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February 17, 2012

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

PROJECT NAME : Provincetown Municipal Airport Capital Improvements
Plan
PROJECT MUNICIPALITY : Provincetown
PROJECT WATERSHED : Cape Cod
EEA NUMBER : 13789
PROJECT PROPONENT : Provincetown Airport Commission
DATE NOTICED IN MONITOR : January 11, 2012

As Secretary of Energy and Environmental Affairs, I hereby determine that the Final Environmental Impact Report (FEIR) submitted on the above project **adequately and properly complies** with the Massachusetts Environmental Policy Act (G. L., c. 30, ss. 61-62I) and with its implementing regulations (301 CMR 11.00).

Project Description

The proposed project, the Capital Improvement Plan (CIP), consists of the following projects: 1) Improve the Westerly Taxiway (TW) System; 2) Relocate the East End TW; 3) Reconstruct the Terminal Apron within the same Footprint; 4) Reconstruct the Easterly End of the Partial Parallel TW within the same Footprint; 5) Install TW Lighting and Construct an Electric Vault; 6) Repair the Sightseeing Shack; 7) Improve the Access Road to the Runway (RW) Approach Lights; 8) Construct Service Access Roads to Automated Weather Observing Station (AWOS) and Localizer Equipment Shelter (LES) Systems; 9) Install a Perimeter Fence; 10) Expand the Public Auto Parking Area; 11) Expand the Terminal Building; and 12) Expand the Turf Apron. The CIP would be completed over a period of five to ten years. The Provincetown Airport Commission (the Commission) is seeking to comply with Federal Aviation

Administration (FAA) safety, security, and design standards. These improvements will have minor impacts on the normal runway operations, and there will be no runway expansion and no increase in capacity.

The existing Provincetown Municipal Airport (PMA) contains approximately 13,316 square feet (sf) of airport structures that include a terminal building, an aircraft hanger, a snow removal equipment building (SRE), a sightseeing shack, a 3,500 foot long runway (Runway 7-25), a taxiway system, aircraft parking, an approach lighting system, navigational aids, and two automobile parking areas. It is a public use, commercial service airport with scheduled airline passenger service to and from Logan International Airport, and it enplanes 10,000 or more passengers annually. PMA has full Instrument Landing System runway approach capability. The PMA is located on 322 acres of federally owned land, which is within the Cape Cod National Seashore (CCNS) and is administered by the National Park Service (NPS). About 4-7 acres of land would be impacted by the project.

Changes since the DEIR

The proponent has included a run-up pad prior to the West Entrance TW as part of the Westerly TW System Improvements. However, this run-up pad was always considered as a component of the project by the proponent. The run-up pad was shown but not discussed in the ENF. The proponent is now proposing to construct a turn-around for FAA vehicles which use the access road to the runway approach lights (CIP #7). It has also requested permission to go forward with CIP #4 - the Reconstruction of the Easterly End of the Partial Parallel TW and CIP #3 - the Reconstruction of the Terminal Apron, which were permitted and constructed within their existing footprints. The preceding Secretary had determined that both of these replacement projects could be completed prior to the completion of the FEIR. The Commission has developed additional alternatives for the CIP projects to reduce wetland impacts. A new alternative (Concept 6) has been developed for the proposed safety/security fence (CIP # 9). Concept 6 will not extend the fencing around the westerly end of the airport, and therefore, it will avoid impacts to upper reaches of Hatches Harbor and its associated tidal wetlands.

State Permits and Jurisdiction

This project is subject to a mandatory EIR pursuant to Sections 11.03(3)(a)(1)(a) and 11.03(3)(a)(2) of the MEPA regulations because it was anticipated that the project would alter one or more acres of Bordering Vegetated Wetlands (BVW) and the alteration would require a Variance in accordance with the Wetlands Protection Act. The project will require a Variance from the Section 401 Water Quality Certification Regulations from the Massachusetts Department of Environmental Protection (MassDEP). Superseding Orders of Conditions from MassDEP may also be required if the local Orders of Conditions are appealed. The project currently requires a direct filing with the Natural Heritage and Endangered Species Program (NHESP) for compliance with the Massachusetts Endangered Species Act (MESA). In its comment letter of February 9, 2012, the NHESP stated that the proposed project may avoid a

prohibited “take” of state-listed species. The NHESP anticipates being able to resolve any outstanding state-listed species issues through the MESA review process. The project will require Orders of Conditions from the Provincetown Conservation Commission. The project will need to obtain a Special Use Permit from the NPS because it is located within the CCNS. It must comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site. The project will need Section 404 Programmatic General Permit from the U.S. Army Corps of Engineers. It may require Federal Consistency Review by the Massachusetts Coastal Zone Management (MCZM) Office. The project will also come under review as a Development of Regional Impact (DRI) with the Cape Cod Commission (CCC), and is undergoing joint review with the CCC and the MEPA Office. Additionally, the proponent is also finalizing a Memorandum of Agreement with the NPS for coordinating PMA operations.

