

## CORRESPONDENCE

11-25-13

|   |                              |  |
|---|------------------------------|--|
| 1 | MHP                          | Technical Assistance re 40B developments |
| 2 | Building department          | Address change                           |
| 3 | Epsilon Associates, Inc.     | Draft EIS re Mashpee Wampanoag Tribe     |
|   |                              | Fee-to-Trust Acquisition-Taunton         |
| 4 | MT Environmental Restoration | 161 S. Main Street                       |

# Shape your 40B developments

...WITH MHP'S FREE TECHNICAL ASSISTANCE

Massachusetts Housing Partnership technical assistance can help make 40B work for your community.

MHP will pay a qualified consultant to help your Zoning Board of Appeals

- Identify key issues and areas that require further study
- Understand underlying development issues and impacts
- Facilitate productive discussion with the developer

Since 1999, MHP's 40B technical assistance program has awarded over \$1.8 million and helped 136 communities negotiate more than 250 40B projects.

Contact MHP's Laura Shufelt at 617-330-9944 Ext. 292 or lshufelt@mhp.net for an application.

Visit [www.mhp.net/40B](http://www.mhp.net/40B) for more information.

Massachusetts Housing Partnership • 160 Federal Street • Boston, MA 02110

Front of card:

HAP Housing used 40B to build the Butternut Farm Community in Amherst.

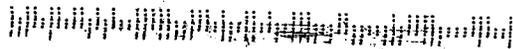


Massachusetts  
Housing Partnership

Chairperson  
Board of Selectmen  
Town Hall  
20 Centre Street  
Middleborough, MA 02346

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Boston, MA  
Permit No. 58491

516-11072





**Town of Middleborough  
Massachusetts**

MEMO

TO: All Departments

FROM: Donna C. Bernabeo, Senior Clerk  
Building Department  
508-946-2426

Re: Address change

Please be advised of the following address changes:

190 Wareham Street will now be 2 Woodlawn Street (Map: 065 Lot: 0714)

Please call if you have any questions.



November 18, 2013

PRINCIPALS

**Subject: Department of the Interior  
Bureau of Indian Affairs  
Notice of Availability of Draft Environmental Impact Statement  
Mashpee Wampanoag Tribe Fee-to-Trust Acquisition  
Mashpee and Taunton, Massachusetts**

- Theodore A Barten, PE
- Margaret B Briggs
- Michael E Guski, CCM
- Dale T Raczyński, PE
- Cindy Schlessinger
- Lester B Smith, Jr
- Robert D O'Neal, CCM, INCE
- Andrew D Magee
- Michael D Howard, PWS
- Laura E Rome
- Douglas J Kelleher
- AJ Jablonowski, PE

Dear Interested Party:

On behalf of the Bureau of Indian Affairs (BIA), Epsilon Associates is pleased to send you the enclosed Notice of Availability (NOA) for the Draft Environmental Impact Statement (DEIS) published on November 15, 2013 and concerning the Mashpee Wampanoag Tribe's (the Tribe) proposed Fee to Trust Acquisition. You are receiving the NOA because you expressed an interest during the Scoping process conducted for the EIS.

Samuel G Mygatt, LLB  
1943-2010

The BIA has now completed its DEIS and is making it publicly available for review and comment. The DEIS describes the environmental impacts associated with the proposed conveyance into trust of approximately 170 acres of land in the Town of Mashpee, Massachusetts, and approximately 151 acres of land in the City of Taunton, Massachusetts on behalf of the Tribe.

ASSOCIATES

- Stephen H Slocomb, PE
- Maureen A Cavanaugh
- David E Hewett, LEED AP

The Tribe is requesting that the Secretary of Interior exercise her authority to take title to the subject lands in trust in order to establish the Tribe's initial reservation and provide the Tribe with opportunities for long term, stable economic development and self-determination. The proposed action described in the DEIS includes the Tribe's proposal to develop a resort casino on the Taunton lands comprised of a gaming facility, hotels, an events center, restaurants, retail space, a water park, a parking garage and surface parking. The DEIS also examines two less intensive development scenarios in Taunton, and compares all of the alternatives to a future no-build condition.

