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June 22, 2012

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ESTABLISHING A SPECIAL REVIEW PROCEDURE

PROJECT NAME: University of Massachusetts Amherst
Campus Master Plan
PROJECT MUNICIPALITY: Amherst
PROJECT WATERSHED: Connecticut River
EEA NUMBER: ~~TBD~~ 15069
PROJECT PROPONENT: University of Massachusetts Amherst
DATE NOTICED IN MONITOIR: N/A

Pursuant to the Massachusetts Environmental Policy Act (G.L. c. 30, ss. 61-62I) and Section 11.09 of the MEPA regulations (301 CMR 11.00), as Secretary of Energy and Environmental Affairs, I hereby establish a Special Review Procedure (SRP) to guide the MEPA review process for future development projects at the University of Massachusetts Amherst as it continues to implement its Campus Master Plan.

Campus Master Plan

The University of Massachusetts Amherst (UMass Amherst) has been engaged in a years' long campus master planning process that has culminated in the issuance of a 50-year planning document. The new UMass Amherst Campus Master Plan ('CMP') shall serve as a guide for sustainable future development that reinforces the University's *Framework for Excellence* vision and *Amherst Rising to the Challenge* initiative. The CMP has been created to support the academic, research and campus life vision and mission articulated in *Framework for Excellence* and *Amherst Rising to the Challenge*. In addition, the CMP establishes campus wide systems for

open space, circulation and utilities to help ensure that UMass Amherst is building a campus and not just buildings. The CMP documents a clear vision and identity for the campus, with planning principles, goals and recommendations to guide future growth. The area encompassed within the CMP includes over 1,400 acres on the main campus, as well as the 150-acre Hadley Farm, the 32-acre North Village Residential Area, and the 94-acre Tillson Farm (together, the “Project Area”). See Attachment A which depicts the Project Area.

The planning process has been intensive, engaging University leadership, the campus community, the Towns of Amherst and Hadley and numerous other interested stakeholders with the opportunity to review and comment on the CMP, resulting in appropriate modifications, revisions and commitments being infused in its current form. Given the characterization of the CMP as a dynamic document designed to inform future development on the campus and response to the evolving needs of the *Framework for Excellence* and the *Amherst Rising to the Challenge* initiative, I will not require the CMP document to be subject to a separate MEPA review process.

Project Description

The University’s *Framework for Excellence* informed the development of the CMP by outlining the high-level considerations necessary to move the University into the echelon of the most competitive research universities in the nation. It is not a detailed action plan, but rather a framework, with the expectation that campus units will develop their own plans to meet these high-level targets. The *Framework for Excellence* emphasizes the University’s need to upgrade existing infrastructure and build new facilities to sustain and maintain great services for faculty and students. In response to the vision laid out in the framework, the CMP identifies a broad range of improvements to the campus, including renovations to and replacement of existing buildings; improved open spaces and pedestrian connectivity; improved transportation management; enhanced infrastructure; and new buildings of all types and uses. Over the next decade alone, UMass Amherst is expected to fund close to \$1 billion worth of capital project activity including deferred maintenance, renovations and new structures on the Commonwealth’s flagship state university. UMass Amherst shares responsibility for capital improvement planning with the Commonwealth’s Division of Capital Asset Management (DCAM) and campus development projects are undertaken by the University, DCAM and the University of Massachusetts Building Authority (UMBA). Because of the several entities involved and the many projects to be undertaken throughout the Campus as a part of the CMP, the University recognizes the value of an integrated approach to state environmental review. The CMP reflects the vision for the campus for the next 50 years and further refines the project planning process and anticipated project development.

SRP Background

MEPA has reviewed many projects at UMass Amherst. Most recently, an Environmental Notification Form (ENF) was filed for the Commonwealth Honors College (CHC) residential complex (EEA #14714). While no further MEPA review was required for the CHC project, the Secretary recognized that “...the UMass Amherst campus continues to undertake projects to renovate existing space, expand and construct new buildings, and update site infrastructure, all in response to meeting the needs of an expanding enrollment and upgrading facilities to meet the overall goals of the University’s mission. In order to ensure that these myriad future projects meet the requirements of MEPA review, I am requiring the UMBA to work with the MEPA office to prepare a Special Review Procedure (SRP) in accordance with 301 CMR 11.09 to set up a framework to review projects on the UMass Amherst campus in light of potential MEPA compliance obligations and the anti-segmentation provisions in the MEPA Regulations.”

Following the Secretary’s request and recognizing the value that a MEPA SRP will provide in improving the state environmental review process of future capital improvement projects at UMass Amherst, the University, together with UMBA and DCAM, has consulted with MEPA and agreed to the following course of action.

