



January 2, 2007

Secretary Robert W. Golledge, Jr.
Executive Office of Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114-2524

Attn: MEPA Unit

PRINCIPALS

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**Subject: Environmental Notification Form
J. Michael Ruane Judicial Center / Salem Trial Courts, Salem**

Dear Secretary Golledge:

On behalf of the Massachusetts Division of Capital Asset Management (DCAM) enclosed please find the Environmental Notification Form for the J. Michael Ruane Judicial Center / Salem Trial Courts project in Salem, Massachusetts.

Please notice the ENF in the Environmental Monitor published on January 9, 2007. The Public Comment period will extend through January 29, 2007 and the Secretary's Certificate will be issued on February 8, 2007.

By copy of this letter, I am advising recipients of the ENF that written comments may be filed during the comment period, addressed as follows:

Secretary Robert W. Golledge, Jr.
Executive Office of Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114-2524
Attn: MEPA Unit

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

978 897 7100
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Copies of the ENF may be obtained by contacting me at (978) 897-7100, or by e-mail at dkelleher@epsilonassociates.com. Thank you for your attention to this matter.

Sincerely,
EPSILON ASSOCIATES, INC.

Douglas J. Kelleher
Senior Planner

Attachment

cc: Recipients of the ENF
Gail Rosenberg, DCAM
Carol Meeker, DCAM

Environmental Notification Form

J. MICHAEL RUANE JUDICIAL CENTER SALEM TRIAL COURTS



Submitted by:
Division of Capital Asset
Management
One Ashburton Place
Boston, MA 02108

Submitted To:
Executive Office of Environmental Affairs
MEPA Office
100 Cambridge St., Suite 900
Boston, MA 02114

January 2, 2007

Epsilon
ASSOCIATES INC.

ENGINEERS  ENVIRONMENTAL CONSULTANTS

Environmental Notification Form

J. MICHAEL RUANE JUDICIAL CENTER / SALEM TRIAL COURTS

Prepared for:

Division of Capital Asset Management
One Ashburton Place
Boston, MA 02108

Prepared by:

Epsilon Associates, Inc.
3 Clock Tower Place
Suite 250
Maynard, Massachusetts 01754

January 2, 2007

ENF Environmental Notification Form

EOEA No.:
 MEPA Analyst:
 Phone: 617-626-

The information requested on this form must be completed to begin MEPA Review in accordance with the provisions of the Massachusetts Environmental Policy Act, 301 CMR 11.00.

Project Name: J. Michael Ruane Judicial Center / Salem Trial Courts	
Street:	Federal Street
Municipality:	Salem
Watershed:	Salem
Universal Transverse Mercator Coordinates:	Latitude: 42.5231°N
X344084, Y4709608	Longitude: 70.8982°W
Estimated commencement date: May 2008	Estimated completion date: June 2010
Approximate cost: \$106 million	Status of project design: 10 % complete
Conceptual Design	
Proponent: Massachusetts Division of Capital Asset Management	
Street: One Ashburton Place, 15 th Floor	
Municipality: Boston	State: MA Zip Code: 02108
Name of Contact Person From Whom Copies of this ENF May Be Obtained:	
Doug Kelleher	
Firm/Agency: Epsilon Associates, Inc.	Street: 3 Clock Tower Place, Suite 250
Municipality: Maynard	State: MA Zip Code: 01754
Phone: (978) 897-7100	Fax: (978) 897-0099 E-mail: dkelleher@epsilonassociates.com

- Does this project meet or exceed a mandatory EIR threshold (see 301 CMR 11.03)?
 Yes No
- Has this project been filed with MEPA before?
 Yes (EOEA No. _____) No
- Has any project on this site been filed with MEPA before?
 Yes (EOEA No. _____) No
- Is this an Expanded ENF (see 301 CMR 11.05(7)) requesting:
- a Single EIR? (see 301 CMR 11.06(8)) Yes No
 - a Special Review Procedure? (see 301CMR 11.09) Yes No
 - a Waiver of mandatory EIR? (see 301 CMR 11.11) Yes No
 - a Phase I Waiver? (see 301 CMR 11.11) Yes No

Identify any financial assistance or land transfer from an agency of the Commonwealth, including the agency name and the amount of funding or land area (in acres): The project is being undertaken by a state agency.

Are you requesting coordinated review with any other federal, state, regional, or local agency?
 Yes (Specify _____) No

List Local or Federal Permits and Approvals: The project will require coverage under the NPDES general permit for construction.

Which ENF or EIR review threshold(s) does the project meet or exceed (see 301 CMR 11.03):

- Land Rare Species Wetlands, Waterways, & Tidelands
- Water Wastewater Transportation
- Energy Air Solid & Hazardous Waste
- ACEC Regulations Historical & Archaeological Resources

Summary of Project Size & Environmental Impacts	Existing	Change	Total	State Permits & Approvals
LAND				<input type="checkbox"/> Order of Conditions <input type="checkbox"/> Superseding Order of Conditions <input type="checkbox"/> Chapter 91 License <input type="checkbox"/> 401 Water Quality Certification <input type="checkbox"/> MHD or MDC Access Permit <input type="checkbox"/> Water Management Act Permit <input type="checkbox"/> New Source Approval <input type="checkbox"/> DEP or MWRA Sewer Connection/ Extension Permit <input type="checkbox"/> Other Permits <i>(including Legislative Approvals) – Specify:</i>
Total acreage	3.8			
New acres of land altered		Plan A: 1.9 Plan B: 1.3 Plan C: 1.9		
Acres of impervious area	2.5	Plan A: 0.3 Plan B: 0.5 Plan C: 0.3	Plan A: 2.8 Plan B: 3.0 Plan C: 2.8	
Square feet of new bordering vegetated wetlands alteration		0		
Square feet of new other wetland alteration		0		
Acres of new non-water dependent use of tidelands or waterways		0		
STRUCTURES				Massachusetts Historical Commission – State Register Review
Gross square footage	133,317	190,000	323,317	
Number of housing units	21	Plan A: -21 Plan B: -21 Plan C: -21	Plan A: 0 Plan B: 0 Plan C: 0	
Maximum height (in feet)				
Federal Street	62			
Plan A		0	62	
Plan B		+ 10	72	
Plan C		0	62	
Bridge Street	73			
Plan A		0	73	
Plan B		+ 16	89	
Plan C		0	73	
TRANSPORTATION				
Vehicle trips per day	1,423	650*	2,073	
Parking spaces	90	+ 30	120	
WATER/WASTEWATER				
Gallons/day (GPD) of water use	16,054	15,675**	31,729	
GPD water withdrawal	0	0	0	
GPD wastewater generation/ treatment	14,594	14,250**	28,844	
Length of water/sewer mains (in miles)	N/A	< 0.25	< 0.25	

* Please see Transportation – Traffic Section on page 15 for an explanation of projected trip generation.

** These water supply and wastewater estimates are based on commercial use (75 gpd per 1000 s.f.) per Title 5.

Empirical data provided by DCAM indicate that 11,000 gpd is the expected increase in water usage and 5,675 gpd is

the expected increase in wastewater generation. As required by MEPA, this ENF relies on Title 5 data to be conservative. See Water Supply Section (page 11) and Wastewater Section (page 13) for an explanation of projected water consumption and wastewater generation figures.

CONSERVATION LAND: Will the project involve the conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97?

Yes (Specify _____) No

Will it involve the release of any conservation restriction, preservation restriction, agricultural preservation restriction, or watershed preservation restriction?

Yes (Specify _____) No

RARE SPECIES: Does the project site include Estimated Habitat of Rare Species, Vernal Pools, Priority Sites of Rare Species, or Exemplary Natural Communities?

Yes (Specify:) No

HISTORICAL /ARCHAEOLOGICAL RESOURCES: Does the project site include any structure, site or district listed in the State Register of Historic Place or the inventory of Historic and Archaeological Assets of the Commonwealth?

Yes (Specify: County Commissioner's Building, 32 Federal Street; Superior Courthouse, 34 Federal Street; Essex County Registry of Deeds / Probate and Family Court, 36 Federal Street; First Baptist Church, 54 Federal Street; and three properties at 58, 60 and 62 Federal Street) No

If yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources?

Yes (Specify: Plan A: Relocation and reuse of the First Baptist Church, 54 Federal Street, and the relocation or demolition of the three properties at 58, 60 and 62 Federal Street; Plan B: Relocation or demolition of the three properties at 58, 60 and 62 Federal Street; Plan C: Relocation and reuse of the First Baptist Church, 54 Federal Street) No

AREAS OF CRITICAL ENVIRONMENTAL CONCERN: Is the project in or adjacent to an Area of Critical Environmental Concern?

Yes (Specify _____) No

PROJECT DESCRIPTION: The project description should include (a) a description of the project site, (b) a description of both on-site and off-site alternatives and the impacts associated with each alternative, and (c) potential on-site and off-site mitigation measures for each alternative (*You may attach one additional page, if necessary.*)

The proposed Project site is bounded by Bridge Street to the north, Washington Street to the east, Federal Street to the south and North Street to the west (Figure 1, USGS Locus Map). The site is approximately 3.8 acres in size. The majority of the project site, approximately 2.2 acres, is land owned by the Commonwealth. An additional 0.8 acres is held in private ownership, and the remaining 0.8 acres is owned by the City of Salem as part of the North Street / Bridge Street roadway interchange layout. The proposed Project site contains seven buildings.

The County Commissioner's Building at 32 Federal Street, also known as the Old Granite Courthouse, sits at the corner of Washington Street and Federal Street. It is connected to the Superior Court to the west via a two-story addition. The Superior Courthouse at 34 Federal Street sits immediately west of the County Commissioner's Building. These two connected buildings collectively house the Superior Court. The Registry of Deeds and Probate and Family Courthouse building is located at 36 Federal Street. Also located on the proposed project site are four non-court related buildings: the First Baptist Church (set back approximately 100 feet from Federal Street, at 54 Federal Street) and three properties at 58, 60 and 62 Federal Street, all situated at the sidewalk edge near the western limits of the proposed project site.

