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September 7, 2007

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : Reconstruction of Foundry Street (Route 123)
PROJECT MUNICIPALITY : Easton
PROJECT WATERSHED : Taunton
EEA NUMBER : 14072
PROJECT PROPONENT : MassHighway/Town of Easton
DATE NOTICED IN MONITOR : August 8, 2007

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and Section 11.03 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **does not require** the preparation of an Environmental Impact Report (EIR).

As described in the Environmental Notification Form (ENF), the project consists of reconstructing and widening Foundry Street (Route 123) and shoulders to provide a consistent cross-section and the construction of sidewalks and a formal drainage system (pipe and catch basin). The project is approximately 1.65 miles in length and will extend from the intersection of Route 106 and Foundry Street to the Easton/Norton Town line. The project will widen the road to two 11.5-foot travel lanes, two 4.1-foot roadway shoulders, and two 5.0-foot sidewalks. A 4.1-foot grass strip is proposed between the roadway and the sidewalks. According to the ENF narrative, a sidewalk is not proposed on the west side of Foundry Road between Norton Street and Old Foundry Street to limit wetland impacts.

The project will include a formal drainage system consisting of catch basins and manholes connected via concrete drainage pipes. Most of the roadway stormwater will be

directed to various existing detention ponds or swales associated with nearby residential developments or existing adjacent roadways. The project has been designed to provide pedestrian accessibility in compliance with the Americans with Disabilities Act (ADA) Standards, provide bicycle accommodations, improve overall pedestrian and vehicle safety, and provide a consistent roadway cross-section. The project is located within the Canoe River Aquifer Area of Critical Environmental Concern (ACEC). The project will require the removal of approximately ten (10) public shade trees.

The project is undergoing review pursuant to Sections 11.03(6)(b)(1)(b) and 11.03(6)(b)(2)(b) because it will receive State funding and will involve the widening of an existing roadway by four or more feet for one-half or more miles and cut five or more living public shade trees of 14 or more inches in diameter at breast height. The project also requires review under Section 11.03(11)(b) because the project is located in the Canoe River Aquifer Area of Critical Environmental Concern (ACEC). The project has received an Order of Conditions from the Easton Conservation Commission and the subsequent appeal period has expired. No additional State permits have been identified for the project. The project will require a National Pollutant Discharge Elimination System (NPDES) Construction General Permit issued by the United States Environmental Protection Agency (U.S. EPA). The project will require a Section 404 Permit from the United States Army Corps of Engineers (U.S. ACOE). The project will also require a NEPA Categorical Exclusion and review under Section 106 of National Historic Preservation Act.

The project will be financed in part by Massachusetts Highway Department Funding (20%). Therefore, MEPA jurisdiction for this project is broad and extends to all aspects of the project that are likely, directly or indirectly, to cause Damage to the Environment.

Wetlands

The project will impact a total of approximately 2996 square feet (sf) of Bordering Vegetated Wetland (BVW) and 9.65 linear feet of Bank. The proponent has proposed a wetland replacement (creation) project on Town owned land off Red Mill Road in an area proximate (but not adjacent) to the roadway improvements. According to the Order of Conditions issued by the Easton Conservation Commission, this replacement will consist of the expansion of an existing BVW by a total of 4,564 sf. This ratio of wetland creation (1.5:1) will require diligent monitoring by the proponent to ensure its viability and success, as wetland creation projects tend to have lower success rates than other types of wetland mitigation projects. Given the location of the project site in the ACEC, I encourage the proponent to commit to the monitoring requirements established by the Easton Conservation Commission and applicable Best Management Practices (BMPs) for wetland replication projects.

As discussed at the MEPA site consultation session, the Easton Conservation Commission has mandated that the project proponent offset tree removal in the vicinity of the Certified Vernal Pool near the intersection of Foundry Street and Sandstone Drive. The proponent should replace trees cut in this area with trees of the same species as those removed at

a ratio of 2:1. This work should be conducted in accordance with the conditions outlined in the Order of Conditions.

The proponent has indicated no temporary impacts to wetlands are anticipated. The remaining wetland impacts, as noted in the ENF, will be permanent in nature due to the widening of the road and construction of sidewalks. The existing grades adjacent to Foundry Street are relatively flat, limiting grading beyond the immediate work area.

Stormwater

Under existing conditions the project area does not contain any formalized drainage structures; drainage is conveyed via sheet flow in a "country" drainage system. The project will create a structured drainage system using catch basins and manholes connected via concrete drainage pipes. The ENF indicates that the project will comply with the Massachusetts Department of Environmental Protection (MassDEP) Stormwater Management Policy. Stormwater will be conveyed via gravity flow; no new pump stations are proposed. Stormwater from five separate drainage areas will be conveyed to existing infrastructure (detention basins, vegetated swales or leaching basins). At the MEPA site consultation session it was noted that discharge points from these drainage areas would include: existing detention basins on Sandstone Drive and Canoe River Road, an existing vegetated swale on Norton Street, an existing closed stormwater system along Highland Street, and existing leaching basins near the shopping center at the intersection of Foundry Street and Route 106. The proponent must prepare an erosion and sedimentation control plan in accordance with the NPDES CGP requirements and should implement BMPs during the construction phase to limit off-site impacts.

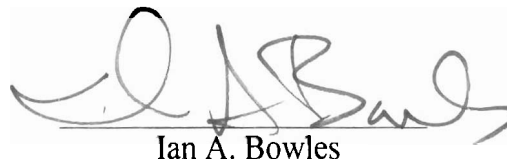
Traffic/Transportation

The ENF states that the purpose of the project is to improve safety along Foundry Street for motorists, bicyclists, and pedestrians, and to improve the drainage system. The project will not facilitate an increase in capacity of the roadway. The project will meet the minimum MassHighway design standards, resulting in a reduction in impact on wetland resource areas and public shade trees, in lieu of strict adherence to MassHighway standards for an arterial roadway.

Based on the information in the ENF and after consultation with relevant public agencies, I find that no further MEPA review is required at this time. The project may proceed with obtaining required State permits.

September 7, 2007

Date



Ian A. Bowles

Comments received:

08/17/2007 Old Colony Planning Council

08/28/2007 **Massachusetts Department of Environmental Protection** – Boston

08/28/2007 Department of Conservation and Recreation – Area of Critical Environmental Concern (ACEC) Program

IAB/HSJ/hsj