3 Clock Tower Place, Suite 250  
Maynard, MA. 01754  
www.epsilonassociates.com

978 897 7100  
FAX 978 897 0099

The DEIS addresses areas of environmental concerns identified by the public during the BIA's Scoping process in 2012, which included two public meetings and the receipt of over 75 written comment letters. The DEIS describes the impacts of the proposed action and alternatives on transportation, wetlands, stormwater, geology,

rare species, hazardous materials, water supply, wastewater, utilities, solid waste, air quality, greenhouse gas emissions, cultural resources, noise, visibility, socioeconomic conditions, and environmental justice.

### How to Submit Comments

You may mail, hand deliver, or telefax written comments on the DEIS to:

Franklin Keel, Regional Director  
 Eastern Regional Office  
 Bureau of Indian Affairs  
 545 Marriott Drive, Suite 700  
 Nashville, Tennessee 37214  
 Telefax (615) 564-6701.

Please include your name, return address, and the caption specifying "Comments on DEIS for Proposed Mashpee Wampanoag Tribe Property Trust and Development" on the first page of your written comments. **Written comments must be received no later than December 30, 2013.**

You may also present your comments at one of two upcoming public hearings. The public hearings will be held at the Mashpee High School, 500 Old Barnstable Road, Mashpee, Massachusetts December 2, 2013 at 5:30PM and at the Taunton High School, 50 Williams Street, Taunton, Massachusetts December 3, 2013 at 5:30PM.

### How to Read or Request a Copy of the DEIS

The DEIS will be available for public review at the Taunton and Mashpee libraries and planning offices at the addresses and times below.

|   |   |
|---|---|
| <p>Taunton Public Library<br/>           12 Pleasant Street Taunton, MA<br/>           02780</p> <p>Monday through Friday<br/>           9:00AM to 8:00PM<br/>           Saturday<br/>           9:00AM to 6:00PM</p> | <p>Mashpee Public Library<br/>           64 Steeple Street<br/>           Mashpee, MA 02649</p> <p>Monday, Wednesday, Friday and Saturday<br/>           10:00AM to 5:00PM<br/>           Tuesday and Thursday<br/>           10:00AM to 7:00PM</p> |
|---|---|

|  |   |
|--|---|
| <p>Taunton City Hall<br/>Planning Office<br/>City Hall Annex<br/>15 Summer Street<br/>Taunton, MA 02780</p> <p>Monday, Wednesday and Thursday<br/>8:00AM to 4:00PM<br/>Tuesday<br/>8:00AM to 7:00PM<br/>Friday<br/>8:00AM to 12:00PM</p> | <p>Mashpee Town Hall<br/>Planning Office<br/>16 Great Neck Road North<br/>Mashpee, MA 02649</p> <p>Monday through Friday<br/>8:30AM to 4:30PM</p> |
|--|---|

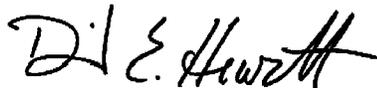
The DEIS is several hundred pages long and includes several thousand pages of appendix materials. It can be downloaded free of charge at [www.mwteis.com](http://www.mwteis.com). To view the document, you will need the software required to open PDF documents (available for free at <http://get.adobe.com/reader/>).

You may also request a copy of the DEIS in PDF format on compact disk or a hardcopy by calling Epsilon Associates at (978) 897-7100 or via email at [csnowdon@epsilonassociates.com](mailto:csnowdon@epsilonassociates.com).

If you have any questions or need further information, please contact Mr. Chet McGhee, BIA Regional Environmental Scientist, at (615) 564-6500.

Sincerely,

EPSILON ASSOCIATES, INC.



David E. Hewett  
Associate

Suite 700, Nashville, Tennessee 37214. Public hearings will be held at the Taunton High School, 50 William Street, Taunton, Massachusetts, and Mashpee High School, 500 Old Barnstable Road, Mashpee, Massachusetts. See the **SUPPLEMENTARY INFORMATION** section of this notice for addresses where the DEIS is available for review.

**FOR FURTHER INFORMATION CONTACT:** Mr. Chet L. McGhee, Regional Environmental Scientist, Bureau of Indian Affairs, Eastern Regional Office, 545 Marriott Drive, Suite 700, Nashville, Tennessee 37214; fax (615) 564-6571; telephone (615) 564-6500.