The four streets surrounding the Project site, Federal, North, Bridge, and Washington streets, are all served by MBTA bus service. On the opposite side of Bridge Street is the MBTA Commuter Rail station

providing train service to points between Salem and Boston to the south and to points between Salem and Newburyport and Rockport to the north. North Street, State Route 114, is a designated state highway.

Background

In response to deteriorating physical and operating conditions of the Commonwealth's court buildings, the Massachusetts Division of Capital Asset Management (DCAM) initiated a Master Plan for the improvements of Court Facilities in 1998. Chapter 189 of the Acts of 1998 designated Salem for the study of a new courts facility.

In Salem, five court departments (Superior, District, Probate and Family, Juvenile and Housing) are currently located in several buildings, including the County Commissioner's Building/Superior Courthouse at 32-34 Federal Street, the Registry of Deeds/Probate and Family Court Building at 36 Federal Street, and the District Court Building located at 65 Washington Street. With the exception of the Juvenile Court, which occupies leased space at Shetland Park, none of these buildings (including the District Court, built in the 1970s) meets current standards for safety, security and accessibility.

Alternative Site Evaluations

In an effort to improve court functions in Salem, a study was undertaken to examine options for accommodating court operations in a variety of configurations. The site alternatives analysis was an extensive, iterative process that included state and local officials as well as neighborhood representatives and interest groups. Given the City's strong preference for keeping the courts in the downtown area, the initial site scoping evaluated the two existing Commonwealth-owned court locations on Federal and Washington Streets as well as several additional sites (some with existing structures) in proximity to the current courts complex that could potentially accommodate new facilities.

The preliminary site scoping identified the following three sites in addition to the existing court locations:

- The MBTA commuter parking lot (Bridge Street)
- The Telephone Co. building (10 Federal Street)
- The Church Street parking lot (behind District Court)

It became readily apparent that, of these sites, only the MBTA site (including an adjacent city-owned crescent shaped parcel) offered the combination of capacity, visibility, proximity and access that justified further evaluation. The footprint of the Telephone Co. building was too small to accommodate significant expansion and the Church Street parking lot served a critical need for downtown parking which the City could not afford to lose.

The MBTA parcel across Bridge Street from the main court complex became the focus of the off-site alternatives analysis. Numerous site development possibilities for a new court complex were examined, including joint development possibilities with the MBTA, which was initiating its own studies for the construction of a major parking structure to serve its adjacent commuter rail station. After careful consideration, this site was deemed unsuitable because of a lack of good pedestrian connection between the proposed site and the existing court complex, a private rail spur that runs through the site, building in the flood plain, and security issues raised with a public garage located beneath a court facility and the proximity to a rail line in the wake of September 11, 2001.

Having eliminated nearby off-site alternatives from consideration, DCAM continued to examine the existing court buildings for possible conversion to consolidated facilities which meet current standards and needs. The heightened awareness of security concerns after 9/11 coincided with a move towards

creating consolidated court facilities in keeping with a statewide effort to improve and streamline overall court functions. The intent behind the consolidated facilities is to create regional justice centers which:

- Help to relieve current overcrowded conditions;
- Bring the courts in line with national standards;
- Increase security, and
- Eliminate duplicative administrative and other support services

In Salem, it was determined that the District Court site was far too constrained to accommodate a consolidated court facility by itself and too physically removed from the remainder of the courts complex to be incorporated into a new consolidated facility located across the street. Of the remaining existing buildings, the Registry of Deeds/Probate and Family Court Building was determined to be easily adaptable to current court standards and security requirements and could be combined with the construction of an adjacent or nearby new facility to meet the overall programmatic needs and court functions of a new consolidated facility. However, the Superior Courthouse/County Commissioner's Building proved less adaptable. The existing courthouse consists of two radically different floorplates resulting in a significant lack of accessibility throughout the buildings. In order to provide 100 percent accessibility within the facility, either multiple elevators or major floor structural re-alignments are required, representing prohibitively expensive renovations and compromised program space due to building size and configuration constraints. Moreover, such an accommodation would require significant alteration to the historic fabric of these buildings and would not be prudent or feasible. See Appendix A for table detailing the programmatic needs of a consolidated facility and the space available in the existing court facilities on the Site.

Proposed Project

The proposed project involves the construction of a new 190,000 square foot consolidated Trial Court Facility. The new facility will consolidate Superior Court, District Court, Housing Court, Juvenile Court and the Law Library (Probate and Family Court operations will continue to be accommodated in the Probate and Family Courthouse building). The new facility will contain eleven courtrooms, with five courtrooms to be located in the adjacent existing Probate and Family Court building. This results in a total of sixteen courtrooms, a net increase of five courtrooms on the site. In accordance with Executive Office for Administration and Finance Bulletin 12: Establishment of Minimum Standards for Sustainable Design and Construction of New Buildings and Major Renovations by Executive Agencies, the new Courthouse will comply with the newly created "Massachusetts LEED Plus" standard. The "Massachusetts LEED Plus" standard requires that a project be able to obtain the basic U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) certification. This project will be LEED Silver certifiable.

As part of the proposed project, the functions currently housed in the Superior Court (County Commissioner's / Superior Court building), including Superior Court and the Law Library, will be relocated to the new courthouse. Following completion of the new courthouse, the County Commissioner's and Superior Court buildings will be vacated and made available for non-court related uses. DCAM is in the process of developing a plan for "mothballing" the County Commissioner's / Superior Court building for the period of time that it will not be occupied. The mothballing plan will include detailed specifications for adequate security, heating, and ventilation to ensure the preservation of the building. DCAM will work with City of Salem officials in identifying appropriate reuse alternatives for the County Commissioner's and Superior Court buildings that are consistent with the city's planning goals and ensure the buildings' future preservation.

All of the alternatives described below would involve removal of the loop ramp located in the southeast quadrant of the North Street/Bridge Street interchange. As part of roadway improvements currently under

construction by the Massachusetts Highway Department, modifications will be made to the North Street/Bridge Street interchange to accommodate the removal of the loop ramp and to increase pedestrian safety at this heavily traveled location. All existing traffic will continue to be accommodated by these minor modifications.

The project may also include renovations to the existing Registry of Deeds / Probate and Family Courthouse at 36 Federal Street, including the 1970s rear addition fronting on Bridge Street. The new courthouse will include limited secured on-site parking. Figure 2 depicts an aerial view of the project site illustrating the existing buildings on the site. Figure 3 is an illustrative Existing Conditions plan.

The following is a summary of the three feasible project alternatives:

The first alternative (**Plan A**) would involve the relocation and reuse of the original 1805 portion of the First Baptist Church at 54 Federal Street. Plan A would also involve either relocating off-site or demolishing the three houses located at 58, 60 and 62 Federal Street. The new Courthouse would be built on the newly assembled site directly abutting the Registry of Deeds / Probate and Family Courthouse. The First Baptist Church would be relocated to the corner of Federal and North streets and incorporated into the construction of the new Courthouse to house the Southern Essex County Law Library, currently located in the Superior Court/County Commissioner's Building. This alternative would allow the new building to be scaled in size so as not to dominate the Federal Street streetscape (see Figure 4). DCAM developed Plan A to meet programmatic needs efficiently and at lower cost than other alternatives discussed below. At the same time, the scale and relationship of buildings in Plan A reflects a strong civic presence, befitting a public building, especially a Courthouse. Plan A is the preferred alternative.

DCAM has concurrently developed **Plan B**, which would not involve using or relocating the First Baptist Church. Under Plan B, the new Courthouse would be constructed between the Church and North Street (see Figure 5). The three houses located at 58, 60 and 62 Federal Street would be either relocated off-site or demolished. Because it does not use the Church property, Plan B requires that the new Courthouse be taller than it would be in Plan A or Plan C (below). The height of the Federal Street frontage would be approximately 72 feet, 10 feet taller than the building in either Plan A or Plan C; and 89 feet, 16 feet taller than the building in either Plan A or Plan C at the rear, Bridge Street elevation. Due to a compressed floorplates resulting from site constraints, this plan is less efficient than Plans A or C and may have additional costs, but remains a feasible alternative and meets the Court's programmatic needs.

Similar in courthouse form to Plan A, a third Alternative (**Plan C**) would relocate and reuse the original 1805 portion of the First Baptist Church but would also retain houses located at 58, 60 and 62 Federal Street in their current locations (see Figure 6). This concept assumes that the three historic houses would create a link between the east and west portions of Federal Street (across North Street, Rte. 114).

As a practical matter, unlike the 1805 First Baptist Church, the three houses cannot be adapted to fit programmatic needs of court uses due to space constraints and cannot be integrated into the new consolidated courts complex. Using these buildings for unrelated functions poses security issues, given their proximity to the new court complex. Perhaps more important than the practical challenges presented by retaining the houses is the negative impact on the civic presence of the new courthouse which would be largely blocked from Federal Street by the houses. Similarly, the relocated First Baptist Church would be compromised by being pushed to the edge of North Street and partially obscured from view.

This alternative is not preferred because of the unacceptable compromises required in both the design and siting of the new courthouse as well as the placement and presence of the relocated First Baptist Church. Both the new courthouse and the relocated church will be diminished by the retention of the

three houses. Without the houses, the relocated church and new courthouse will complete a streetscape that has developed as a prominent institutional block over the last 150 years, as cited in the National Register of Historic Places nomination form for the Federal Street Historic District.

