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September 21, 2007

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS
ON THE
2nd NOTICE OF PROJECT CHANGE

PROJECT NAME: Mount Greylock Historic Parkway Rehabilitation
PROJECT MUNICIPALITY: Adams, North Adams, Cheshire, New Ashford,
Williamstown, Lanesborough
PROJECT WATERSHED: Hoosic and Housatonic
EOEA NUMBER: 12843
PROJECT PROPONENT: MA Department of Conservation and Recreation
DATE NOTICED IN MONITOR: August 22, 2007

Pursuant to the Massachusetts Environmental Policy Act (M. G. L. c. 30, ss. 61-62H) and Section 11.10 of the MEPA regulations (301 CMR 11.00), I have reviewed the Notice of Project Change (NPC) submitted on this project and hereby determine that it **does not require** further MEPA review. The NPC proposes the installation and operation of a temporary portable bituminous concrete batch plant on a site in the Mt. Greylock State Reservation as part of the Historic Parkway Rehabilitation project.

Project Description

As originally outlined in the Expanded Environmental Notification Form (EENF) submitted in July 2002, the project consisted of safety repairs and rehabilitation to 13.5 miles of roadways in the Department of Conservation and Recreation's (DCR) Mount Greylock State Reservation in Berkshire County. The reservation includes 12,000 acres in the Towns of North Adams, Adams, Cheshire, Williamstown, New Ashford, and Lanesborough. Included in the Reservation is the Mount Greylock Summit Historic District, which is listed in the National Register of Historic Places. This project includes repairs to the Mount Greylock summit roadways including Notch Road, Rockwell Road, and Summit Road.

The project consists of parkway rehabilitation and associated activities including drainage improvements (involving substantial improvements to culverts); safety improvements; improvements to and installation of retaining walls; and reestablishment of scenic overlooks and vistas. The project is a Demonstration Project under the Executive Office of Energy and Environmental Affairs (EEA) Historic Parkways Initiative (HPI), an interagency initiative designed to preserve and restore the Commonwealth's historic parkways and associated features and significant scenic and cultural landscape resources.

The Certificate on the EENF stated that the project did not require further review in the form of an Environmental Impact Report (EIR). The Certificate included several conditions on the project, including measures to protect rare plants and animals during and after construction. In 2006 DCR filed a Notice of Project Change due to a lapse of time in the commencement of the project and because it proposed to add two utility lines into the road section of Summit Road. The October 11, 2006 Certificate on the NPC stated that the proposed change did not require further MEPA review.

Project Change Description

The current NPC does not involve any changes to the project plans or proposed work for the Historic Parkway Rehabilitation project. The NPC proposes the temporary installation and operation of a portable bituminous concrete plant to be located in an area known as Staging Area R-01B. The staging area is currently being used for the storage and processing of project materials and is located below the Mt. Greylock State Reservation Visitor Center on state land in the Town of Lanesborough. The asphalt produced at the batch plant will be used exclusively within the DCR Reservation; none of it will be exported for use on any other project. The staging area is not located in or near rare species habitat.

The DCR is the Proponent for the Historic Parkway Rehabilitation. In May of 2007 the Proponent's contractor, J.H. Maxymillian, Inc. (Maxymillian) provided DCR with a request to establish the concrete plant at the staging area. The portable batch plant is being proposed to reduce truck traffic to and from the project site, and to keep the project within the proposed timeline and budget. DCR is currently reviewing the contractor's request and will issue a decision on the request following the issuance of this Certificate and required state and local permits for the plant.

Jurisdiction

The project was originally subject to environmental review pursuant to Section 11.03(2)(b)(2) of the MEPA regulations because it will result in a prohibited "take" of three species protected under the Massachusetts Endangered Species Act (MESA). The project as outlined in the EENF required a Conservation and Management Permit from the Division of Fisheries and Wildlife Natural Heritage and Endangered Species Program (NHESP), and Orders of Conditions from the six municipalities in which the parkway is located. The project also

requires Department of Environmental Protection (MassDEP) Approval of National Pollutant Discharge Elimination System (NPDES) Stormwater Pollution Prevention Plans (SWPPP) for Construction or Industrial General Permits Discharging to Outstanding Resource Waters (ORWs).