MEPA Jurisdiction

Development at UMass Amherst is subject to review under MEPA because it will be undertaken and financed by a State Agency and, either on an individual or collective basis, projects may exceed MEPA review thresholds established at 301 CMR 11.02. Therefore, MEPA jurisdiction is broad and extends to all aspects of any project that are likely, directly or indirectly, to cause Damage to the Environment, as defined within the MEPA regulations.

SPECIAL REVIEW PROCEDURE

The size, complexity and interrelated components of Campus development projects combined with the long-term planning, implementation and multiple phases that these projects often entail will benefit from the establishment of an SRP. I believe that this SRP will benefit the environment and serve the purposes of MEPA by providing meaningful opportunities for public review, analysis of appropriate alternatives that avoid, minimize and mitigate environmental impacts, and consideration of cumulative environmental effects, while at the same time recognizing the uncertainty surrounding the implementation of some future long-term projects.

UMass Amherst Campus Master Plan

The UMass Amherst CMP will guide future campus planning, decision-making and development and be readily available for public reference in those regards. However, its purpose is to remain a

living document that through technology becomes part of the decision support system for ongoing planning efforts. In compliance with this SRP, UMass Amherst will provide an electronic copy of the current Master Plan as an attachment to an Expanded Environmental Notification Form (ExENF) (described below). UMass Amherst does not seek my determination on the adequacy of environmental impact review for the entire 50-year CMP nor do I believe such a determination is practical as there is inherently much uncertainty as to the future implementation of long-term projects beyond a more reasonable 10-year planning horizon (2012-2021).

UMass Amherst Rising to the Challenge (2012-2021) Projects

The UMass Amherst Rising to the Challenge initiative is a 10-year plan, originally encompassing years 2010-2019 but recently revised and expanded to include planning years 2012-2021 (2012-2021 Projects). The initiative includes projects necessary to meet identified critical needs that are tangible from the perspective of determining project specific and cumulative environmental effect, to the greatest extent possible. In accordance with 301 CMR 11.05(7), UMass Amherst will present the potential cumulative environmental impacts, analysis of alternatives, and appropriate mitigation measures for those projects which it expects to be implemented within the 2012-2021 period in an ExENF (described further below). This analysis will include the cumulative impacts of the 2012-2021 Projects, including general evaluations of: transportation, parking, infrastructure impacts including stormwater, water supply, wastewater treatment, energy, utilities, telecommunication and technology, sustainability, wetlands, water quality, historical and archaeological resources, greenhouse gas emissions, construction period impacts and appropriate mitigation measures to address unavoidable environmental impacts.

Project Area

This Special Review Procedure covers the Project Area which is depicted in Attachment A. If the area is expanded, the SRP may be amended accordingly.

Expanded Environmental Notification Form

In consultation with its development partners, UMass Amherst intends to file an Expanded Environmental Notification Form to introduce the 2012-2021 Projects (the "ExENF"). The ExENF will be circulated for public comment and reviewed for 37 days in accordance with 301 CMR 11.05(7) and 11.06(1). After reviewing the ExENF and the public comments received, I will frame the expected future review of CMP level projects, as outlined below, as well as determine whether the 2012-2021 Projects adequately and properly comply with the requirements of MEPA or whether additional review is required for any one or number of these near term projects. I reserve all rights granted to me by Section 11.08(8) of the MEPA regulations regarding determinations of the adequacy of the information presented, particularly as it relates to cumulative impact analysis and the need for any further MEPA review.

Subsequent Filings

For future projects other than those analyzed in the ExENF and determined by me to require no further MEPA review ("Future Projects"), UMass Amherst or the developing entity will prepare more detailed information in the form of Project Commencement Notices (PCN's) or Notices of Project Change (NPC's), whichever is appropriate given the filing parameters outlined below. PCN's and NPC's will be submitted to MEPA for State Agency and public review. State Agencies will not take required agency actions for individual Future Projects on the UMass Amherst campus until MEPA review of the applicable PCN or NPC is complete. In addition, should there be a material change to those projects that were found to adequately and properly comply with MEPA during the review of the ExENF, UMass Amherst remains subject to the provisions of 301 CMR 11.10(1) and (6), with the expectation that, if deemed necessary, an NPC would be filed following the guidelines provided in this SRP. If UMass Amherst is uncertain if a project change previously approved in the ExENF or subsequent MEPA filings constitutes a 'material change', UMass Amherst may file a request for Advisory Opinion in accordance with 301 CMR 11.01(6).

A PCN will be filed for each individual Future Project that is proposed to be undertaken consistent with the CMP. PCN's will include a detailed project narrative and a quantification of project-related impacts, as well as a comparison with the project as presented in the CMP. As appropriate, PCN's must also provide information on any additional planning efforts and/or modifications to the CMP. I expect these updates to be provided in a timely manner that reflect the long term planning nature of the CMP.