Mitigation

The proposed project includes benefits to the community and the greater public. In response to the City's desire to keep the courts downtown, DCAM has focused the siting of the new court facility within the immediate vicinity of the existing courthouses. Retaining the courts in downtown Salem not only ensures a continued contribution to Salem's economy and downtown businesses that benefit immensely from their close proximity to the courts, but also maintains Salem's prominence as the judicial center for Essex County. The reuse of the Registry of Deeds / Probate and Family Courthouse ensures the preservation of an historic and architecturally significant local landmark. The relocation and reuse of the First Baptist Church, as envisioned in Plan A and Plan C, also preserves an important historic resource which otherwise faces an uncertain future with a dwindling congregation. DCAM's commitment to working with the City to identify appropriate reuse alternatives for the County Commissioner's / Superior Court building will ensure consistency with the community's planning goals and the preservation of an additional treasured historic property. DCAM's investigation into opportunities for the relocation and reuse off-site of the three properties at 58, 60 and 62 Federal Street by others also provides for the possible retention of three historic properties.

The improvements that will result from the proposed removal of the North Street/Bridge Street interchange loop ramp will greatly improve the pedestrian and vehicular safety of a heavily traveled location that serves as a gateway to the downtown and provides direct pedestrian access to the adjacent MBTA commuter rail station. Lastly, the goal for the project to be LEED Silver certifiable will provide numerous environmental benefits through reuse of a previously developed site and the inclusion of sustainable design techniques and materials.

LAND SECTION – all proponents must fill out this section

I. Thresholds / Permits

A. Does the project meet or exceed any review thresholds related to **land** (see 301 CMR 11.03(1))
 ___ Yes X No; if yes, specify each threshold:

II. Impacts and Permits

A. Describe, in acres, the current and proposed character of the project site, as follows:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Footprint of buildings	<u>1.2</u>	<u>0.3</u>	<u>1.5</u>
Roadways, parking, and other paved areas	<u>0.5</u>	<u>0</u>	<u>0.5</u>
Other altered areas (describe)*	<u>2.1</u>	<u>-0.3</u>	<u>1.8</u>
Undeveloped areas	<u>0</u>	<u>0</u>	<u>0</u>

* landscaped areas

B. Has any part of the project site been in active agricultural use in the last three years?
 ___ Yes X No; if yes, how many acres of land in agricultural use (with agricultural soils) will be converted to nonagricultural use?

C. Is any part of the project site currently or proposed to be in active forestry use?
 ___ Yes X No; if yes, please describe current and proposed forestry activities and indicate whether any part of the site is the subject of a DEM-approved forest management plan:

D. Does any part of the project involve conversion of land held for natural resources purposes in accordance with Article 97 of the Amendments to the Constitution of the Commonwealth to any purpose not in accordance with Article 97? ___ Yes X No; if yes, describe:

E. Is any part of the project site currently subject to a conservation restriction, preservation restriction, agricultural preservation restriction or watershed preservation restriction? ___ Yes X No; if yes, does the project involve the release or modification of such restriction? ___ Yes ___ No; if yes, describe:

F. Does the project require approval of a new urban redevelopment project or a fundamental change in an existing urban redevelopment project under M.G.L.c.121A? ___ Yes X No; if yes, describe:

G. Does the project require approval of a new urban renewal plan or a major modification of an existing urban renewal plan under M.G.L.c.121B? Yes ___ No X ; if yes, describe:

H. Describe the project's stormwater impacts and, if applicable, measures that the project will take to comply with the standards found in DEP's Stormwater Management Policy:

The project will comply with DEP's Stormwater Management Policy through implementation of stormwater best management practices. The project involves redevelopment of a previously disturbed site and will meet the stormwater management standards to the maximum extent feasible.

I. Is the project site currently being regulated under M.G.L.c.21E or the Massachusetts Contingency Plan? Yes ___ No X ; if yes, what is the Release Tracking Number (RTN)?

J. If the project site is within the Chicopee or Nashua watershed, is it within the Quabbin, Ware, or Wachusett subwatershed? ___ Yes X No; if yes, is the project site subject to regulation under the Watershed Protection Act? ___ Yes ___ No

K. Describe the project's other impacts on land:

The project is not expected to have any other impacts to land.

III. Consistency

A. Identify the current municipal comprehensive land use plan and the open space plan and describe the consistency of the project and its impacts with that plan(s): The relevant land use plan is the City of Salem Master Plan Update and Action Plan, 1996. The proposed project is consistent with the Plan goals to "increase downtown activity of major institutions" through pursuit of "funding" and locating sites "for court improvements and construction of [a] new judicial center."

B. Identify the current Regional Policy Plan of the applicable Regional Planning Agency and describe the consistency of the project and its impacts with that plan: The applicable regional policy plan is the MetroPlan 2000, prepared by the Metropolitan Area Planning Council. The proposed project is consistent with the current use of the site.

C. Will the project require any approvals under the local zoning by-law or ordinance (i.e. text or map amendment, special permit, or variance)? Yes ___ No X ; if yes, describe:

D. Will the project require local site plan or project impact review?
___ Yes X No; if yes, describe:

RARE SPECIES SECTION

I. Thresholds / Permits

A. Will the project meet or exceed any review thresholds related to **rare species or habitat** (see 301 CMR 11.03(2))? ___ Yes X No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to **rare species or habitat**? ___ Yes X No

C. If you answered "No" to both questions A and B, proceed to the **Wetlands, Waterways, and Tidelands Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Rare Species section below.

II. Impacts and Permits

A. Does the project site fall within Priority or Estimated Habitat in the current Massachusetts Natural Heritage Atlas (attach relevant page)? ___ Yes ___ No. If yes,

1. Which rare species are known to occur within the Priority or Estimated Habitat (contact: Environmental Review, Natural Heritage and Endangered Species Program, Route 135, Westborough, MA 01581, allowing 30 days for receipt of information):

2. Have you surveyed the site for rare species? ___ Yes ___ No; if yes, please include the results of your survey.

3. If your project is within Estimated Habitat, have you filed a Notice of Intent or received an Order of Conditions for this project? ___ Yes ___ No; if yes, did you send a copy of the Notice of Intent to the Natural Heritage and Endangered Species Program, in accordance with the Wetlands Protection Act regulations? ___ Yes ___ No

B. Will the project "take" an endangered, threatened, and/or species of special concern in accordance with M.G.L. c.131A (see also 321 CMR 10.04)? ___ Yes ___ No; if yes, describe:

C. Will the project alter "significant habitat" as designated by the Massachusetts Division of Fisheries and Wildlife in accordance with M.G.L. c.131A (see also 321 CMR 10.30)? ___ Yes ___ No; if yes, describe:

D. Describe the project's other impacts on rare species including indirect impacts (for example,

stormwater runoff into a wetland known to contain rare species or lighting impacts on rare moth habitat):

WETLANDS, WATERWAYS, AND TIDELANDS SECTION

I. Thresholds / Permits

A. Will the project meet or exceed any review thresholds related to **wetlands, waterways, and tidelands** (see 301 CMR 11.03(3))? ___ Yes X No; if yes, specify, in quantitative terms:

B. Does the project require any state permits (or a local Order of Conditions) related to **wetlands, waterways, or tidelands**? ___ Yes X No; if yes, specify which permit:

C. If you answered "No" to both questions A and B, proceed to the **Water Supply Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Wetlands, Waterways, and Tidelands Section below.

II. Wetlands Impacts and Permits

A. Describe any wetland resource areas currently existing on the project site and indicate them on the site plan:

B. Estimate the extent and type of impact that the project will have on wetland resources, and indicate whether the impacts are temporary or permanent:

<u>Coastal Wetlands</u>	<u>Area (in square feet) or Length (in linear feet)</u>
Land Under the Ocean	_____
Designated Port Areas	_____
Coastal Beaches	_____
Coastal Dunes	_____
Barrier Beaches	_____
Coastal Banks	_____
Rocky Intertidal Shores	_____
Salt Marshes	_____
Land Under Salt Ponds	_____
Land Containing Shellfish	_____
Fish Runs	_____
Land Subject to Coastal Storm Flowage	_____
<u>Inland Wetlands</u>	
Bank	_____
Bordering Vegetated Wetlands	_____
Land under Water	_____
Isolated Land Subject to Flooding	_____
Bordering Land Subject to Flooding	_____
Riverfront Area	_____

C. Is any part of the project

1. a limited project? ___ Yes ___ No
2. the construction or alteration of a dam? ___ Yes ___ No; if yes, describe:
3. fill or structure in a velocity zone or regulatory floodway? ___ Yes ___ No
4. dredging or disposal of dredged material? ___ Yes ___ No; if yes, describe the volume of dredged material and the proposed disposal site:
5. a discharge to Outstanding Resource Waters? ___ Yes ___ No
6. subject to a wetlands restriction order? ___ Yes ___ No; if yes, identify the area (in square feet):

D. Does the project require a new or amended Order of Conditions under the Wetlands Protection Act (M.G.L. c.131A)? Yes No; if yes, has a Notice of Intent been filed or a local Order of Conditions issued? Yes No; if yes, list the date and DEP file number: _____
Was the Order of Conditions appealed? Yes No. Will the project require a variance from the Wetlands regulations? Yes No.

E. Will the project:

1. be subject to a local wetlands ordinance or bylaw? Yes No
2. alter any federally-protected wetlands not regulated under state or local law? Yes No; if yes, what is the area (in s.f.)?

F. Describe the project's other impacts on wetlands (including new shading of wetland areas or removal of tree canopy from forested wetlands):

III. Waterways and Tidelands Impacts and Permits

A. Is any part of the project site waterways or tidelands (including filled former tidelands) that are subject to the Waterways Act, M.G.L.c.91? Yes No; if yes, is there a current Chapter 91 license or permit affecting the project site? Yes No; if yes, list the date and number:

B. Does the project require a new or modified license under M.G.L.c.91? Yes No; if yes, how many acres of the project site subject to M.G.L.c.91 will be for non-water dependent use?