The proponent received a Conservation and Management Permit from NHESP in 2003. DCR has also received all required Orders of Conditions (OOCs), and in conjunction with the 1st NPC, requested extensions on the OOCs. The SWPPP was submitted to MassDEP for approval under the BRP WM 09 regulations in April of 2007. The proposed portable batch plant requires a Non-Major Comprehensive Plan approval (BWP AQ 02) for air quality from the Department of Environmental Protection (MassDEP).

Because the Proponent is an agency of the Commonwealth, MEPA jurisdiction extends to all aspects of the project that may cause significant Damage to the Environment as defined in the MEPA statute.

Review of the NPC

The portable batch plant will be approved to run up to 39 weeks per year from April through November, 5 days per week, for a maximum of 3,000 hours. Maxymillian expects to actually operate the plant for a maximum of 500 hours during the 2008 construction season. The plant will burn approximately 196,000 gallons of ultra-low sulfur distillate oil per year. The plant is expected to generate the following emissions:

Estimated emissions from portable batch plant	MassDEP allowable yearly emissions limits from a single source for Western MA
1 ton per year (tpy) of particulate matter (PM)	100 tpy of PM
4.35 tpy of nitrogen oxide (NO _x)	50 tpy of NO _x
4.17 tpy of carbon monoxide (CO)	100 tpy of CO
0.4 tpy of sulfur dioxide (SO ₂)	100 tpy of SO ₂
2.48 tpy of volatile organic compounds (VOCs)	50 tpy of VOC
0.35 tpy of hazardous air pollutants (HAP)	25 tpy of HAPs

MassDEP anticipates issuing a temporary permit under the Non-Major Comprehensive Plan Approval for the batch plant for 2008. As noted in MassDEP's comments, if the use of the plant needs to be extended past 2008, a third NPC and revised plan approval would be required.

According to the NPC, locating the batch plant at the site will save approximately 5,000 truck load deliveries, saving approximately 20,000 gallons of fuel. The NPC estimates that the following air emissions will be eliminated due to reduced truck trips:

- 125 lbs of particulate matter (PM)
- 4,900 lbs of nitrogen oxide (NO_x)
- 38,000 lbs of carbon monoxide (CO)
- 1,230 lbs of total hydrocarbons (THC)

Several commenters have noted that Rockwell Road could serve as an alternative location for the batching plant, however due to the presence of rare species the site below the Visitor Center was selected as the preferred alternative. NHESP has stated in its comments on the NPC that it does not have any concerns about the temporary installation and operation of the batching plant in Staging Area R-01B. Maxymillian is currently installing the new batch plant at a private site in North Adams. Maxymillian intends to move the plant to Lanesborough in 2008 if permitted to do so by the DCR. I note that concerns regarding the use of state parkland for the location of a batching plant could be addressed by keeping the plant in North Adams.

The Proponent submitted a letter from the Town of Lanesborough Board of Selectmen with the NPC. The letter indicates that while the Selectmen have concerns about the visual, noise and air impacts of the batching plan, the portable plant would most likely be preferable to the transport of material over local roads by trucks. The EENF also included a letter from the Mt. Greylock Advisory Council in which the Council stated their strong support for the proposal.

The Proponent should note comments from MassDEP regarding the Department's review of anticipated discharges to ORWs. MassDEP requested additional information from the Proponent on proposed stormwater pollution control measures in a July 23, 2007 letter. Additional information on stormwater discharges associated with the proposed batching plant must be submitted to Surface Water Discharge Permit Program as noted in MassDEP's comments on the NPC.

Conclusion

Based on a review of the information provided in the NPC, and after consultation with the relevant public agencies, I find that the potential impacts of this project change do not warrant the preparation of an EIR. No further MEPA review is required at this time.



Ian A. Bowles

September 21, 2007
Date

Comments Received:

- 9/4/2007 Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program
- 9/5/2007 Berkshire Regional Planning Commission
- 9/5/2007 J.H. Maxymillian, Inc.
- 9/6/2007 Department of Environmental Protection, Division of Watershed Management
- 9/11/2007 Green Berkshires, Inc.
- 9/11/2007 Department of Environmental Protection, Western Regional Office

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