

3225 MAIN STREET • P.O. BOX 226  
BARNSTABLE, MASSACHUSETTS 02630



CAPE COD  
COMMISSION

(508) 362-3828 • Fax (508) 362-3136 • [www.capecodcommission.org](http://www.capecodcommission.org)

**DEVELOPMENT OF REGIONAL IMPACT MINOR MODIFICATION TYPE #1  
PHASE IIA WATER DISTRIBUTION MAINS**

DATE: AUGUST 11, 2017

TO: MARK WHITE, ENVIRONMENTAL PARTNERS GROUP  
1900 CROWN COLONY DRIVE, STE. 402, QUINCY, MA 02169

PROJECT APPLICANT: TOWN OF EASTHAM  
C/O JACQUELINE BEEBE, TOWN ADMINISTRATOR  
TOWN HALL  
2500 STATE HIGHWAY  
EASTHAM, MA 02642

PROJECT: EASTHAM WATER SUPPLY SYSTEM, EASTHAM, MA  
(COMMISSION FILE NO. JR14023)

---

Pursuant to Section 13 of the Cape Cod Commission's (Commission) Enabling Regulations Governing Review of Developments of Regional Impact (Revised November 2014, with Revised Fee Schedule Effective July 1, 2017), the Development of Regional Impact (DRI) decision dated February 5, 2015 for the above-referenced project is hereby amended as a Minor Modification Type #1 to allow *de minimus* changes to the approved project as discussed herein. All findings and conditions attached to the original DRI decision continue to apply except as modified herein.

**DISCUSSION**

The Commission issued a DRI decision, with conditions, to the Town of Eastham approving the construction and operation of two municipal wells, a water storage tank, and water distribution mains, known as Phase I. After permitting Phase I of the Water System, the Town voted to provide water service to all properties in town and began permitting for Phase II of the Water System, which includes an additional well field, an additional water storage tank, and additional water distribution mains. The Town submitted a Notice of Project Change (NPC) for Phase II to the Massachusetts Environmental Policy Act office (MEPA) in March 2017.

In April 2017 the Secretary of the Massachusetts Executive Office of Energy and Environmental Affairs issued a certificate on the NPC requiring the preparation of a Supplemental Environmental Impact Report (SEIR) for Phase II, requiring further information primarily about the siting of additional well fields. After issuance of this Certificate, the Town requested a partial waiver from preparation of the SEIR for Phase IIA of the Water System.

Phase IIA consists solely of approximately 21 miles of water mains, most of which will be 8" diameter located primarily within existing roadways. Approximately 60% of these roads are paved; the remainder are dirt roads. Fire hydrants will be installed at approximately 500 foot intervals. A curb box for service connections will be provided for each property at the edge of the roadway right-of-way. Properties to be connected under Phase IIA can be supplied under the approved withdrawals from the Phase I wells and water tower. MEPA issued a Final Record of Decision approving the Phase IIA waiver on July 28, 2017.

The Town requested a modification to the DRI decision by correspondence dated July 13, 2017 to incorporate Phase IIA into the DRI decision. Design plans for the Phase IIA contracts (Contracts 9, 10, and 11) were supplied to Commission staff and reviewed for potential impacts to resources protected under the Cape Cod Commission Act and Regional Policy Plan. Phase IIA does not create any new or substantially different impacts than those addressed in the DRI decision.

### **CHANGES TO THE DRI DECISION**

The DRI decision is hereby modified to allow for construction and operation of Phase IIA of the Eastham Water System, subject to the following conditions:

1. The proposed work shall be constructed in accordance with the following plan sets, which are hereby incorporated into the DRI decision to supplement the Approved Project Plans set out therein:

*Contract 9, Water Mains – South Collector Roads, Water System Construction, Eastham, Massachusetts, consisting of 36 sheets, prepared by Environmental Partners Group, dated April 2017*

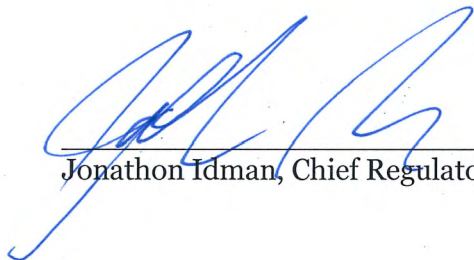
*Contract 10, Water Mains – Central Collector Roads, Water System Construction, Eastham, Massachusetts, consisting of 27 sheets, prepared by Environmental Partners Group, dated May 2017*

*Contract 11, Water Mains – North Collector Roads, Water System Construction, Eastham, Massachusetts, consisting of 27 sheets, prepared by Environmental Partners Group, dated June 2017*

2. The Town shall continue coordination with the Massachusetts Historical Commission (MHC) and the Massachusetts Natural Heritage and Endangered Species Program (NHESP) as required in the original DRI decision. The Town shall submit, as received, copies of any substantive correspondence between the Town and MHC or NHESP to the Commission for review by Commission staff. The Town shall undertake and incorporate any mitigation actions required by MHC or NHESP into the project.
3. The Project shall be maintained in accordance with all terms and conditions of the original DRI decision except as modified herein.

**SIGNATURE(S)**

Executed this 11th day of August 2017.

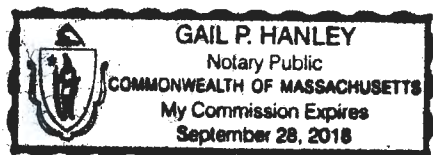
  
\_\_\_\_\_  
Jonathon Idman, Chief Regulatory Officer

**COMMONWEALTH OF MASSACHUSETTS**

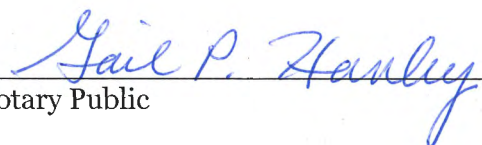
Barnstable, ss

August 11, 2017

Before me, the undersigned notary public, personally appeared Jonathon Idman in his capacity as Chief Regulatory Officer of the Cape Cod Commission, whose name is signed on the preceding document, and such person acknowledged to me that he signed such document voluntarily for its stated purpose. The identity of such person was proved to me through satisfactory evidence of identification, which was [ ] photographic identification with signature issued by a federal or state governmental agency, [ ] oath or affirmation of a credible witness, or [X] personal knowledge of the undersigned.



SEAL

  
\_\_\_\_\_  
Notary Public