a carpool matching program, a vanpool program, bicycle racks, preferential parking for carpoolers, an on-site transportation coordinator, and the use of financial incentives to encourage ridesharing or public transportation. In advance of MassHighway permitting, the Proponent should meet with MassRides, the Southeast Regional Transit Authority (SRTA), the Town of Fairhaven's Council on Aging, the Southeastern Regional Planning and Economic Development District (SRPEDD), and AT&T (an abutter) on potential measures to reduce traffic. Prior to issuance of the MassHighway Access Permit, the Proponent should submit to EOT's Public/Private Development Unit a summary of its discussions with these parties, and its proposed transit promotion and TDM measures.

### Wastewater

The project will require a Sewer Extension Permit (BRP WP 71) from MassDEP, as the project will require the extension of sewer for a length greater than 1,000 feet. New sewer mains will be tied into existing sewer mains along Mill Road. The project is anticipated to generate approximately 7,758 gallons per day of wastewater, which as indicated by MassDEP, is below

permitting thresholds for separate industrial wastewater sewer connection permitting. The ENF has indicated that there is sufficient treatment capacity at the municipal treatment facility.

### Wetlands and Stormwater

The project will not directly alter any wetland resource areas; however work will be conducted within the 100-foot buffer zone to Bordering Vegetated Wetlands (BVW). The Proponent has filed a Notice of Intent (NOI) with the Fairhaven Conservation Commission and is awaiting issuance of an Order of Conditions. The project will be required to demonstrate compliance with the performance standards of the Massachusetts Wetlands Protection Act and propose appropriate mitigation as necessary in compliance with these standards.

Potential stormwater impacts associated with the project will be evaluated in conjunction with the NOI process. The ENF indicates that the on-site stormwater management system will provide both water quantity and water quality enhancement for the 2, 10, and 100-year storm events utilizing both conventional best management practices (BMPs) and LID strategies. The stormwater system will include the use of hooded, deep sump catch basins, bioretention areas, roof drain recharge basins, and constructed wetland detention systems with sediment forebays. The BMPs have been designed to comply with the MassDEP Stormwater Management Regulations. Furthermore, the ENF included the project's Stormwater Management System Report, which contained a site-specific Operation and Maintenance Plan for the long-term maintenance of the stormwater BMPs. This Operation and Maintenance Plan will be integrated into the Site Facilities Maintenance Program.

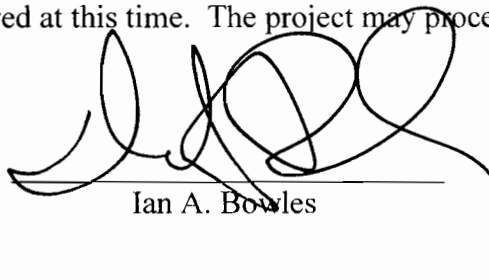
### Construction Period

The project will require the preparation of a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the NPDES Construction General Permit to outline BMPs to control erosion and sedimentation during the construction period. Additionally, I encourage the Proponent to consider participation in the MassDEP Diesel Retrofit Program to mitigate the construction period impacts of diesel emissions. MassDEP staff is available to assist in the implementation of construction period diesel emission mitigation, which could include the installation of after-engine emission controls such as diesel oxidation catalysts (DOCs) or diesel particulate filters (DPFs). Finally, I strongly encourage that construction equipment operate on ultra low sulfur diesel (ULSD) fuel, which will be required for off-road engines in 2010.

Based on the information in the ENF and after consultation with relevant public agencies, I find that no further MEPA review is required at this time. The project may proceed to State permitting.

June 19, 2009

Date



Ian A. Bowles

Comments received:

06/09/2009 Massachusetts Department of Environmental Protection – SERO  
06/16/2009 Executive Office of Transportation

IAB/HSJ/hsj