



Wetlands and Environmental Permitting Summary Stearns Meadow Surface Water Treatment Plant Project Scituate, Massachusetts

This document summarizes the wetland evaluations and environmental permitting associated with the Stearns Meadow Surface Water Treatment Plant Project as of August 1, 2023.

Wetland Delineation

Wetland Resource Areas on the property were delineated by LEC early 2022. The property contains several Isolated Vegetated Wetlands (IVW), Bordering Vegetated Wetlands (BVW), Riverfront Area, Bordering Land Subject to Flooding (BLSF), and the 100-foot Buffer Zone to IVW and BVW. These Wetland Resource Areas and Buffer Zones are protected under the *Massachusetts Wetlands Protection Act* (M.G.L., c. 131, s. 40), its implementing Regulations (310 CMR 10.00), and/or the *Scituate Conservation Commission Bylaw* (Scituate Bylaw) and associated *Rules and Regulations*.

The wetland boundaries established by LEC were reviewed by the Scituate Conservation Commission through an Abbreviated Notice of Resource Area Delineation (ANRAD) application. The Conservation Commission hired a peer reviewer to review the delineation on their behalf. After some minor revisions to the delineation based on the peer review, the Commission approved the resource area delineation through an Order of Resource Area Delineation (ORAD), dated April 22, 2022. The ORAD is valid for three years. The approved Wetland Resource Area boundaries and Buffer Zones are depicted on site plans for the water treatment plant project.

Conservation Commission Permitting

The project will require a Notice of Intent (NOI) filing with the Scituate Conservation Commission and MassDEP, and a separate NOI for demolition/restoration of the existing Old Oaken Bucket Surface Water Treatment Plant. The roadway infrastructure improvements required for the project along Chief Justice Cushing Highway (Route 3A) have been reviewed and approved through an Order of Conditions (OOC) issued by the Scituate Conservation Commission, dated November 8, 2022.

The NOIs will address applicable Performance Standards for proposed work activities within Areas Subject to Protection under the state Act and Regulations, and local Wetlands Protection Rules and Regulations.

The new water treatment plant is located primarily within non-jurisdictional uplands and Buffer Zone associated with IVWs that are regulated solely under the local Bylaw. The project will involve filling some IVWs (currently estimated to be 1,550 square feet); with wetland replication provided at a 1:1 ratio, at a minimum.

MEPA Review

The project has completed review by the Massachusetts Environmental Policy Act (M.G.L. c 30, s. 61-62H, MEPA) office under the MEPA Regulations (301 CMR 11.00). MEPA jurisdiction is triggered because the project requires a State Permit (MassDOT Access Permit), involves funding from the State Revolving Fund, and exceeds thresholds for an Environmental Notification Form (ENF) at 301 CMR 11.03(4)(b)(1): *Construction of a new drinking water treatment plant with a capacity of 1,000,000 or more gpd.*



The ENF was submitted to MEPA on May 1, 2023 and MEPA issued a Certificate, dated June 9, 2023 indicating that MEPA review is complete and the project does not require an Environmental Impact Report (EIR). As part of the MEPA review, the project team prepared a list of proposed Mitigation Measures associated with the project, as follows:

1. The project is designed to move critical infrastructure out of the flood plain and away from a high traffic area, thus mitigating an existing condition that brings risk to the public and the water supply system. The new plant at Stearns Meadow will allow for the water treatment facility to operate in a secure location in terms of public safety.
2. The Stearns Meadow Water Treatment Plant portion of the project was designed to minimize the limit of work on the site, to minimize vegetation clearing, and maintain a landscape screen to neighbors. A landscape plan will be prepared detailing measures to revegetate areas within the limit of work as practical with a mix of trees, shrubs, meadow, and turfgrass, with an emphasis on maximizing visual screening to the neighbors while maintaining adequate space for maintenance and operation of the Water Treatment Plant.
3. The Stearns Meadow residuals lagoon design eliminates sanitary sewer loads associated with the filter backwash process, which currently occurs at the existing Old Oaken Bucket Water Treatment Plant.
4. The Stearns Meadow building roof will be designed to accommodate solar panels.
5. The removal of old buildings and the drying bed at the existing Old Oaken Bucket Pond Water Treatment Facility will involve restoration of a minimum of 3,400 square feet of vegetated Buffer Zone with native plantings.
6. Wetland replication will be provided at a 1:1 ratio for the approximately 2,000 square feet of isolated wetland filling at the Stearns Meadow site. The Wetland replication area will be fully designed and presented to the Conservation Commission during the NOI process.

Water Quality Certification

During the MEPA review, MassDEP notified the project team that a 401 Water Quality Certification (WQC) is required under the *Massachusetts Water Quality Certification Regulations* (314 CMR 9.00). The WQC requirement is associated with proposed filling of IVW's; however, since the MEPA Certificate was issued, the Supreme Court has issued a decision that eliminates federal protection of most IVW's. As a result, this permit may no longer be required. LEC will pursue clarification from DEP and will notify the team of any changes to this permitting requirement.