Because the Massachusetts Department of Transportation (MassDOT) is providing a portion of the funding, MEPA jurisdiction extends to all aspects of the project that are likely, directly or indirectly, to cause Damage to the Environment, as defined in the MEPA regulations.

Review of the FEIR

Project Description

The FEIR provided a detailed project description. It described the elements of each of the twelve CIP projects. The FEIR identified the proposed CIP projects that are required by FAA regulations. It included existing and proposed site plans. In the FEIR, the proponent investigated and proposed feasible methods to reduce wetland impacts and the creation of impervious areas. The FEIR summarized the permits required for the project. It contained sufficient information to allow the permitting agencies to understand the environmental consequences of their official actions. It identified that the CIP is compatible with zoning, regional planning, and Executive Order 385.

In Table 6-1: Construction Phasing, the FEIR identified approximately when each of the twelve CIP projects would be constructed. The terminal apron was reconstructed in the fall of 2008. The Westerly TW Improvements, the Reconstruction of the Easterly End of the Partial Parallel TW, the Relocation of the East End TW, the Installation of the TW Lighting and Construction of the Electric Vault, and the Sightseeing Shack Improvements are anticipated to be constructed in 2013. The Installation of Perimeter Fence and the Expansion of the Turf Apron would be constructed in 2015. The Public Auto Parking Area would be expanded in 2014, and the Terminal Building would be expanded in 2016. The Improved Access Road to the RW Approach Lights and the Construction of a Service Access Roads to AWOS and LES would be constructed in 2017. The CIP projects would be constructed over the period of the next ten years depending on anticipated financing.

Alternatives Analysis

Since the DEIR, the alternatives analysis has been expanded and additional alternatives have been developed for the fencing, turf apron, terminal expansion, and automobile parking to respond to concerns regarding environmental impacts. New concepts were also designed and compared to older concepts in order to create and/or identify the environmentally preferred alternative. The FEIR discussed the alternatives that were analyzed for each of the twelve CIP projects. It demonstrated that the alternatives for the expansion of the turf apron (three alternatives), the fencing (seven alternatives), the parking lot expansion (three alternatives), and the terminal building expansion (three alternatives) have been evaluated with the ability to avoid or minimize wetland related impacts. The analysis presented the alternative configurations at the site and identified the advantages and disadvantages of the Preferred Alternative. The proponent proposed a reduced dimension for the proposed turf apron to avoid wetland resource area impacts. The FEIR provided a comparative analysis that clearly showed the differences between the environmental impacts associated with each of the alternatives for the turf apron, fencing, parking lot expansion, and terminal expansion as well as the other CIP projects.

Wetlands

The FEIR examined options that avoided impacts to wetland resource areas, their associated buffer zones, and coastal dune areas. Wetland figures identified buffer zones. All land below Elevation 10 is considered as Land Subject to Coastal Storm Flowage (LSCSF). The FEIR illustrated that the impacts have been minimized, and that the project will be accomplished in a manner that is consistent with the Performance Standards of the Wetlands Regulations (310 CMR 10.00) and its Variance requirements. It determined that the Preferred Alternatives for each of the twelve CIP projects would impact the following wetland resource areas:

- 82,893 sf of Isolated Vegetated Wetlands (IVW);
- 2,458 sf of Bordering Vegetated Wetlands (BVW);
- 2.34 acres of Land Subject to Coastal Storm Flowage (LSCSF); and
- 50,712 sf of Coastal Dunes.

The FEIR provided the information required by MassDEP when requesting a Variance, as outlined in 310 CMR 10.05(b). According to MassDEP, the proposed expanded turf apron, auto parking lot and terminal building appear to be related to forecasted increases in airport capacity, and these non-safety related CIP projects were designed in conformance to the applicable wetlands regulations. The proponent has evaluated additional practicable alternatives in the FEIR to explain why the Preferred Alternatives are allowed under the regulations, and it described the mitigation measures proposed to reduce the impacts. The FEIR provided a discussion of the overriding public interest that is associated with the CIP projects. The Commission will mitigate IVW impacts at a ratio of 1 to 1 and BVW impacts at a ratio of 2 to 1 on-site. The FEIR included replication locations delineated on plans with cross sections, a listing of planting species, and a monitoring plan.

