

BERKSHIRE REGIONAL PLANNING COMMISSION
Clearinghouse Review Report
Approved Comments

SUBJECT: Donnybrook Country Club Golf Course
EOEA #: #13093
LOCATION: Lanesborough
ESTIMATED COST: \$2,000,000
REVIEW TYPE: Supplemental Draft EIR (SDEIR)
PROPONENT: Donny Brook Inc.
COMMENTS DUE: Feb. 8, 2008

DESCRIPTION:

The applicant had proposed developing a public 18-hole golf course along Route 7 in Lanesborough, just north of the Brodie Mountain Road intersection. The golf course was to be located on both sides of Route 7, with the front 9 holes, parking lot, clubhouse and associated buildings on the western side of the road, and the back 9 holes on the eastern side of the road. The proposed golf course was to be located on a 365-acre parcel, including 172 acres on the front 9 holes and 193 on the back 9. The front 9 and back 9 holes were to be connected by a cart path or ford-way that ran underneath Route 7.

The vast majority of the golf course links would have been fashioned out of open fields that have historically been used for agriculture (most recently for hay production). An existing historic stone farmhouse will be utilized for the clubhouse. Typical golf course features on the site would include course fairways, greens, tees, sand/water hazards, cart paths, bridges, culverts and drainage infrastructure, irrigation system, lightning shelters, clubhouse, maintenance buildings and parking lot. A new drinking water well and new septic system will also be developed. A stormwater infiltration basin will capture runoff from the parking lot.

Over the past several years the owner of the property has been clearing and regrading the site. In 2001 DEP issued an *Administrative Consent Order with Penalty* regarding the construction of the front 9 holes and impacts to wetlands beginning 1998.

According to the SDEIR, wetlands mitigation has been completed and approved by the DEP. At this time, it appears that most construction involving the golf course has been completed. Construction involving the clubhouse activities, at least the reconfigured parking, has also been substantially completed at this point.

This is the fourth MEPA review of the Donnybrook Country Club Golf Course. An ENF was filed and a MEPA Certificate was issued in August of 2003. That certificate required the filing of an EIR. A Draft EIR was submitted and a MEPA Certificate was issued in January 2006. The January 2006 Certificate ordered that a Supplemental DEIR be filed, and it listed several areas in which additional information should be provided in the upcoming DEIR. The certificate is consistent with BRPC's recommendation that the proponent provide additional information as a supplement to the DEIR or provide it in a forthcoming Final EIR. The third MEPA filing was a

Notice of Project Change (NPC) in December 2006, which was for the reduction of the golf course from 18 holes to 9 holes. The Secretary's Certificate for the NPC (January 2007) required the proponent to file a Supplemental DEIR, and it scoped out the areas that would be covered in the SDEIR.

Most of the required state permits have been acquired, including a recently-issued Conditional Approval from the DEP for the new drinking water source. This recent approval was awarded, despite DEP Western Region's policy to withhold all permits until the MEPA process has been completed. The only outstanding state permits for the project are the curb cut from MassHighway, which is expected to be issued post-MEPA, and a potential Water Management Permit, which is still under negotiation between the proponent and DEP.

The proponent has stated in the cover letter accompanying the SDEIR that the downsized project no longer meets any MEPA thresholds; this claim was reiterated again at a BRPC meeting on January 28th. However, it should be noted that the proposed project does continue to meet the ENF threshold for Land Alteration (the project involves 41 acres of alteration), and thus continues to justifiably be under MEPA purview.

CONSIDERATIONS AND POTENTIAL ISSUES:

During the review of the NPC, BRPC stated its concern that the decision to abandon the back 9 holes may result in project segmentation. That concern remains today. If the proponent, or any future owner, decides in the future that expanding the golf course into an 18-hole course is desirable, then the project should be required to re-enter the MEPA process. Future MEPA review on this project should not be restricted to the back 9 holes – it should include the project in its entirety, which is an 18-hole country club golf course, beginning from the initial construction in 1998.