**SUPPLEMENTARY INFORMATION:** Public review of the DEIS is part of the administrative process for the evaluation of the Mashpee Wampanoag Tribe's application under section 5 of Indian Reorganization Act (IRA) (25 U.S.C. 461, et. seq.). Under Council on Environmental Quality National Environmental Policy Act (NEPA) regulations (40 CFR 1506.10), the publication of the Notice of Availability by Environmental Protection Agency in the **Federal Register** initiates the 45-day public comment period.

The Tribe's proposed development contemplated for the trust lands consists of the following components:

(1) Acquisition in trust of approximately 151 acres in Taunton, Massachusetts, and approximately 170 acres in Mashpee in accordance with section 5 of the IRA and the procedures set forth in 25 CFR part 151;

(2) The Secretary of the Interior's issuance of a reservation proclamation under section 7 of the IRA under which the site would be the "initial reservation" of the Tribe eligible for gaming under section 20(b)(1)(B) of the Indian Gaming Regulatory Act; and

(3) Development of a resort/hotel and gaming facility within the project site in Taunton, Massachusetts, and development of Tribal Government facilities within the site area located in Mashpee, Massachusetts.

At full build-out, the Tribe's proposed resort/hotel and gaming facility would have approximately 132,000 square feet of gaming floor. Access to the Taunton site would be via O'Connell Way, off of Stevens Street, near the intersection of Stevens Street and Route 140 in Taunton, Massachusetts.

The following alternatives are considered in the DEIS:

(A) The development as proposed by the Tribe;

(B) Reduced Intensity I Alternative;

(C) Reduced Intensity II Alternative; and

(D) No Action Alternative.

Environmental issues addressed in the DEIS include: Transportation; wetlands and other waters of the U.S.; storm water; geology and soils; rare species and wildlife habitat; hazardous materials; water supply; wastewater; utilities; solid waste; air quality; greenhouse gas; cultural resources; noise, visual impacts; socio-economics; environmental justice; cumulative effects and indirect and growth-inducing effects.

The BIA held public scoping meetings for the project on June 20, 2012, at Taunton High School in Taunton, Massachusetts, and on June 21, 2012, at Mashpee High School in Mashpee, Massachusetts.

**Directions for Submitting Comments:** Please include your name, return address, and the caption: "DEIS comments for proposed fee-to-trust transfer of lands by the Mashpee Wampanoag Tribe" on the first page of your written comments.

**Locations Where the DEIS Is Available for Review:** The DEIS will be available for review at the Taunton Public Library, 12 Pleasant St Taunton, Massachusetts 02780; the Mashpee Public Library, 64 Steeple Street, Mashpee, Massachusetts 02649; and the Mashpee Wampanoag Tribe Headquarters at 483 Great Neck Rd. South, Mashpee, Massachusetts, 02649. The DEIS is also available online at: <http://www.mwteis.com>.

To obtain a compact disk copy of the DEIS, please provide your name and address in writing or by voicemail to Mr. Chet L. McGhee, Regional Environmental Scientist, Bureau of Indian Affairs, Eastern Regional Office. Contact information is listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice. Individual paper copies of the DEIS will be provided only upon payment of applicable printing expenses by the requestor for the number of copies requested.

**Public Comment Availability:** Comments, including names and addresses of respondents, will be available for public review at the BIA address shown in the **ADDRESSES** section, during regular business hours, 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. Before including your address, telephone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask in your comment that your personal identifying information be withheld from public

review, the BIA cannot guarantee that this will occur.

**Authority:** This notice is published in accordance with § 1503.1 of the Council on Environmental Quality regulations (40 CFR 1500 et seq.) and the Department of the Interior Regulations (43 CFR part 46) implementing the procedural requirements of the NEPA (42 U.S.C. 4321 et seq.), and in accordance with the exercise of authority delegated to the Assistant Secretary—Indian Affairs by part 209 of the Department Manual.

**Kevin K. Washburn,**

*Assistant Secretary—Indian Affairs.*

[FR Doc. 2013-27374 Filed 11-14-13; 8:45 am]

**BILLING CODE 4310-W7-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[LLCAD09000,  
L51010000.LVRWB09B2380.FX0000]

#### Notice of Availability of a Final Environmental Impact Statement and Environmental Impact Report for the Proposed Stateline Solar Farm and Proposed California Desert Conservation Area Plan Amendment

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of availability.