Rare Species

The FEIR identified that the project will impact state-listed species habitat. It explained the Commission's proposed monitoring program. The FEIR described the proposed habitat enhancements. Since the proposed fencing project will likely have the greatest impact on wildlife habitat migration within the CCNS, the FEIR identified the potential impacts from the proposed fencing project on rare and/or endangered species. A new fencing alternative was developed in the FEIR to minimize habitat fragmentation and degradation of the four state-listed species found at the Airport. The proponent has also developed construction avoidance methods to avoid a "Take" of the Vesper Sparrow, the Eastern Spadefoot Toad, and the Eastern Box Turtle. It has also avoided the Broom Crowberry habitat with its preferred fencing alternative. The FEIR explained the Commissions' proposed procedures for its mowing practices of grasslands and its vegetation management program.

Drainage

The FEIR addressed the performance standards of DEP's Stormwater Management Policy. Stormwater runoff from the Commission's three proposed access roads will be minimal. The small amounts of runoff will infiltrate into the underlying soils within the adjacent unpaved area. In the proposed expanded parking area, the additional parking spaces will be gravel and only the driveway and the aisles will be paved. Bioretention systems are proposed for the driveway and aisles. The FEIR demonstrated that the project is consistent with MassDEP's stormwater policy.

Traffic

In Appendix 4, the FEIR completed a traffic Level-of-Service (LOS) analysis for the Race Point Road/Airport Driveway and the Race Point Road/Route 6/Conwell Street intersections. It provided a traffic distribution map for the project that included background growth from other proposed developments in the area. The FEIR examined present (2007) and future (2024) build and no-build traffic volumes for the two intersections. Future 2024 traffic volumes were based on Passenger Enplanement projections. The forecasted enplanement totals were applied to a trip rate which was empirically calculated based on the existing amount of vehicular traffic entering and exiting the Airport. The projected numbers of trips were then subtracted from the existing traffic in order to arrive at the increased amount of trips that were estimated to be generated by the PMA in the future. In the FEIR, traffic accident data was obtained from MassDOT for the 2004-2006 period. No accidents were reported at the Airport Driveway, and the other intersection had an accident rate below the average District 5 rate.

Parking

The Provincetown Zoning Bylaw identified the Airport in the Seashore District. The Seashore District requires a minimum of five parking spaces or one parking space per 350 sf of

floor space under Miscellaneous Use. The Commission has designated five parking spaces for rental cars. Taxicabs and shuttle buses typically wait at the terminal entrance curb and parking is brief. Parking at the Airport will be controlled through time and use restrictions, with enforcement.

Transportation Demand Management (TDM)

TDM measures for employee ridesharing are not practicable according to the Commission because of the small number of employees working at different times. Automatic teller machines and shared-car services do not operate in sparsely settled areas, such as the Airport. There is a direct telephone line for taxicab service at the terminal.

Pedestrian Issues

In the FEIR, the PMA does not contain sidewalks and none are proposed in this sparsely settled area.

Construction Issues

The FEIR included a construction management plan that described the project's phasing, erosion and sedimentation controls, monitoring, and contingencies. It estimated 35 round trip truck trips per day during the peak construction period. The peak construction period would be during the Provincetown off-season (non-summer). Paving would occur from mid-April to the end of May. The FEIR included a plan for the installation of fencing. Fencing installers will utilize hand-held equipment and wide-tired vehicles with low ground pressure and swamp mats for compressors in wetland areas.

Sustainable Design

Opportunities to incorporate sustainable design into the Terminal Building will be investigated during the design phase. The Commission will include low flow water fixtures and faucets with sensors. For landscaping material, the Commission will utilize draught tolerant native plant material. The Commission will investigate the use of hand dryers in lieu of paper towels. It will utilize non-toxic, recycled building materials with low embodied energy. The Commission will specify energy efficient lighting. It will evaluate the use of rain barrels for roof stormwater runoff. The PMA currently utilizes multiple recycling receptacles and will continue to do so. During the terminal building design phase, the Commission will evaluate the potential to create a Leadership in Energy and Environmental Design (LEED) Certified building or its equivalent, and it will comply with Executive Order No. 484 - Leading by Example – Clean Energy and Efficient Buildings.