The Secretary's Certificate of January 2007 reiterated the areas in which the proponent should provide additional information about the impacts of the project, including the total land area being altered, the cumulative impacts to wetland resources and buffer areas, the conducting of an alternative analyses, and proposed measures to mitigate the cited impacts. The certificate also requested information on how the proponent will manage the turf program that that wetlands, groundwater and rare species are not impacted from fertilizer and pesticide usage.

To a great extent, the SDEIR complies with the Secretary's Certificate of 2007, providing information relevant to impacts on land disturbance/alteration, wetlands, rare species, and groundwater. One glaring omission is water quality monitoring and testing, the results of which were to be included in the SDEIR.

Alternative Analysis:

The only analysis criteria that was used consistently in evaluating the alternatives appears to be the Summary of Impact This Layout table and Tee to Green tables. These are useful, and do help to justify the preferred layout for the course regarding land alteration and wetland resource impacts. However, the alternatives analyses does not consistently compare other factors such as tee-to-green lengths or slope, distance between greens and tees, and strategic positioning of the

18th hole, all of which were cited as important criteria in designing a golf course. Although a variety of pars is strongly recommended throughout the discussion, we are not given the pars of the holes or the pars for the courses of the three alternatives.

The Alternative Analysis states that several conceptual layouts were prepared since the inception of this project, but it does not state why the three layouts discussed in the SDEIR were chosen. BRPC was told that various golf course architects were involved in previous designs, but it is unclear if the layouts from these professionals are included in the alternatives analysis.

The Alternative Analysis did not consider options to limit permanent impacts to wetland resources or buffer areas. For instance, BRPC asked the proponent if they considered altering the fairway crossings at holes #2 and #7, perhaps backing the fairway away from the stream crossings and creating an interrupted fairway, as was done on hole #3. BRPC also asked if this could be done to minimize fairway square footing to reduce permanent impacts to buffer zones throughout the course. The proponent did not show any interest in making these relatively simple changes in design to reduce fairway area, the goal of which would ultimately be to reduce chemical applications in close proximity to wetland resources.

Please note that the back 9-hole layout in the SDEIR is not the layout submitted in the DEIR, as stated.

Water Quality:

Surface and ground water quality are a major concern for BRPC and for the Town of Lanesborough. The project site is at the headwaters of the Housatonic River Watershed, and the area drains into Town Brook, along which is located the Town of Lanesborough's drinking water supply wells. Thus, any chemical leaching into surface or groundwater could contaminate the drinking water wells or Town Brook itself.

The Secretary's Certificate stated that the SDEIR should "analyze the potential for nitrogen loading into wetlands areas on the project site from fertilizers, pesticides, and herbicides and project related wastewater. The SDEIR should describe the proposed water quality monitoring plan, action thresholds and management responses outlined in the IPM Plan." The SDEIR does not provide this information. BRPC, in its most recent MEPA comments, requested that the proponent determine if the proposed course will withdraw water from the same aquifer that the proposed Snowy Owl resort will draw from. Although the proponent stated at a BRPC meeting that the course will not draw water from the same aquifer, they have not produced any data or evidence to demonstrate this.

The SDEIR states that Building #6 will be used for chemical storage (herbicide, pesticide, fertilizer), but it does not explain what SOPs will be in place to minimize spillage and release of chemicals during loading, cleaning and maintenance of equipment. The proponent has stated that all chemical loading will take place inside the building, but that no SOPs had been formally drafted or adopted.

