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March 26, 2001

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

PROJECT NAME : Private Residence in Aquinnah
PROJECT MUNICIPALITY : Aquinnah
PROJECT WATERSHED : Cape & Islands
EOEA NUMBER : 12248
PROJECT PROPONENT : Gorda Realty Trust
DATE NOTICED IN MONITOR : February 24, 2001

Pursuant to the Massachusetts Environmental Policy Act (G.L. c. 30, ss. 61-62H) and Section 11.10 of the MEPA regulations (301 CMR 11.00), I have reviewed the Notice of Project Change (NPC) submitted on this project and hereby determine that it **no longer requires** the preparation of an Environmental Impact Report (EIR).

As described in the Notice of Project Change, the project involves the construction of a single-family dwelling, septic system, well, driveway, and span bridge on a 3.2-acre parcel. The project requires a Superseding Order of Conditions from the Department of Environmental Protection (DEP).

The proponent has redesigned the project and re-delineated wetland boundaries on the site, reducing direct wetland impacts to less than 5,000 square feet. The Department of Environmental Protection has field verified the revised wetlands boundaries.

Upon review of the Notice of Project Change, I have determined that the impacts of the project as currently proposed no longer warrant the preparation of an EIR. However, the proponent must still resolve several issues related to wetland replication during the permitting process. In addition, DEP has raised questions regarding the determination by the proponent that a stream on the site does not qualify as a perennial stream.



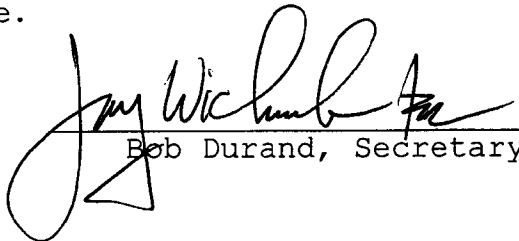
The proponent must address this issue in permitting. If the stream is subsequently determined to qualify as perennial, the proponent should file another Notice of Project Change to address any design implications.

The proponent has committed to survey the area of the proposed driveway for the rare orchid *Arethusa bulbosa* during the May-June growing season. The proponent has committed to file a timely Notice of Project Change if *Arethusa* is encountered on the site. The Natural Heritage Program has indicated that it is satisfied with the proposed surveying. This Certificate assumes that the proponent will conduct the survey for *Arethusa* during the 2001 growing season, and will conduct the survey using protocols acceptable to the Natural Heritage program. If either of these conditions is not met, I will require the filing of an additional Notice of Project Change.

In addition, if the site of the proposed project is combined with any adjacent properties into a larger project, I will require the filing of a timely Notice of Project Change. The Notice of Project Change should address cumulative impacts from the development, and evaluate the project in light of the segmentation provision of the MEPA regulations.

I conclude that no further MEPA review is required (at least at this time) because the proponent has redesigned the project to the point where environmental impacts can be addressed during the permitting process. However, the proponent shall (and others may) file another Notice of Project Change under any of the circumstances outlined above.

March 26, 2001
DATE



Bob Durand, Secretary

Comments received:

03/07/01 Jeff Madison
03/15/01 Jack and JoAnn Fruchtman
03/16/01 Department of Environmental Protection SERO
03/19/01 Office of Coastal Zone Management
03/23/01 Natural Heritage and Endangered Species Program

BAD/ASP/asp

cc: J. Taylor, Martha's Vineyard Commission
S. Thulin, Aquinnah Conservation Commission