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December 12, 2007

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

PROJECT NAME: YMCA Camp Hi-Rock Driveway
PROJECT MUNICIPALITY: Mount Washington
PROJECT WATERSHED: Bashbish and Housatonic
EEA NUMBER: 14128
PROJECT PROPONENT: Central Connecticut Coast YMCA
DATE NOTICED IN MONITOR: November 12, 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).

Project Description

As outlined in the Environmental Notification Form (ENF), the project consists of the construction of a new 1.2-mile unpaved access drive at YMCA Camp Hi-Rock in Mount Washington, MA. The camp is located off East Street and Garrett Farms Road. The historical and only means of access to the camp was on a private way over which the YMCA held only a revocable license. The right to use this access way was revoked.

Prior to 2004, the YMCA owned the approximately 1,000 acres of land on which the camp is located. The camp consists of 76 buildings and other associated structures in the middle of the otherwise undeveloped camp land. In 2004, the YMCA sold the land to The Nature Conservancy (TNC) and took back a long term lease on 177 acres. TNC has placed 665 acres under a conservation restriction (CR). The proposed driveway is located within the land placed under the CR.

The Proponent received an Order of Conditions from the Mount Washington Conservation Commission in 2002 and the proposed driveway was cleared. At that time, the project did not require any state permits. After the clearing began, abutters to the project objected to a stream crossing in the proposed layout. In addition, an intermittent stream was inadvertently destroyed during the clearing process. The Proponent has since worked with abutters, the TNC, the Town of Mount Washington and state agencies to create a different route for the beginning of the driveway off East Street that avoids the stream crossing. The Department of Environmental Protection (MassDEP) will review the project under an Administrative Consent Order.

Since the issuance of the 12th Edition of the Massachusetts Natural Heritage Atlas in 2006, the project is now located within Priority and Estimated Habitat as designated by the Natural Heritage and Endangered Species Program (NHESP). A section of the proposed driveway (1,000 linear feet) also crosses the Schenob Brook Area of Critical Environmental Concern (ACEC).

Jurisdiction

The project is undergoing review pursuant to Section 11.03(2)(b)(2) and 11.03(11)(b) of the MEPA regulations because a portion of the project site is located within an ACEC and because the project will result in a "take" of a state-listed protected species. The project requires an Administrative Consent Order (ACO) from MassDEP; a Conservation and Management Permit from NHESP; and review by the Department of Conservation and Recreation's (DCR) ACEC program. 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 or potentially required state permits with the potential to cause damage to the environment. In this case, MEPA jurisdiction extends to wetlands and rare species.

Wetlands

According to the ENF, construction of the road will result in permanent impacts to 2,608 square feet (sf) of Bordering Vegetated Wetlands (BVW), 160 linear feet (lf) of permanent impacts to Bank and 40 lf of temporary impacts to Bank. The driveway has been designed to be a balance of cut and fill, so that no material will be brought into or removed from the site. The Proponent will create a wetland replication area at a ratio of 1.5:1 to mitigate for impacts to Bordering Vegetated Wetlands (BVW). The Proponent will also create a stream replication area for an intermittent stream that was inadvertently impacted during the clearing of the original route. Other cleared areas are proposed to be replanted with native tree species.

Given the sensitive nature of the ACEC, the proximity to rare species habitat and the significant cuts and fill required to construct the access drive, the Proponent must implement considerably enhanced efforts at erosion control and must establish firm limits of construction. The Proponent should continue to consult with MassDEP and NHESP to develop construction-period mitigation measures to ensure that adverse impacts to resource areas are avoided. I also

expect that MassDEP and NHESP will monitor the project during and after construction to ensure compliance with conditions in the Administrative Consent Order and Conservation and Management Permit. The Proponent should note comments from MassDEP regarding the implementation of a spill contingency plan during construction.

Rare Species

The project site is located within mapped Priority and Estimated Habitat for a data sensitive species protected pursuant to the Massachusetts Endangered Species Act (MESA) and its implementing regulations. The project will result in impacts to approximately 5 acres of habitat. Work activities will include forest clearing, blasting and grading. NHESP has determined that the road project will result in a prohibited "take" of the state-listed species through interference with feeding, overwintering and migratory behavior and through directly harming or killing individuals of the species during construction and future use. The project therefore requires a Conservation and Management Permit (321 CMR 10.23).

The Proponent has consulted with NHESP since 2001 regarding the impacts of the project on state-listed rare species. The Proponent has submitted a proposed plan to NHESP to provide approximately \$92,000 towards the funding of a research study to benefit the state-listed wildlife species. In addition, the Proponent will be required to develop construction-period mitigation measures that are responsive to the life-history of the species. In its comments on the ENF, NHESP states that the proposed project will likely meet the performance standards for issuance of the Conservation and Management Permit. The Proponent should continue to work closely with NHESP during permitting and construction to ensure that adverse impacts to rare species are avoided and/or mitigated.

Conclusion

I have determined that the ENF has sufficiently defined the nature and general elements of the project and that the Proponent has proposed adequate measures to avoid and mitigate environmental impacts. I am satisfied that any remaining issues can be adequately addressed during the state permitting process. The proposed project, as described in the ENF, requires no further review under MEPA.

December 12, 2007

Date



Ian A. Bowles

Comments Received:

11/30/2007 Natural Heritage and Endangered Species Program

12/3/2007 Berkshire Environmental Action Team
12/3/2007 Berkshire Regional Planning Commission
12/3/2007 Department of Conservation and Recreation, Area of Critical Environmental
Concern Program

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