- PCN's will be noticed in *The Environmental Monitor* for public review and circulated in accordance with the provisions of this SRP.
- Upon review of any PCN and the comments received thereon, I retain the discretion as Secretary, to require or not to require, the preparation of an EIR, irrespective of whether the project exceeds a Mandatory EIR threshold(s), consistent with this SRP. However, EIR thresholds shall remain informative in this regard. If an EIR is required, there will be a presumption that UMass Amherst will prepare a Single Environmental Impact Report (Single EIR) in accordance with 301 CMR 11.07(5).
- Each PCN shall include an original analysis of greenhouse gas emissions conducted in accordance with the MEPA Greenhouse Gas Emissions Policy and Protocol.
- No PCN's will be required for property acquisitions, classroom or other program relocations, structure demolition, infrastructure improvements, utility or telecommunication replacement or relocation, internal roadway relocation and

improvements, exterior or interior building renovation, and landscape improvements, consistent with the CMP.

A Notice of Project Change (NPC) will be filed for projects that are materially different from those presented in the ExENF and/or CMP.

- NPC's will be noticed in *The Environmental Monitor* for public review and circulated in accordance with the provisions of this SRP.
- Upon review of any NPC and the comments received thereon, I retain the discretion as Secretary, to require or not to require, the preparation of an EIR, irrespective of whether the projects exceeds a Mandatory EIR threshold(s), consistent with this SRP. However, EIR thresholds shall remain informative in this regard. If an EIR is required, there will be an assumption that a Single EIR will be required for the project.
- Each NPC shall include an analysis of greenhouse gas emissions conducted in accordance with the MEPA Greenhouse Gas Emissions Policy and Protocol.
- No NPC's will be required for property acquisitions, for classroom or other program relocations, structure demolition, infrastructure improvements, utility or telecommunication replacement or relocation, internal roadway relocation and improvements, exterior or interior building renovation, and landscape improvements, consistent with the CMP.

There will be no NPC required for a lapse of time (301 CMR 11.10(2)) so long as the CMP remains in effect and compliance with the SRP is ongoing; except, however, that in the event that no PCN or NPC is filed within any five year period, the Proponent will submit an update on planning efforts and implementation of or modifications to the CMP.

State Agency Action

State permitting agencies may take any required Agency Action for a project element(s) after a finding that the PCN or NPC for that element(s) of the project adequately complies with MEPA.

Public Process

Each project specific filing will be noticed in a newspaper of local circulation and must be provided to:

- all commenters on the aforementioned ExENF;
- all required parties under Section 11.16 of the MEPA regulations; and,

- all commenters on subsequent PCN or NPC filings, if not included in the above.

A MEPA public consultation session may be held and noticed in *The Environmental Monitor* for each project specific filing, determined on a case-by-base basis. Notice of availability of each project specific filing will be disseminated in a broad-reaching fashion, including, but not limited to, email list serve, project website, flyers/mailings, public notice in local and collegiate newspapers, etc.

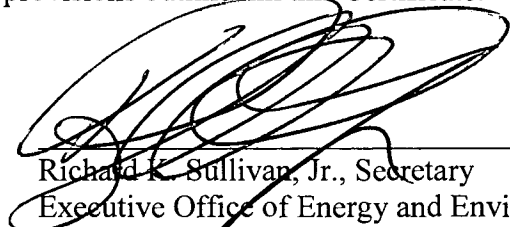
Because the UMass Amherst CMP process itself involved robust and structured community participation, I will not require the establishment of a Citizens Advisory Committee. In place of this, UMass Amherst has committed to the following community process:

- Hold an annual public meeting to provide an update on progress of the implementation of the CMP and to engage in a dialogue with constituents and stakeholders (i.e., local community and environmental groups, elected officials, environmental organizations, etc.) on upcoming changes to and/or plans for the physical campus.
- Provide notification of all meetings through a broad-reaching manner including, but not limited to, email list serve, project website, flyers/mailings, public notice in local and collegiate newspapers, etc.
- Maintain and update the UMass Amherst Facilities Planning construction activity website that includes progress and schedule milestones on individual projects. Provide an email address for interested parties to use in submitting inquiries and feedback.
- Meet with public officials (e.g., state legislators and local officials) at least once a year to provide updates and to inform of future plans.
- Continue to conduct regular internal workshops and briefings with campus members and groups that allows for dialogue and discussion on CMP projects and issues.


Conclusion

The Proponent's signature below indicates consent to the establishment of a Special Review Procedure and the specific provisions outlined in this Certificate.

6/22/12
Date


Richard K. Sullivan, Jr., Secretary
Executive Office of Energy and Environmental Affairs

6/26/12
Date


Robert C. Holub, Chancellor
University of Massachusetts Amherst

Attachment A: Project Study Area Map