Current Change Total

C. Is any part of the project

1. a roadway, bridge, or utility line to or on a barrier beach? Yes No; if yes, describe:
2. dredging or disposal of dredged material? Yes No; if yes, volume of dredged material _____
3. a solid fill, pile-supported, or bottom-anchored structure in flowed tidelands or other waterways? Yes No; if yes, what is the base area? _____
4. within a Designated Port Area? Yes No

D. Describe the project's other impacts on waterways and tidelands:

IV. Consistency:

A. Is the project located within the Coastal Zone? Yes No; if yes, describe the project's consistency with policies of the Office of Coastal Zone Management:

B. Is the project located within an area subject to a Municipal Harbor Plan? Yes No; if yes, identify the Municipal Harbor Plan and describe the project's consistency with that plan:

WATER SUPPLY SECTION

I. Thresholds / Permits

A. Will the project meet or exceed any review thresholds related to **water supply** (see 301 CMR 11.03(4))? Yes No; if yes, specify, in quantitative terms:

Although the project will not exceed MEPA review thresholds relating to water supply, the information below is provided to document that the Project's water use will be significantly below Title V estimates, consistent with the Project's goal of achieving LEED certifiability. Water consumption quantities at the new Courthouse will be mitigated by the use of energy efficient/water efficient equipment. Anticipated water consumption for the Courthouse will come from domestic uses (drinking and sanitary), janitorial activities and provision of makeup water to mechanical systems (i.e., air handlers, cooling towers, pumps, etc.). The

City of Salem will supply the proposed Courthouse's water needs via an existing water main located on Federal Street. The Project Designer in consultation with the Salem Water Department has determined that there are sufficient quantities available to supply the courthouse with the anticipated maximum potable water quantities.

Based on data collected from existing courthouses, DCAM uses approximately 3.5 gallons per day (gpd) per person for domestic uses under maximum occupancy conditions (i.e., all courtrooms are fully occupied for the entire day). Based on the maximum occupancy at the proposed courthouse of 1,350 persons, the maximum domestic water consumption would be 4,725 gpd.

The quantity of non-domestic water consumption is a function of the equipment, operation, maintenance, building and equipment layout, season and other factors. The non-domestic water consumption during winter months is anticipated to be 2,000 to 3,000 gpd; while summer months are anticipated to be 5,000 to 6,000 gpd. The seasonal range in daily consumption is due to the need for makeup water to compensate for evaporation loss from the cooling towers.

In anticipation of achieving LEED certifiability, attempts have been and will be made to reduce the water consumption at the proposed courthouse by use of energy/water efficient equipment and limiting the use of potable water for landscape irrigation. Water consumption at the proposed courthouse will range from a minimal water use on weekends during winter months to a maximum daily water consumption where every courtroom would be filled to capacity for the entire day during the summer. Based on water usage rates at existing courthouses and equipment manufacturers, this maximum daily use is anticipated to be less than 11,000 gpd.

B. Does the project require any state permits related to **water supply**? ___ Yes X No; if yes, specify which permit:

C. If you answered "No" to both questions A and B, proceed to the **Wastewater Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Water Supply Section below.

II. Impacts and Permits

A. Describe, in gallons/day, the volume and source of water use for existing and proposed activities at the project site:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Withdrawal from groundwater	_____	_____	_____
Withdrawal from surface water	_____	_____	_____
Interbasin transfer	_____	_____	_____
Municipal or regional water supply	_____	_____	_____

B. If the source is a municipal or regional supply, has the municipality or region indicated that there is adequate capacity in the system to accommodate the project? ___ Yes ___ No

C. If the project involves a new or expanded withdrawal from a groundwater or surface water source,

1. have you submitted a permit application? ___ Yes ___ No; if yes, attach the application
2. have you conducted a pump test? ___ Yes ___ No; if yes, attach the pump test report

D. What is the currently permitted withdrawal at the proposed water supply source (in gallons/day)?

_____ Will the project require an increase in that withdrawal? ___ Yes ___ No

E. Does the project site currently contain a water supply well, a drinking water treatment facility, water main, or other water supply facility, or will the project involve construction of a new facility? ___ Yes ___ No. If yes, describe existing and proposed water supply facilities at the project site:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Water supply well(s) (capacity, in gpd)	_____	_____	_____
Drinking water treatment plant (capacity, in gpd)	_____	_____	_____
Water mains (length, in miles)	_____	_____	_____

F. If the project involves any interbasin transfer of water, which basins are involved, what is the direction of the transfer, and is the interbasin transfer existing or proposed?

G. Does the project involve

1. new water service by a state agency to a municipality or water district? ___ Yes ___ No
2. a Watershed Protection Act variance? ___ Yes ___ No; if yes, how many acres of alteration?
3. a non-bridged stream crossing 1,000 or less feet upstream of a public surface drinking water supply for purpose of forest harvesting activities? ___ Yes ___ No

H. Describe the project's other impacts (including indirect impacts) on water resources, quality, facilities and services:

III. **Consistency** -- Describe the project's consistency with water conservation plans or other plans to enhance water resources, quality, facilities and services:

WASTEWATER SECTION

I. **Thresholds / Permits**

A. Will the project meet or exceed any review thresholds related to **wastewater** (see 301 CMR 11.03(5))? ___ Yes X No; if yes, specify, in quantitative terms:

While the Project will not exceed MEPA review thresholds relating to wastewater generation, the information below is provided to document that the Project's wastewater generation will be significantly below Title V estimates, consistent with the Project's goals of achieving LEED certifiability. Wastewater generation at the proposed courthouse will be mitigated by the use of energy efficient/water efficient equipment to maximize water efficiency within the building and reduce the quantities of wastewater to the municipal wastewater system. Wastewater will be generated from domestic (sanitary), blowdown condensate, and other wastewater streams associated with mechanical equipment. The Proponent has determined in consultation with the City of Salem that there is capacity in the City's wastewater system to accept the anticipated flows from the proposed courthouse.

Since the anticipated domestic water use is estimated at 4,725 gpd, this value with no reduction will be used as a conservative estimate in determining the quantities of domestic wastewater generated from the site.

The largest quantity of non-domestic wastewater will be attributed to blowdown condensate, with minor quantities from wastestreams associated with mechanical equipment. The quantity of non-domestic wastewater is a function of the equipment, operation, maintenance, layout and other factors. DCAM has successfully used a factor of

0.005 gpd of wastewater per building square foot to estimate the quantity of non-domestic wastewater. The proposed courthouse is anticipated to be approximately 190,000 gross square feet. It is estimated that the non-domestic wastewater generation will be approximately 950 gpd.

In anticipation of achieving LEED certifiability, attempts have been and will be made to reduce the water consumption and thus wastewater generation at the proposed courthouse by use of energy/water efficient equipment. Based on average daily data from other operating courthouses of similar size and number of courtrooms, DCAM anticipates the average daily wastewater quantity to be 2,000 gpd. Wastewater generation at the proposed courthouse will range from a minimal water use on weekends to a maximum daily water consumption where every courtroom would be filled to capacity for the entire day and blowdown condensate is maximized. Based on maximum domestic waster usage and worse case scenario of equipment usage, the maximum daily wastewater generation is anticipated to be 5,675 gpd.

B. Does the project require any state permits related to **wastewater**? ___ Yes X No; if yes, specify which permit:

C. If you answered "No" to both questions A and B, proceed to the **Transportation -- Traffic Generation Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Wastewater Section below.

II. Impacts and Permits

A. Describe, in gallons/day, the volume and disposal of wastewater generation for existing and proposed activities at the project site (calculate according to 310 CMR 15.00):

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Discharge to groundwater (Title 5)	_____	_____	_____
Discharge to groundwater (non-Title 5)	_____	_____	_____
Discharge to outstanding resource water	_____	_____	_____
Discharge to surface water	_____	_____	_____
Municipal or regional wastewater facility	_____	_____	_____
TOTAL	_____	_____	_____

B. ___ Is there sufficient capacity in the existing collection system to accommodate the project? ___ Yes ___ No; if no, describe where capacity will be found:

C. Is there sufficient existing capacity at the proposed wastewater disposal facility? ___ Yes ___ No; if no, describe how capacity will be increased:

D. Does the project site currently contain a wastewater treatment facility, sewer main, or other wastewater disposal facility, or will the project involve construction of a new facility? ___ Yes ___ No. If yes, describe as follows:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Wastewater treatment plant (capacity, in gpd)	_____	_____	_____
Sewer mains (length, in miles)	_____	_____	_____
Title 5 systems (capacity, in gpd)	_____	_____	_____

E. If the project involves any interbasin transfer of wastewater, which basins are involved, what is the direction of the transfer, and is the interbasin transfer existing or proposed?

F. Does the project involve new sewer service by an Agency of the Commonwealth to a municipality or sewer district? Yes No

G. Is there any current or proposed facility at the project site for the storage, treatment, processing, combustion or disposal of sewage sludge, sludge ash, grit, screenings, or other sewage residual materials? Yes No; if yes, what is the capacity (in tons per day):

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Storage	_____	_____	_____
Treatment, processing	_____	_____	_____
Combustion	_____	_____	_____
Disposal	_____	_____	_____

H. Describe the project's other impacts (including indirect impacts) on wastewater generation and treatment facilities:

III. Consistency -- Describe measures that the proponent will take to comply with federal, state, regional, and local plans and policies related to wastewater management:

A. If the project requires a sewer extension permit, is that extension included in a comprehensive wastewater management plan? Yes No; if yes, indicate the EOE number for the plan and describe the relationship of the project to the plan.