**SUMMARY:** In accordance with the National Environmental Policy Act of 1969, as amended, and the Federal Land Policy and Management Act of 1976 (FLPMA), as amended, the Bureau of Land Management (BLM) has prepared a Proposed California Desert Conservation Area (CDCA) Plan Amendment and a Final Environmental Impact Statement (EIS) and Draft Environmental Impact Report (EIR) for the Stateline Solar Farm Project (SSFP) and by this notice is announcing its availability.

**DATES:** BLM planning regulations state that any person who meets the conditions as described in the regulations may protest the BLM's Proposed CDCA Amendment. A person who meets the conditions and files a protest must file the protest within 30 days of the date that the Environmental Protection Agency publishes its Notice of Availability in the **Federal Register**.

**ADDRESSES:** Copies of the SSFP Final EIS and Proposed CDCA Plan Amendment have been sent to affected Federal, State, and local government agencies and to other stakeholders. Copies of the SSFP Final EIS and Proposed CDCA Plan Amendment are available for public inspection at the BLM Needles Field Office and

President Richard M. Nixon on August 29, 1972. The Refuge boundaries, which are located entirely within Naval Weapons Station Seal Beach, were determined by the Secretary of the Interior with the advice and consent of the Secretary of the Navy. In accordance with the authorizing legislation, the Refuge is to be managed pursuant to the National Wildlife Refuge System Administration Act of 1966, as amended, and pursuant to plans that are mutually acceptable to the Secretary of the Interior and the Secretary of the Navy. The 956-acre Refuge was officially established on July 11, 1974, following approval of a general management plan for the Refuge by the Service and the Navy. Refuge purposes include preservation and management of habitat for endangered species (i.e., light-footed clapper rail, California least tern) and preservation of habitat to support migratory waterfowl, shorebirds, and other water birds.

We announce our decision and the availability of the FONSI for the final CCP for the Seal Beach NWR in accordance with National Environmental Policy Act (NEPA) (40 CFR 1506.6(b)) requirements. We completed a thorough analysis of impacts on the human environment, which we included in the environmental assessment (EA) that accompanied the draft CCP.

The National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd–668ee) (Administration Act), as amended by the National Wildlife Refuge System Improvement Act of 1997, requires us to develop a CCP for each national wildlife refuge. The purpose for developing a CCP is to provide refuge managers with a 15-year plan for achieving refuge purposes and contributing toward the mission of the National Wildlife Refuge System, consistent with sound principles of fish and wildlife management, conservation, legal mandates, and our policies. In addition to outlining broad management direction on conserving wildlife and their habitats, CCPs identify wildlife-dependent recreational opportunities available to the public, including opportunities for hunting, fishing, wildlife observation and photography, environmental education and interpretation. We intend to review and update the CCP at least every 15 years in accordance with the Administration Act.

Our draft CCP and EA were available for a 45-day public review and comment period, which we announced via several methods, including press releases, updates to constituents, and a **Federal Register** notice (76 FR 16634; March 24,

2011). The draft CCP/EA identified and evaluated three alternatives for managing the Refuge for the next 15 years.

Under Alternative A (No Action), management would continue unchanged. Under Alternative B, the Service would expand current management to include evaluation of current Refuge baseline data for fish, wildlife, and plants; identification of data gaps; implementation of species surveys to address data gaps; restoration of intertidal and native upland habitat; implementation of an integrated approach to pest management; and support for new research projects that would benefit Refuge resources and Refuge management. Alternative C, which was identified as the preferred alternative, would implement the majority of the management activities proposed in Alternative B and expand opportunities for wildlife observation on the Refuge. The primary differences in habitat management between Alternatives B and C relate to the extent of intertidal restoration proposed in Alternative B versus the extent of upland and wetland/upland transitional habitat restoration proposed in Alternative C.

We received five letters on the draft CCP and EA during the review and comment period. Comments focused on constituents of concern related to past activities on Naval Weapons Station Seal Beach, mosquito management, and habitat management and restoration. We incorporated comments we received into the CCP when appropriate, and we responded to the comments in an appendix to the CCP. In the FONSI, we selected Alternative C for implementation. The FONSI documents our decision and is based on information and analysis contained in the EA.