Turf Management

The proponent has stated that the turf management program has been designed by a turf expert and that a certified golf course superintendent has been overseeing the implementation of the program. The incoming superintendent will have all the necessary certifications. In addition, the proponent has stated a desire to limit chemical applications and manage the course organically in the future. This does provide some assurances that chemical applications will be conducted in a professional manner. However, chemical migration remains a concern. According to the Integrated Pest Management Plan, located within the DEIR of 2005, Phase I baseline water quality samples were to be taken before golf course construction began. This obviously did not occur. Phase II samples were to be taken after the establishment of turfgrass. Although turf has been established, these samples were also not taken. The Secretary's Certificate illustrated a deep concern with surface runoff and drainage discharges from the golf course. The Certificate requested the proponent to evaluate surface runoff and drainage discharges, and to provide the results of such analyses in the SDEIR. This was not done. It is unfortunate that monitoring was not conducted during 2006 and 2007, which were the first two years of chemical applications to the golf course. A lack of water quality data is a seriously missed opportunity for this proponent and this site.

Various Management Plans

The SDEIR indicates that several management plans, , i.e. the Turf Management Plans, Integrated Pest Management Plan, Rare Plant Management Plan, Groundwater Monitoring Plan, Stormwater BMP O&M Plan, and Annual Pesticide Use Report, have been developed for this project. It is unknown if these documents have been submitted to the appropriate local and state oversight boards.

RECOMMENDATION

BRPC strongly reiterates its previous recommendation regarding project segmentation. If at any point in the future the eastern 9 holes, which were previously part of this project, are proposed, a full EIR should be required to analyze the cumulative impacts of the full 18-hole golf course, beginning with construction in 1998.

The very large amount of unmitigated riverfront alteration and permanent buffer zone alteration remains a concern. We feel the proponent can do more to minimize the project's footprint and potential impacts in wetland resource areas. We urge the proponent to investigate areas where it may be possible to reduce fairway areas in buffer zones and riverfront in the preferred alternative design. The proponent should specifically consider reducing square footage of fairway around the streams on holes #2 and #7 by interrupting fairway coverage as was done on hole #3. This would reduce the need for turf management in these sensitive areas.

To ensure that chemical applications are in keeping with turf management goals, the Integrated Pest Management Plan should be amended to clearly show where chemicals are to be applied and where chemical application is to be avoided. The plan should also clearly state the chemical mixes and application rates.

The water quality monitoring program that was outlined in the Integrated Pest Management Plan has not been conducted. Given the proponent's history of conducting unpermitted activities on this site, and given that this site is upstream of the Town of Lanesborough's drinking water source, BRPC is concerned about future water quality being impacted from golf course activities. The proponent has stated that they will conduct a water quality monitoring program, although it is unclear where the testing stations will be. In addition, at the BRPC Clearinghouse Review Committee meeting on January 28, 2008, the proponent offered to provide a form of financial surety to the Town of Lanesborough to ensure that water quality monitoring was successfully conducted in accordance with the monitoring program. The BRPC urges the proponent to work with the Town of Lanesborough and the DEP to develop a water quality monitoring program and choose monitoring sites that will be protective of the environment and the residents of Lanesborough. The BRPC also urges the Town of Lanesborough take up the proponent's offer of a financial surety to ensure future monitoring of surface and groundwater quality, and to develop a contingency plan in the event that water quality is shown to be degraded due to turf management activities at the site.

BRPC encourages local permitting boards to work cooperatively and in the future to withhold issuing permits until the MEPA process has been initiated. The intent of MEPA is to review and analyze the cumulative potential environmental and cultural impacts of large development projects, and this can only be done if local and state permitting authorities work cooperatively and within the same project timeline. BRPC was dismayed to learn that DEP had recently issued a Conditional Approval for the drinking water permit. This is not in keeping with their policy to withhold final permits until the MEPA process has been completed.

It is hoped that the DEP can require the proponent to monitor groundwater closely to ensure that groundwater quality at the site and within Town Brook is not impaired by activities related to the golf course.

These draft comments were approved as amended by the BRPC Clearinghouse Review Committee on January 28, 2008. Final comments were approved and forwarded to MEPA following the BRPC Executive Committee after their meeting of February 7, 2008.