



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Deval L. Patrick
GOVERNOR

Timothy P. Murray
LIEUTENANT
GOVERNOR

Richard K. Sullivan Jr.
SECRETARY

Tel: (617) 626-1000
Fax: (617) 626-1181
<http://www.mass.gov/envir>

January 20, 2012

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
NOTICE OF PROJECT CHANGE

PROJECT NAME : Supplemental Combined Sewer Overflow (CSO) Long-Term Control Plan
PROJECT MUNICIPALITY : Gloucester
PROJECT WATERSHED : North Coastal
EEA NUMBER : 13571
PROJECT PROPONENT : City of Gloucester
DATE NOTICED IN MONITOR : December 21, 2011

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62I) and Section 11.10 of the MEPA regulations (301 CMR 11.00), I hereby determine that this Notice of Project Change (NPC) **does not require** the submission of an Environmental Impact Report (EIR).

Project Description

The City of Gloucester (referred to as the City hereafter) has developed and is implementing a Sewer Long-Term Control Plan (SLTCP) to reduce Combined Sewer Overflows (CSOs) to Gloucester Harbor. It has revised Phase III of the Control Plan to reduce the environmental impacts and to improve cost-effectiveness. The City has conducted field investigations to analyze sewer flow data to address concerns raised by the Massachusetts Department of Environmental Protection (MassDEP) regarding this project. The revised Phase III project consists of sewer separation within the CSO-004, 005, and 006 areas, and includes the construction of approximately 2,300 linear feet of new sewer and 6,300 linear feet of new stormwater drain pipes. The material change to the project as previously reviewed include the addition of sewer separation within the CSO-004 area and the deletion of the two proposed stormwater drain outfalls proposed in the CSO-005 and 006 areas.

Previous MEPA Review

The SLTCP project involved sewer separation by constructing approximately 3.55 miles of new storm drains and sewer lines with three new stormwater outfalls. One of the outfalls would discharge to the Outer Harbor approximately 500 feet off of Pavilion Beach, and the other two proposed outfalls would discharge to the Inner Harbor and would be located within seawalls. The SLTCP is divided into three phases.

Phase I included the repair/replacement of the tide gate at CSO 004 (completed); the construction of the Washington Street storm drain, a 60-inch diameter outfall at Western Avenue and the Public Landing, and approximately 2,000 feet of new storm drains within paved streets; the investigation and disconnection of sanitary connections from upstream drains; and the reevaluation and modification of CSO-002 and 004 regulators. Phase II included the separation of combined sewers by constructing approximately 8,250 feet of new storm drains within paved streets in the 002 area. Phase III included the separation of combined sewers by constructing approximately 8,500 feet of new storm drains within paved streets in the 005 and 006 areas, a new 24-inch diameter stormwater outfall in the headwall off Rogers Avenue at Rowe Square, and a new 24-inch diameter stormwater outfall in the headwall off Main Street/East Main Street at Gordon Thomas Park. Both of these outfalls discharge into the Inner Harbor. On August 8, 2005, the Secretary determined that the project as described in an Environmental Notification Form did not require the preparation of an EIR.

A NPC was submitted for MEPA review on January 3, 2006, because the City had revised the Phase I portion of the project. The proposed Washington Street drain and outfall pipe were extended by 50 feet from its original 530 feet to avoid permanent eelgrass impacts. Since the ENF submission and after reviewing MassDEP eelgrass mapping, the City discovered that eelgrass beds are within the proposed construction area. The construction period (short-term) impacts from this portion of the project to wetland resource areas would increase, and the long-term impacts would decrease.

Based on the City's diving survey and the current project design, it is estimated that approximately 23,800 sf of eelgrass bed would be dredged for the outfall pipeline installation. Disturbed eelgrass areas would be backfilled with material similar to that which was excavated. The City will conduct a survey to confirm that the post-construction grades are the same as pre-construction conditions. It will replant disturbed eelgrass areas after backfilling. Therefore, eelgrass impacts will be temporary. On January 19, 2006, the City proposed to change the construction window for the installation of the outfall pipe to the period between July 1 and January 31, as disruptions to eelgrass during this time period would allow more time for eelgrass recovery before the winter dormancy period. On February 10, 2006, the then Secretary

determined that the NPC was adequate and did not require an EIR. This project has been completed.

Permits and Jurisdiction

The project consists of the implementation of the SLTCP prepared by the City of Gloucester as part of a Modified Consent Decree (MCD) with U.S. Environmental Protection Agency (EPA) and MassDEP dated September 2, 2005 and modified on December 8, 2010. The City was required to obtain a Chapter 91 License and Permit and a 401 Water Quality Certificate from MassDEP. The project would also have to comply with the National Pollutant Discharge Elimination System (NPDES) Massachusetts General Permit for stormwater discharges from a construction site. It required a Section 404 Individual Permit from the U.S. Army Corps of Engineers. An Order of Conditions was required from the Gloucester Conservation Commission (GCC) for impacts to wetland resource areas and buffer zones. The project was also subject to the Massachusetts Office of Coastal Zone Management (MCZM) for Federal Consistency Review. These above permits have been issued.