Under the selected alternative, the Service will expand both natural resource management and opportunities of wildlife observation on the Refuge. Wildlife and habitat management actions will be implemented to support listed species, coastal habitats, and migratory birds; native upland and wetland/upland transitional habitat will be restored to provide refugia for rails and shorebirds during high tide; and existing visitor serving facilities will be improved.

The selected alternative most effectively achieves Refuge's purposes, goals, and objectives, particularly those related to the recovery and protection of federally listed species and the enhancement of public appreciation, understanding, and enjoyment of Refuge resources; contributes to the Refuge

System mission; and is consistent with principles of sound fish and wildlife management. Based on the associated environmental assessment, this alternative is not expected to result in significant environmental impacts and therefore does not require the preparation of an environmental impact statement.

**Alexandra Pitts,**

*Acting Regional Director, Pacific Southwest Region.*

[FR Doc. 2013–27405 Filed 11–14–13; 8:45 am]

BILLING CODE 4310–55–P

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

[AAK6006201 134A2100DD  
AOR3B3030.999900]

#### **Draft Environmental Impact Statement for the Proposed Fee-to-Trust Transfer of Property and Subsequent Development of a Resort/Hotel and Ancillary Facilities in the City of Taunton, Massachusetts and Tribal Government Facilities in the Town of Mashpee, Massachusetts by the Mashpee Wampanoag Tribe**

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice of availability.

**SUMMARY:** This notice advises the public that the Bureau of Indian Affairs as lead agency, with the Mashpee Wampanoag Tribe, serving as a cooperating agency, intends to file a draft environmental impact statement (DEIS) with the U.S. Environmental Protection Agency regarding the Tribe's application for the conveyance into trust of title to lands located in Mashpee and Taunton, Massachusetts, for the benefit of the Mashpee Wampanoag Tribe. This notice also announces that the DEIS is now available for public review and that public hearings will be held to receive comments on the DEIS.

**DATES:** The date of the public hearing will be announced at least 15 days in advance through notices in the following newspapers: *Taunton Daily Gazette* and the *Cape Cod Times*, and on the following Web site:

[www.mwteis.com](http://www.mwteis.com). Written comments on the DEIS must arrive within 45 days after the Environmental Protection Agency publishes its Notice of Availability in the **Federal Register**.

**ADDRESSES:** You may mail or hand-deliver written comments to Mr. Franklin Keel, Eastern Regional Director, Bureau of Indian Affairs, Eastern Region, 545 Marriott Drive,

# MT Environmental Restoration

October 31, 2013

Town of Middleborough  
Board of Selectman  
10 Nickerson Avenue  
Middleborough, MA 02346

**Re: PHASE V – STATUS REPORT FOR THE FORMER L.H. CHACE & SONS CHEVROLET, INC. 161 SOUTH MAIN STREET MIDDLEBOROUGH, MASSACHUSETTS RTN# 4-18472**

Dear Board Members:

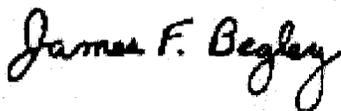
In accordance with the Massachusetts Contingency Plan 310 CMR 40.0000, we herby notify you of the availability of an updated Phase V Status Report for the above referenced site.

The Phase V Status Report provides an update on the implementation of remedial actions focused on a release of gasoline, Release Tracking Number (RTN) 4-18472, at the former L.H. Chace & Sons Chevrolet, Inc., automobile dealership located at 161 South Main Street. Remedial actions have been implemented at the site. This document was prepared by MT Environmental Restoration on behalf of Mr. Leonard Chace, Jr. of Chace Realty, 12 Southworth Street, Lakeville, Massachusetts, the owner of the Site.

Copies of this document may be obtained by contacting the MADEP Southeast Regional Office at 20 Riverside Drive Lakeville, Massachusetts or electronically from the MADEP web site: [Cleanup of Sites & Spills | MassDEP](#).

If you have any questions, please call me at (508) 732-0121 (office) or (508) 360-2859 (cell).

Very truly yours,



James F. Begley, LSP  
MT Environmental Restoration

CC: Leonard Chace, Jr.  
24 Bay View Avenue Plymouth, MA 02360 (508) 732-0121