Summary of Mitigation Measures

The FEIR included a separate section, Section 7, on mitigation measures. This section on mitigation included proposed Section 61 Findings for MassDEP, MassDOT, and NHESP. The proposed Section 61 Findings contained a clear commitment to mitigation, an estimate of the individual costs of the proposed mitigation whenever possible, and the identification of the parties responsible for implementing the mitigation. The Commission will be responsible for the implementation of all mitigation measures. A schedule for the implementation of mitigation was also included with the Section 61 Findings. Section 7 included a Construction Management Plan and an Installation Guide for the Safety/Security Fencing.

In the FEIR, the Commission has committed to the following mitigation measures:

- Enhance approximately 616,350 sf of Isolated Vegetated Wetlands (IVW) and provide approximately 78,000 sf of IVW wetlands restoration, approximately \$1.2 million.
- Provide approximately 5,000 sf of Bordering Vegetated Wetlands (BVW) replication, approximately \$50,000.
- Monitor wetlands restoration twice annually for five years by a qualified wetland scientist.
- Install six monitoring wells around areas designated for mitigation to confirm hydrologic conditions.
- Remove approximately 27,925 sf of impervious area.
- Create approximately 27,500 sf of coastal dune habitat, approximately \$200,000.
- Restore approximately 145,000 sf of in-kind Cultural Grassland, approximately \$200,000.
- Undertake an approximately 14-acre Invasive Species Management Area in IVW using mechanical measures, approximately \$300,000.
- Install bioretention areas for stormwater treatment for impervious surfaces.
- Implement a Habitat Creation and Restoration Plan, approximately \$1 million.
- Install security fencing to avoid prime Spadefoot habitat with gaps along the bottom for maintaining Eastern Box Turtle habitat and avoiding breeding times or other periods of activity.
- Provide pre-construction turtle sweeps and conduct a bird census.
- Implement stormwater management practices.
- Implement an Erosion Control Plan.
- Provide a bicycle rack near the main entrance to the Terminal.
- Provide a Vegetation Management Plan to benefit rare species habitat.
- Install additional parking lot landscaping to screen the area from the CCNS.
- Include infiltration swales and bioretention for the auto parking area.

The Commission has estimated the total cost of mitigation in the range of \$2.5 to \$3 million.

During its permitting process, MassDEP expects the Commission to explore and identify other mitigation opportunities in order to fully mitigate for all wetland losses on at least a 1:1 basis. MassDEP has suggested that some of the Coastal Dune creation in Wetland Restoration Areas A and C be changed to restoration of additional freshwater wetlands. If the security fencing was removed (CIP #9) from the project, the Commission would reduce direct impacts to IVW and species habitat by 25,648 sf. The Commission should consult with the Transportation Security Administration (TSA) to determine if the PMA can be exempted from the TSA's guidelines for airport security fencing. It should confirm to the Cape Cod Commission (CCC) and the Provincetown Conservation Commission whether the terminal building and the sightseeing shack are within the 100-year floodplain and if the construction will adhere to the building codes within a floodplain. The Commission should indicate whether these two buildings are located within a minimum of one-foot above the Base Flood Elevation. It should also identify whether the coastal dunes within and adjacent to the Airport infrastructure actively migrate. The Commission should determine the existing and proposed nitrogen loading concentrations for wastewater at the Airport, as requested by the CCC.

Conclusion

Based upon my review of the FEIR and after consultation with the state and regional permitting agencies, I am satisfied that the FEIR provided sufficient information to allow the state and regional agencies to understand the environmental consequences of the project. Any remaining issues concerning the proposed mitigation measures can be resolved during the permitting processes. The final Section 61 Findings by each of the agencies should be forwarded to the MEPA Office for publication in the Environmental Monitor, in accordance with 301 CMR 11.12.

February 17, 2012

DATE


Richard K. Sullivan Jr.

Comments received:

Cape Cod Commission, 2/1/12

Jacobs, 2/8/12

Association to Preserve Cape Cod, 2/8/12

Massachusetts Division of Marine Fisheries, 2/8/12

Cape Cod Commission, 2/8/12

Jacobs, 2/9/12

MassWildlife/Natural Heritage & Endangered Species Program, 2/9/12

Jacobs, 2/10/12

Massachusetts Department of Environmental Protection/Southeast Regional Office, 2/10/12

Jacobs, 2/14/12

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