TRANSPORTATION -- TRAFFIC GENERATION SECTION

I. Thresholds / Permits

A. Will the project meet or exceed any review thresholds related to **traffic generation** (see 301 CMR 11.03(6))? Yes No; if yes, specify, in quantitative terms:

Based on a transportation counts taken for DCAM in 2002, 1423 persons travel per day to the various court facilities, including the Registry of Deeds. The existing eleven courtrooms and the Registry of Deeds yield an average of 130 trips per day per courtroom (To be conservative, because traffic to the Registry of Deeds was not counted separately, this calculation assumes that all 1423 trips were to the courtrooms). With the addition of five new courtrooms, it is conservatively estimated that approximately 650 new person trips per day will result from the new Courthouse. Because its current facility is inadequate to meet its needs, the Registry of Deeds is relocating from the project site. Based on qualitative results from the 2002 survey, the Registry of Deed yields a higher number of person trips per day than do the courtrooms. Survey results also indicate that approximately 90 percent of trips to the Site are made by automobile. In estimating projected traffic for the Project, this ENF does not take credit for either the small percentage of transit and pedestrian trips expected or for potential carpooling. Neither does it take credit for the reduction in trips that will occur after the Registry of Deeds has relocated.

B. Does the project require any state permits related to **state-controlled roadways**? Yes No; if yes, specify which permit:

C. If you answered "No" to both questions A and B, proceed to the **Roadways and Other Transportation Facilities Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Traffic Generation Section below.

II. Traffic Impacts and Permits

A. Describe existing and proposed vehicular traffic generated by activities at the project site:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Number of parking spaces	_____	_____	_____
Number of vehicle trips per day	_____	_____	_____

ITE Land Use Code(s): _____

B. What is the estimated average daily traffic on roadways serving the site?

<u>Roadway</u>	<u>Existing</u>	<u>Change</u>	<u>Total</u>
North Street, north of Bridge St	<u>38,140</u>	<u>300</u>	<u>38,440</u>
Bridge Street, west of North St	<u>25,381</u>	<u>175</u>	<u>25,556</u>
Bridge Street, east of Flint St	<u>19,806</u>	<u>175</u>	<u>19,981</u>

C. Describe how the project will affect transit, pedestrian and bicycle transportation facilities and services:

The improvements that will result from the proposed removal of the North Street/Bridge Street interchange loop ramp will greatly improve the pedestrian and vehicular safety of a heavily traveled location that serves as a gateway to the downtown and provides direct pedestrian access to the adjacent MBTA commuter rail station. Ongoing coordination among DCAM, the Massachusetts Highway Department, and the MBTA will ensure pedestrian and bicycle accommodations are maintained throughout construction of the project.

III. Consistency -- Describe measures that the proponent will take to comply with municipal, regional, state, and federal plans and policies related to traffic, transit, pedestrian and bicycle transportation facilities and services:

ROADWAYS AND OTHER TRANSPORTATION FACILITIES SECTION

I. Thresholds

A. Will the project meet or exceed any review thresholds related to **roadways or other transportation facilities** (see 301 CMR 11.03(6))? ___ Yes X No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to **roadways or other transportation facilities**? ___ Yes X No; if yes, specify which permit:

C. If you answered "No" to both questions A and B, proceed to the **Energy Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Roadways Section below.

II. Transportation Facility Impacts

A. Describe existing and proposed transportation facilities at the project site:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Length (in linear feet) of new or widened roadway	_____	_____	_____
Width (in feet) of new or widened roadway	_____	_____	_____
Other transportation facilities:			

B. Will the project involve any

1. Alteration of bank or terrain (in linear feet)? _____
2. Cutting of living public shade trees (number)? _____
3. Elimination of stone wall (in linear feet)? _____

III. Consistency -- Describe the project's consistency with other federal, state, regional, and local plans and policies related to traffic, transit, pedestrian and bicycle transportation facilities and services, including consistency with the applicable regional transportation plan and the Transportation Improvements Plan (TIP), the State Bicycle Plan, and the State Pedestrian Plan:

ENERGY SECTION

I. Thresholds / Permits

A. Will the project meet or exceed any review thresholds related to **energy** (see 301 CMR 11.03(7))? ___ Yes **X** No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to **energy**? ___ Yes **X** No; if yes, specify which permit:

C. If you answered "No" to both questions A and B, proceed to the **Air Quality Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Energy Section below.

II. Impacts and Permits

A. Describe existing and proposed energy generation and transmission facilities at the project site:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Capacity of electric generating facility (megawatts)	_____	_____	_____
Length of fuel line (in miles)	_____	_____	_____
Length of transmission lines (in miles)	_____	_____	_____
Capacity of transmission lines (in kilovolts)	_____	_____	_____

B. If the project involves construction or expansion of an electric generating facility, what are
 1. the facility's current and proposed fuel source(s)?
 2. the facility's current and proposed cooling source(s)?

C. If the project involves construction of an electrical transmission line, will it be located on a new, unused, or abandoned right of way? ___ Yes ___ No; if yes, please describe:

D. Describe the project's other impacts on energy facilities and services:

III. Consistency -- Describe the project's consistency with state, municipal, regional, and federal plans and policies for enhancing energy facilities and services:

AIR QUALITY SECTION

I. Thresholds

A. Will the project meet or exceed any review thresholds related to **air quality** (see 301 CMR 11.03(8))? ___ Yes **X** No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to **air quality**? ___ Yes **X** No; if yes, specify which permit:

C. If you answered "No" to both questions A and B, proceed to the **Solid and Hazardous Waste Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Air Quality Section below.

II. Impacts and Permits

A. Does the project involve construction or modification of a major stationary source (see 310 CMR 7.00, Appendix A)? ___ Yes **X** No; if yes, describe existing and proposed emissions (in tons per day) of:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Particulate matter	_____	_____	_____
Carbon monoxide	_____	_____	_____
Sulfur dioxide	_____	_____	_____
Volatile organic compounds	_____	_____	_____
Oxides of nitrogen	_____	_____	_____
Lead	_____	_____	_____
Any hazardous air pollutant	_____	_____	_____
Carbon dioxide	_____	_____	_____

B. Describe the project's other impacts on air resources and air quality, including noise impacts:

III. Consistency

A. Describe the project's consistency with the State Implementation Plan:

B. Describe measures that the proponent will take to comply with other federal, state, regional, and local plans and policies related to air resources and air quality:

SOLID AND HAZARDOUS WASTE SECTION

I. Thresholds / Permits

A. Will the project meet or exceed any review thresholds related to **solid or hazardous waste** (see 301 CMR 11.03(9))? ___ Yes **X** No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to **solid and hazardous waste**? ___ Yes **X** No; if yes, specify which permit:

C. If you answered "No" to both questions A and B, proceed to the **Historical and Archaeological Resources Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Solid and Hazardous Waste Section below.

II. Impacts and Permits

A. Is there any current or proposed facility at the project site for the storage, treatment, processing, combustion or disposal of solid waste? ___ Yes ___ No; if yes, what is the volume (in tons per day) of the capacity:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Storage	_____	_____	_____
Treatment, processing	_____	_____	_____
Combustion	_____	_____	_____
Disposal	_____	_____	_____

B. Is there any current or proposed facility at the project site for the storage, recycling, treatment or disposal of hazardous waste? ___ Yes ___ No; if yes, what is the volume (in tons or gallons per day) of the capacity:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Storage	_____	_____	_____
Recycling	_____	_____	_____
Treatment	_____	_____	_____
Disposal	_____	_____	_____

C. If the project will generate solid waste (for example, during demolition or construction), describe alternatives considered for re-use, recycling, and disposal:

D. If the project involves demolition, do any buildings to be demolished contain asbestos?
 ___ Yes ___ No

E. Describe the project's other solid and hazardous waste impacts (including indirect impacts):

III. **Consistency**--Describe measures that the proponent will take to comply with the State Solid Waste Master Plan:

HISTORICAL AND ARCHAEOLOGICAL RESOURCES SECTION

I. Thresholds / Impacts

A. Is any part of the project site a historic structure, or a structure within a historic district, in either case listed in the State Register of Historic Places or the Inventory of Historic and Archaeological Assets of the Commonwealth? Yes ___ No; if yes, does the project involve the demolition of all or any exterior part of such historic structure? Yes ___ No; if yes, please describe:

The project site is located within two historic districts listed on the State and National Registers of Historic Places, the Essex County Court Building Complex (NRDIS: 1976), and the Federal Street Historic District (NRDIS: 1983). The boundaries for the Essex County Court Building Complex are limited to the three court buildings, the County Commissioner's Building, 32 Federal Street; Superior Courthouse, 34 Federal Street; and the Registry of Deeds / Probate and Family Court, 36 Federal Street. The Federal Street Historic District includes the three court buildings as well as all the properties on the north and south sides of Federal Street, between Washington Street to North Street, including the four non-court buildings on the project site, the First Baptist Church, 54 Federal Street; and the three properties at 58, 60 and 62 Federal Street.

The three alternatives under consideration, Plans A, B, and C, would each result in some demolition of exterior parts to some of the State and National Register listed properties mentioned above. Plan A would result in the demolition of the rear portion of the First Baptist Church, 54 Federal Street; and possibly the three properties at 58, 60 and 62 Federal Street if relocation of these three buildings is not feasible. DCAM is investigating the possibility of making the three houses available for relocation off-site by others. Plan B would also possibly result in the demolition of the three properties at 58, 60 and 62 Federal Street if relocation of these three buildings is not feasible, but would not involve the Church, thereby leaving it intact. Similar to Plan A, Plan C would utilize the front, 1805 portion of the Church and involve the demolition of the rear portion of the Church, but would leave the three buildings at 58, 60 and 62 Federal Street intact. Although Plan C would leave the three buildings at 58, 60 and 62 Federal Street intact, using these buildings for unrelated functions poses security issues, given their close proximity to the new court complex. Perhaps more important than the practical challenges presented by retaining the houses is the negative impact on the civic presence of the new courthouse which would be largely blocked from Federal Street by the houses. Similarly, the relocated First Baptist Church would be compromised by being pushed to the edge of North Street and partially obscured from view.