Because the City was requesting funding for the project from MassDEP's State Revolving Fund (SRF), MEPA jurisdiction was broad and extended to all aspects of the project that were likely, directly or indirectly, to cause Damage to the Environment, as defined in the MEPA regulations.

On July 14, 2010, the project, as described in this NPC, was issued an Order of Conditions from the GCC for the Revised Phase III project. The City will either revise its existing NPDES Massachusetts General Permit for stormwater discharges or seek a new permit.

Review of the NPC

Project Details

By the end of 2011, the City had substantially completed Phase I and II construction activities of the SLTCP. In the revised Phase III, the CSO-004, 005, and 006 areas include the construction of approximately 2,300 linear feet of new sewers and 6,300 linear feet of new stormwater drainage pipes. The proposed revised Phase III CSO control plan projects will separate sewers on several streets within the CSO-004 area. These streets include; Short Street; Hancock Street; Rogers Street; Porter Street; Main Street; and Duncan Street. Field investigations completed during the development of the Sewer Long-Term Control Plan (SLTCP) identified many sources of Inflow/Infiltration (I/I) in these areas that can be removed from the sanitary sewer collection system cost-effectively.

The proposed revised Phase III CSO control plan projects will reduce the length of new

pipe installed to achieve sewer separation within the CSO-005 and 006 areas by rehabilitating existing sewer and stormwater drainage lines. The project will convert approximately 2,400 linear feet of combined pipe to stormwater drain pipes. The City will rehabilitate approximately 2,200 linear feet of sewers and replace approximately 2,600 linear feet of sewer pipes. The project also replaces approximately 1,500 feet of drain pipes. Separated stormwater flows will be directed to existing drainage infrastructure and outfalls, allowing for the deletion of two new drainage outfalls proposed in the most recently reviewed plan. Field investigations and hydraulic modeling completed during the development of the SLTCP predicted that the existing drainage infrastructure and outfalls can convey the additional (separated) stormwater flows without resulting in surface flooding. The proposed changes to the Phase III CSO control plan projects will minimize potential environmental impacts by avoiding construction in wetland resource areas, which would be required to construct the two stormwater drainage outfalls proposed in the prior plan. Most of the project's revised construction work will be performed within existing paved roadways, within other paved areas, or within 10-feet of the shoulder of existing roadways. Disturbed areas that were vegetated prior to the proposed project (the shoulder of roadways) will be restored with an appropriate seed mix. Areas that were paved will be repaved. Because groundwater may be encountered during excavation, dewatering trenches may be required. Phase III also includes work to address deficiencies in the sewer collection system such as infiltration and inflow to the sewer system and sewer connections to the present and future storm drain system. The City may conduct field investigations and metering to assess alternatives to address sewer system overflows in the Hartz Street Pump Station area (overflow 009).

Wetlands Impacts

According to the City, the project may temporarily impact approximately 1,000 sf of buffer zone. These buffer zones to wetland resource areas are currently disturbed by existing streets and homes.

Stormwater Impacts

The City will utilize staked straw bales and silt fences and/or compost filter socks to minimize the potential for erosion and siltation impacts to downgradient wetland resource areas. Trenches will be backfilled to grade or covered with plates at the end of each workday. Waste material will be removed from the worksite at the end of each day. Natural vegetation will be preserved as much as possible and disturbed vegetation will be reseeded with an appropriate seed mix.

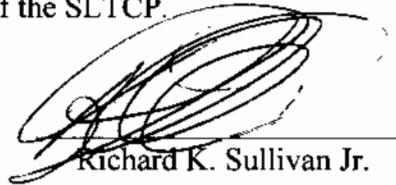
None of the project construction work area for Phase III is located within Estimated and Priority Habitat as mapped by the Massachusetts Natural Heritage and Endangered Species Program (NHESP).

Conclusion

MassDEP and the City of Gloucester have worked closely in revising Phase III of the SLTCP. In its comment letter, MassDEP supports this important CSO abatement work in the project change. When completed, the revised Phase III project will eliminate two proposed CSO discharge outfalls and redirect stormwater from the sanitary system to a separated stormwater system.

Based on a review of the information provided by the City, a review of the comment letters, and after consultation with the state agencies, I find that no further MEPA review is required for the revised Phase III of the SLTCP.

January 20, 2012
Date



Richard K. Sullivan Jr.

Comments received:

New England Civil Engineering Corporation, 1/3/12
Massachusetts Department of Environmental Protection/Northeast Regional Office, 1/1/12?
New England Civil Engineering Corporation, 1/18/12

13571npc2.doc
RKS/WTG/wg