The Plan C alternative is not preferred because of the unacceptable compromises required in both the design and siting of the new courthouse as well as the placement and presence of the relocated First Baptist Church. Both the new courthouse and the relocated church will be diminished by the retention of the three houses. In the Plan A preferred alternative, the relocated church and new courthouse will complete a streetscape that has developed as a prominent institutional block over the last 150 years, as cited as the National Register of Historic Places nomination form for the Federal Street Historic District.

B. Is any part of the project site an archaeological site listed in the State Register of Historic Places or the Inventory of Historic and Archaeological Assets of the Commonwealth? ___ Yes X No; if yes, does the project involve the destruction of all or any part of such archaeological site? ___ Yes ___ No; if yes, please describe:

C. If you answered "No" to all parts of both questions A and B, proceed to the **Attachments and Certifications** Sections. If you answered "Yes" to any part of either question A or question B, fill out the remainder of the Historical and Archaeological Resources Section below.

D. Have you consulted with the Massachusetts Historical Commission? X Yes ___ No; if yes, attach correspondence

DCAM officials and other project team representatives have met with Massachusetts Historical Commission staff to discuss the proposed project. In addition, the proponent has met with local preservation organizations including the Salem Historical Commission and Historic Salem, Inc. DCAM is committed to continued consultations with the MHC and interested parties as the project advances to consider prudent and feasible alternatives to avoid, minimize, or mitigate impacts to historic resources on the project site and within the project's vicinity. In recent correspondence to MHC, DCAM has requested the opportunity to meet with MHC to advance the consultation process (see attached correspondence).

E. Describe and assess the project's other impacts, direct and indirect, on listed or inventoried historical and archaeological resources:

The McIntire Historic District, one of four local historic districts in the City of Salem, is located on the west side of North Street, opposite the project site. The National Register listed Chestnut Street Historic District, with similar boundaries as the McIntire Historic District, is also located on the opposite side of North Street from the project site. Numerous other historic districts and individual historic properties exist within the downtown Salem area, within close proximity to the project site.

DCAM is committed to continued consultations with MHC and interested parties as the project advances to consider prudent and feasible alternatives to avoid, minimize, or mitigate impacts to historic resources on the project site and within the project's vicinity.

II. Consistency -- Describe measures that the proponent will take to comply with federal, state, regional, and local plans and policies related to preserving historical and archaeological resources:

In compliance with Massachusetts General Laws, Chapter 9, Section 26-27C, as amended by Chapter 254 of the Acts of 1988 (950 CMR 71.00), DCAM is committed to continued consultations with the MHC and interested parties as the project advances to consider prudent and feasible alternatives to avoid, minimize, or mitigate impacts to historic resources on the project site and within the project's vicinity.

ATTACHMENTS:

1. Plan, at an appropriate scale, of existing conditions of the project site and its immediate context, showing all known structures, roadways and parking lots, rail rights-of-way, wetlands and water bodies, wooded areas, farmland, steep slopes, public open spaces, and major utilities.
2. Plan of proposed conditions upon completion of project (if construction of the project is proposed to be phased, there should be a site plan showing conditions upon the completion of each phase).
3. **Original** U.S.G.S. map or good quality **color** copy (8-½ x 11 inches or larger) indicating the project location and boundaries
4. List of all agencies and persons to whom the proponent circulated the ENF, in accordance with 301 CMR 11.16(2).
5. Other:

CERTIFICATIONS:

1. The Public Notice of Environmental Review has been/will be published in the following newspapers in accordance with 301 CMR 11.15(1):

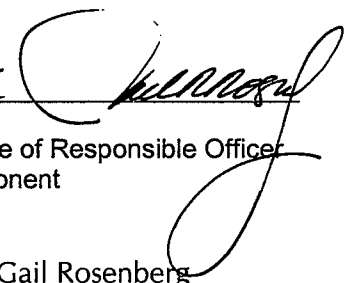

(Name)

(Date)

Salem Evening News

January 5, 2007

2. This form has been circulated to Agencies and Persons in accordance with 301 CMR 11.16(2).

<u>Dec. 21, 2006</u>		<u>12.21.06</u>	
Date	Signature of Responsible Officer or Proponent	Date	Signature of person preparing ENF (if different from above)
Name	Gail Rosenberg	Name	Douglas J. Kelleher
Firm/Agency	Division of Capital Asset Management	Firm/Agency	Epsilon Associates, Inc.
Street	One Ashburton Place	Street	3 Clock Tower Place, Suite 250
Municipality/ State/Zip	Boston, MA 02108	Municipality/ State/Zip	Maynard, MA 01754
Phone	(617) 727-4050	Phone	(978) 897-7100



Project Site

SALEM

SALEM HARBOR

Scale 1:24,000
1 inch = 2,000 feet

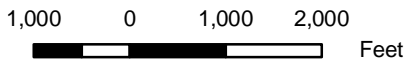


Figure 1
USGS Locus Map
DCAM
Salem, Massachusetts

Basemap: 1985 USGS Quadrangles, MassGIS





Project Site



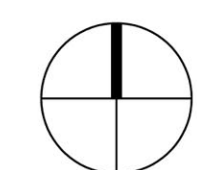
Figure 2
Site Photo
DCAM
Salem, Massachusetts

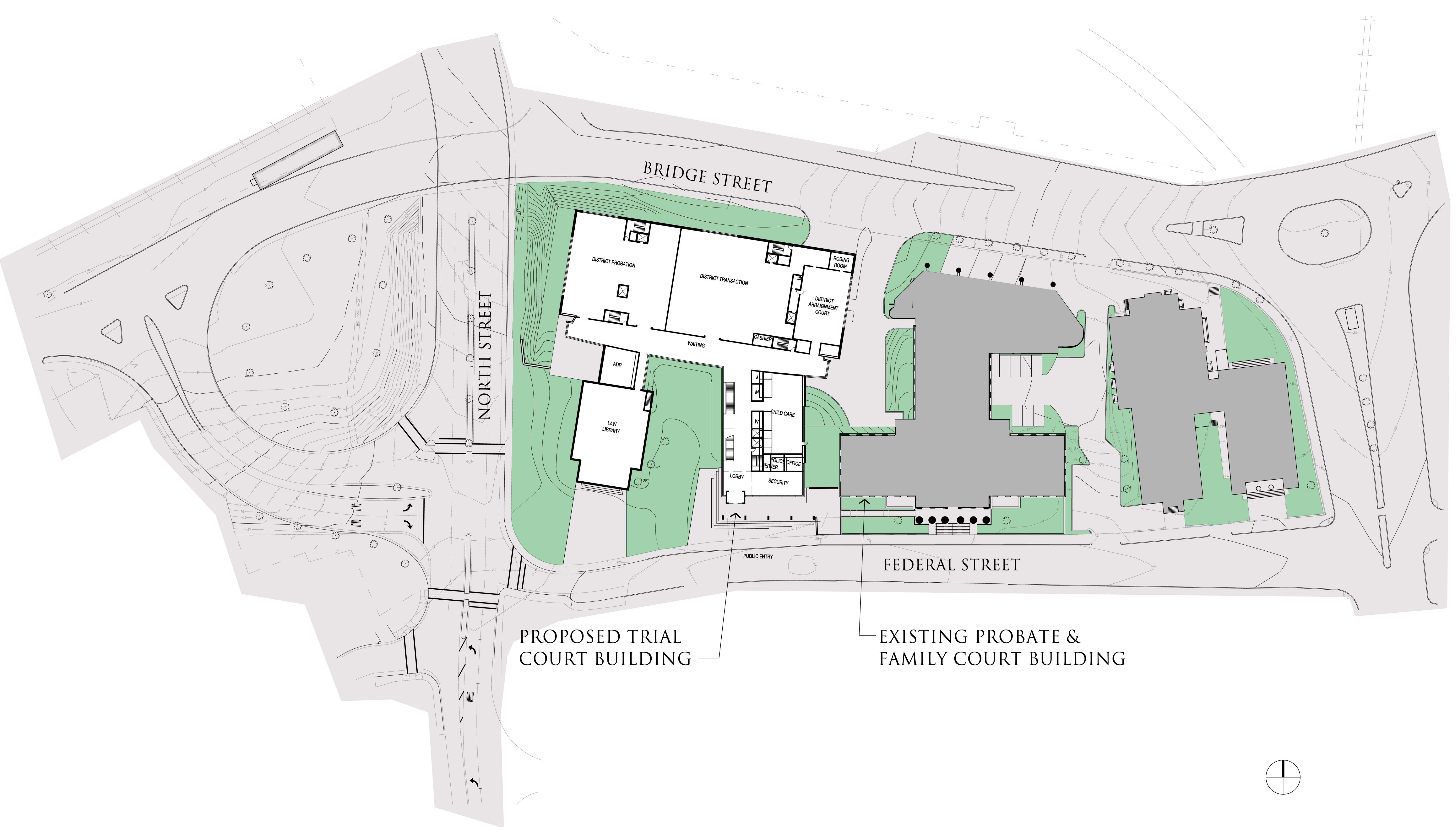


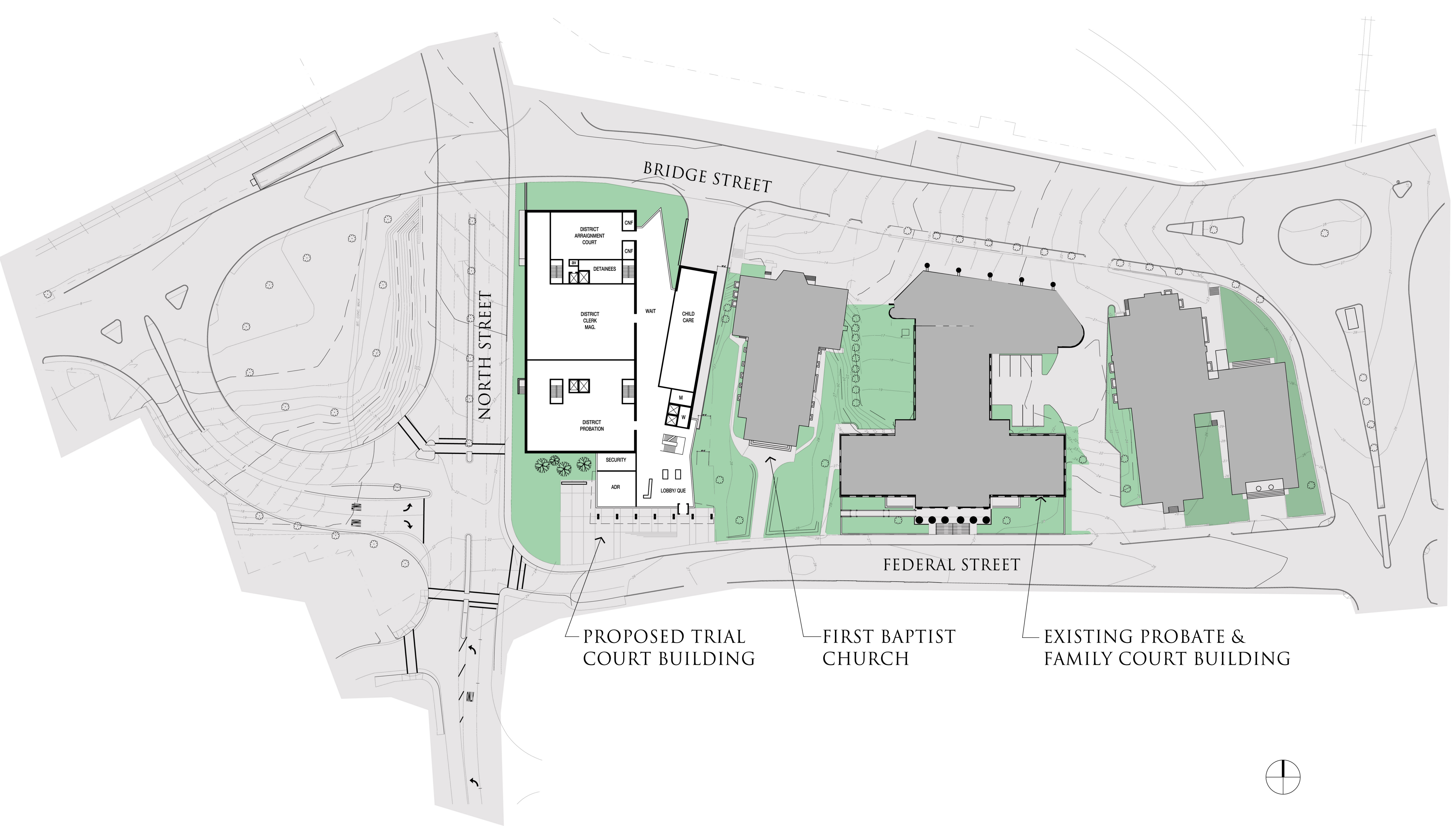
HOUSES

FIRST BAPTIST
CHURCH

EXISTING PROBATE &
FAMILY COURT BUILDING



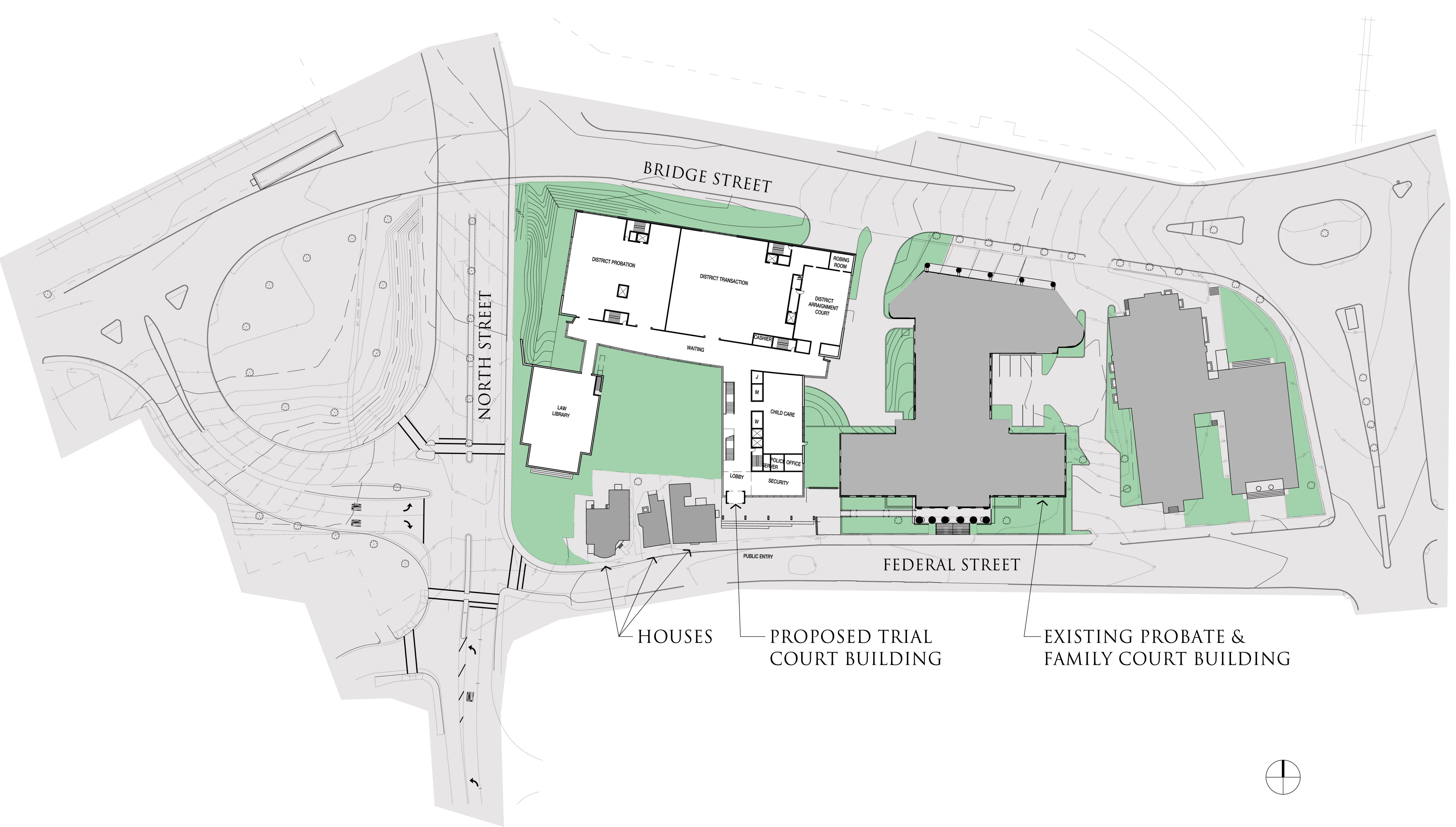




PROPOSED TRIAL COURT BUILDING

FIRST BAPTIST CHURCH

EXISTING PROBATE & FAMILY COURT BUILDING





MITT ROMNEY
GOVERNOR

KERRY HEALEY
LEUTENANT GOVERNOR

The Commonwealth of Massachusetts

Executive Office for Administration and Finance

Division of Capital Asset Management

One Ashburton Place

Boston, Massachusetts 02108

Tel: (617) 727-4050

Fax: (617) 727-5963

THOMAS H. TRIMARCO
SECRETARY, ADMINISTRATION
& FINANCE

DAVID B. PERINI
COMMISSIONER

November 21, 2006

Ann M. Lattinville
Director of Architectural Review
Massachusetts Historical Commission
220 Morrissey Boulevard
Boston, MA 02125

Re: Michael J. Ruane Judicial Center, Salem

Dear Ms. Lattinville:

Following up on a several earlier communications, I am writing to advise you that DCAM is in the process of preparing an Environmental Notification Form which we hope to file with MEPA in mid-December for the above-referenced Salem courthouse project. The project has evolved and developed on several fronts since we met with MHC for an informational meeting last year. In the interim, DCAM has met on numerous occasions with local interested parties, including members of the Salem Historical Commission and Historic Salem, Inc. DCAM would appreciate the opportunity to update MHC on the status of the overall project prior to filing with MEPA.

Please advise if there is time available for you to meet with members of our project team during the next several weeks. The DCAM project team would be happy to come out to your office for the meeting.

Sincerely,

Carol C. Meeker
Deputy General Counsel

Cc: Brona Simon, MHC
Gail Rosenberg, DCAM
Doug Kelleher, Epsilon Associates



The Commonwealth of Massachusetts

Executive Office for Administration and Finance

Division of Capital Asset Management

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DAVID B. PERINI
COMMISSIONER

September 28, 2006

Ann M. Lattinville
Director of Architectural Review
Massachusetts Historical Commission
220 Morrissey Boulevard
Boston, MA 02125

Re: Michael J. Ruane Judicial Center, Salem

Dear Ms. ^{Ann}Lattinville:

Following up on a voicemail which I left for you earlier, I am writing to advise you that DCAM is in the process of preparing an Environmental Notification Form which we hope to file with MEPA in the next few weeks for the above-referenced Salem courthouse project. The project has evolved and developed on several fronts since we met with MHC for an informational meeting last September. DCAM would appreciate the opportunity to update MHC on the status of the project prior to filing with MEPA.

Please let me know if there is any time that would be good for you to meet with members of our project team during the first two weeks of October. We would be happy to come out to your office for the meeting.

Sincerely,

Carol C. Meeker
Deputy General Counsel

Cc: Gail Rosenberg, DCAM Project Manager

~~Doug [redacted] Facilities Associates~~

Appendix A
Reuse Analysis

Appendix A: Reuse Analysis

Requirements of Judicial program	Existing Superior Court	County Commissioner's Building	Probate & Family Court	New Facility
16 courtrooms in adjacent locations all meeting security, accessibility and long-term adaptability	<ul style="list-style-type: none"> - 3 existing courtrooms do not meet current security, accessibility and other court requirements. - Would require extensive renovation /new construction at compromise to historic building 	<ul style="list-style-type: none"> - Currently no courtrooms located in the building - Would require extensive renovation /new construction at compromise to historic building 	<ul style="list-style-type: none"> - 5 existing courtrooms, requires renovation / new construction - minimal capacity on-site, requires temporary relocation of existing functions 	<ul style="list-style-type: none"> - 11 courtrooms meeting all functional accessible and security requirements
3 separate and secure circulation routes	<ul style="list-style-type: none"> - Not Feasible within existing historic building - Requires extensive renovation /new construction at compromise to historic building 	<ul style="list-style-type: none"> - Not Feasible within existing historic building - Requires extensive renovation /new construction at compromise to historic building 	<ul style="list-style-type: none"> - Minimal renovation/ new construction required - Existing capacity on-site 	<ul style="list-style-type: none"> - Full accommodation
Adequate and separate detention facilities for all court departments and courtrooms	<ul style="list-style-type: none"> - Not Feasible within existing historic building - Requires extensive renovation /new construction at compromise to historic building 	<ul style="list-style-type: none"> - Not Feasible within existing historic building - Requires extensive renovation /new construction at compromise to historic building 	<ul style="list-style-type: none"> - Minimal renovation/ new construction required - minimal need for detention on-site 	<ul style="list-style-type: none"> - Central detention provided, detention at courtrooms and secure sallyport
100% accessible	<ul style="list-style-type: none"> - Major access issues including multiple floor levels and main entrance would necessitate extensive system of elevators and ramps and create inefficient utilization of space within historic buildings 	<ul style="list-style-type: none"> - Major access issues including multiple floor levels and main entrance would necessitate extensive system of elevators and ramps and create inefficient utilization of space within historic buildings 	<ul style="list-style-type: none"> - Requires minimal renovation - Accessibility improvements recently made (ramp, elevator, toilets) 	<ul style="list-style-type: none"> - Fully accessible accommodations
Adequate Juror facilities	<ul style="list-style-type: none"> - Inadequate juror facilities, access, circulation, HVAC, etc., all inadequate - Requires extensive renovation/new construction to meet program needs. 	<ul style="list-style-type: none"> - Inadequate juror facilities, access, circulation, HVAC, etc., all inadequate - Requires extensive renovation/new construction to meet program needs. 	<ul style="list-style-type: none"> - Requires minimal renovation 	<ul style="list-style-type: none"> - Full accommodation of juror facilities, including access, circulation, HVAC, etc.
Co-location of all 5 court departments in single location	<ul style="list-style-type: none"> - Superior Court and Law Library only at this location - Requires extensive renovation /new construction at compromise to historic building 	<ul style="list-style-type: none"> - Superior Court only at this location - Requires extensive renovation /new construction at compromise to historic building 	<ul style="list-style-type: none"> - Probate and Family Court only at this location - Could be adjacent to new facility with opportunity for future physical connection 	<ul style="list-style-type: none"> - Locates 4 out of 5 court departments
Probate & Family Court – total square footage needs in consolidated facility: Approximately 59,000 GSF required	<ul style="list-style-type: none"> - Existing building is 29,643 GSF - Requires extensive renovation / new construction at compromise to historic building. 	<ul style="list-style-type: none"> - Existing building is 12,315 GSF - Requires extensive renovation / new construction at compromise to historic building. 	<ul style="list-style-type: none"> - Existing building is 77,422 GSF (incl. 1970's addition) - Renovation and reuse of building planned for PFC functions 	<ul style="list-style-type: none"> - Probate and Family Court not planned for new facility; will remain in existing building after renovation
Superior Court – total square footage needs in consolidated facility: Approximately 44,600 GSF required	<ul style="list-style-type: none"> - Existing 29,643 GSF on 4 floors - Requires a significant new addition on limited site - Would compromise historic building 	<ul style="list-style-type: none"> - Existing 12,315 GSF. - Requires a significant new addition on limited site - Would compromise historic building 	<ul style="list-style-type: none"> - Renovation and reuse planned for Probate and Family Court functions 	<ul style="list-style-type: none"> - Fully accommodates Superior Court functions with secure and accessible facilities
District Court – total square footage needs: Approximately 37,000 GSF	<ul style="list-style-type: none"> - Existing 29,643 GSF on 4 floors - Requires a significant new addition on limited site - Would compromise historic building 	<ul style="list-style-type: none"> - Existing 12,315 GSF. - Requires a significant new addition on limited site - Would compromise historic building 	<ul style="list-style-type: none"> - Renovation and reuse planned for Probate and Family Court functions 	<ul style="list-style-type: none"> - Fully accommodates District Court functions with secure and accessible facilities
Juvenile Court – total square footage needs: Approximately 22,700 GSF	<ul style="list-style-type: none"> - Existing 29,643 GSF on 4 floors - Requires a significant new addition on limited site - Would compromise historic building 	<ul style="list-style-type: none"> - Existing 12,315 GSF. - Requires a significant new addition on limited site - Would compromise historic building 	<ul style="list-style-type: none"> - Renovation and reuse planned for Probate and Family Court functions 	<ul style="list-style-type: none"> - Fully accommodates Juvenile Court Functions with secure and accessible facilities
Housing Court – total square footage needs: Approximately 20,000 GSF	<ul style="list-style-type: none"> - Existing 29,643 GSF on 4 floors - Requires significant renovations to accommodate efficient courtroom layout - compromise historic building 	<ul style="list-style-type: none"> - Existing 12,315 GSF. - Requires a significant new addition on limited site - Would compromise historic building 	<ul style="list-style-type: none"> - Renovation and reuse planned for Probate and Family Court functions 	<ul style="list-style-type: none"> - Fully accommodates Housing Court functions with secure and accessible facilities
Secure Parking for Judges and senior staff, approximately 30 spaces	<ul style="list-style-type: none"> - No secure parking provided - Site restrictions for secure parking 	<ul style="list-style-type: none"> - No secure parking provided - Site restrictions for secure parking 	<ul style="list-style-type: none"> - Limited parking underneath building to be secured as part of renovation 	<ul style="list-style-type: none"> - Fully secure interior spaces
Public Law Library accessible, secure, and climate controlled in close proximity to consolidated courts	<ul style="list-style-type: none"> - Limited in size - Inaccessible - Poor configuration for staffing and operations - Insufficient climate control 	<ul style="list-style-type: none"> - Limited in size - Inaccessible - Poor configuration for staffing and operations - Insufficient climate control 	<ul style="list-style-type: none"> - Renovation and reuse planned for Probate and Family Court functions 	<ul style="list-style-type: none"> - Fully accommodates relocated Law Library in accessibility, security and climate control

Appendix B
ENF Circulation List

ENF Circulation List

Secretary Robert W. Golledge, Jr.
Executive Office of Environmental Affairs
Attn: MEPA Office
100 Cambridge St, Suite 900
Boston, MA 02114

Undersecretary for Policy
c/o Nancy Gabriel-Sackie
100 Cambridge St., Suite 900
Boston, MA 02114

Department of Environmental Protection
Commissioner's Office
One Winter St
Boston, MA 02108

DEP/Northeastern Regional Office
Attn: MEPA Coordinator
205B Lowell Street
Wilmington, MA 01887

Executive Office of Transportation &
Construction (EOTC)
Attn: Environmental Reviewer
10 Park Plaza, Room 3510
Boston, MA 02116-3969

Massachusetts Highway Department
Public/Private Development Unit
10 Park Plaza
Boston, MA 02116

MHD District #4
Attn: MEPA Coordinator
519 Appleton Street
Arlington, MA 02476

Metropolitan Area Planning Council
60 Temple Place, 6th Floor
Boston, MA 02111

Massachusetts Aeronautics Commission
Attn: MEPA Coordinator
10 Park Plaza, Suite 3510
Boston, MA 02116

Massachusetts Historical Commission
The MA Archives Building
220 Morrissey Boulevard
Boston, MA 02125

Representative John Keenan
Massachusetts State House
State House Room 146
Boston, MA 02133

Mayor Kim Driscoll
Salem City Hall
93 Washington Street
Salem, MA 01970

Salem City Council
Salem City Hall
93 Washington Street
Salem, MA 01970

Michael Sosnowski
City Councilor
Salem City Hall
93 Washington Street
Salem, MA 01970

Salem Planning Board
120 Washington Street, 3rd Floor
Salem, MA 01970

Lynn Duncan
City Planner
Salem Planning Department
120 Washington Street, 3rd Floor
Salem, MA 01970

Salem Conservation Commission
120 Washington Street, 3rd Floor
Salem, MA 01970

Salem Health Department
120 Washington Street, 3rd Floor
Salem, MA 01970

Salem Historical Commission
120 Washington Street, 3rd Floor
Salem, MA 01970

Massachusetts Bay Transit Authority
Attn: MEPA Coordinator
10 Park Plaza, 6th Floor
Boston, MA 02216-3966

Annie Harris
Essex National Heritage Commission
221 Essex Street
Salem, MA 01970

Barbara Cleary
Historic Salem, Inc.
9 North Street
Salem, MA 01970

Meg Twohey
Federal Street Neighborhood Alliance
122 Federal Street
Salem, MA 01970

Joseph Correnti
Serafini, Serafini, Darling & Correnti
63 Federal Street
Salem, MA 01970

Patricia Zaido
Executive Director
Salem Partnership
6 Central Street
Salem, MA 01970

Sumner Jones
Eastern Investment Advisors
605 Broadway, LF41
Saugus, MA 01906

Richard L'Heureux
Administrative Office of the Trial Court
Court Capital Projects
Two Center Plaza
Boston, MA 02108

Joan Goody
Goody Clancy Architects
440 Boylston Street
Boston, MA 02116