



*The Commonwealth of Massachusetts*  
*Executive Office of Energy and Environmental Affairs*  
 100 Cambridge Street, Suite 900  
 Boston, MA 02114

Charles D. Baker  
 GOVERNOR

Karyn E. Polito  
 LIEUTENANT GOVERNOR

Kathleen A. Theoharides  
 SECRETARY

Tel: (617) 626-1000  
 Fax: (617) 626-1081  
<http://www.mass.gov/eea>

May 22, 2020

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

PROJECT NAME : Bridge Replacements N-19-059 (I-91 Over US 5 & BMRR) & N-19-060 (I-91 Over Hockanum Road) and Associated Improvements to U.S. Route 5 at I-91 Interchange 18  
 PROJECT MUNICIPALITY : Northampton  
 PROJECT WATERSHED : Connecticut River  
 EEA NUMBER : 16192  
 PROJECT PROPONENT : Massachusetts Department of Transportation  
 DATE NOTICED IN MONITOR : April 22, 2020

Pursuant to the Massachusetts Environmental Policy Act (MEPA; M.G. L. c. 30, ss. 61-62I) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **does not require** an Environmental Impact Report (EIR).

Project Description

As described in the Environmental Notification Form (ENF), the project consists of replacement of two bridges and substantial upgrades to U.S. Route 5 in Northampton. The Massachusetts Department of Transportation (MassDOT) proposes to replace two existing Interstate 91 (I-91) bridges: N-19-059 (Bridge 059) over Route 5 and the Boston & Maine Railroad (BMRR); and N-19-060 (Bridge 060) over Hockanum Road. The purpose of the project is to address structural deficiencies and functional obsolescence on the bridges and associated roadway elements within the project limits. The project will also improve multimodal accommodations, reduce vehicle congestion, and improve safety for all modes of transportation through the Route 5 (Mount Tom Road) corridor in Northampton. MassDOT will maintain all elements of the project.

Proposed improvements on Route 5 will require expanding the roadway's embankment on the west side to add dedicated right-turning lanes on Route 5 southbound (SB) at the I-91 SB and northbound (NB) on-ramps, a sidewalk on the west side (five- to six-foot wide), and bike lanes to both sides (five-foot wide).

Bridge 059 will be replaced with a superstructure on new abutments and piers on the same alignment. New pier foundations will be located in the same configuration as existing foundations, with columns more widely spaced to support the additional width associated with widening I-91 NB and SB bridges to new out-to-out widths<sup>1</sup> of 51 feet 10.5 inches.

Bridge 060 will be replaced within the existing alignment, including foundations and superstructures. The pavement width on I-91 will be increased by four feet in each direction (NB and SB) by increasing the width of all shoulders by two feet. On both the NB and SB bridges, the two travel lanes will remain 12 feet wide, the inside shoulder will increase to six feet wide, and the outside shoulder will increase to 12 feet wide. Hockanum Road lane widths will match existing. A bituminous path will be provided on the north side of Hockanum Road.

### Project Site

The 55.6-acre project area is located approximately three-quarters of a mile south/southeast of downtown Northampton, in an area zoned Special Conservancy (SC). I-91 and U.S. Route 5 are maintained by MassDOT. I-91 NB and SB roadways each consist of two 12-foot through lanes, a 4-foot inside shoulder, and a 10-foot outside shoulder. Route 5 consists of one 12-foot through lane in each direction, plus a dedicated left-turn lane for NB travelers and wider SB lanes at signalized intersections to access ramps. On Route 5, outside shoulder widths range from approximately one to 10 feet wide and overall paved width varies from approximately 43 feet to 49 feet. Hockanum Road is a local two-lane road, approximately 20 feet wide, with no line striping to define lanes or shoulders. Route 5 SB lacks dedicated right-turning lanes at the I-91 NB and SB on-ramps; sidewalks; and dedicated bike lanes within the project limits.

The I-91 NB Bridge 059 has a total out-to-out width of 46 feet 2 inches and carries two 12-foot travel lanes, a 12-foot auxiliary lane/outside shoulder, and a 4-foot inside shoulder. The I-91 SB Bridge 059 has a total out-to-out width of 44 feet 2 inches and carries two 12-foot travel lanes, a 10-foot outside shoulder, and a 4-foot inside shoulder. Bridge 059 is structurally deficient. In addition, I-91 shoulder widths on the approach roadways and bridge, and I-91 acceleration/deceleration lanes do not meet MassDOT's guidelines/standards. The clearance under the SB bridge over the BMRR is 22 feet 9 inches (23 feet is desirable).

The I-91 NB and SB bridges 060 each have a total out-to-out width of 44 feet 2 inches and carry two 12-foot travel lanes, a 10-foot outside shoulder, and a 4-foot inside shoulder. Bridge 060 is functionally obsolete because the SB bridge has inadequate clearance over Hockanum Road. In addition, I-91 shoulder widths on the bridge do not meet MassDOT's guidelines.

The intersection of I-91 NB ramp/Route 5 currently operates at a substandard Level of Service (LOS) F based on a traffic analysis conducted at the signalized intersections of Route 5 with I-91 NB

---

<sup>1</sup> Total width including concrete parapet walls

and SB ramps. In the year 2039, under current conditions (i.e. without the project), traffic operating conditions at this intersection are anticipated to worsen with increased delays for motorists (backups are projected to range between 800 feet to 1,200 feet).

Wetland resource areas located within the project area include Bordering Vegetated Wetlands (BVW) and its 100-foot Buffer Zone and Bordering Land Subject to Flooding (BLSF). The area around Bridge 059 consists of a mix of: commercial development on Route 5 north and south of the project limits; transportation infrastructure associated with the I-91, ramps, Route 5, a MassDOT maintenance yard, and the BMRR rail line; vegetated areas including mowed lawn (in the I-91 NB ramp infield) and natural wooded areas; wetlands and a wildlife refuge (the Silvio O. Conte National Fish and Wildlife Refuge) adjacent to the highway right-of-way (ROW) east of the bridge; and a wastewater treatment plant located north of the Route 5 project limits. The area around Bridge 060 (Hockanum Road) consists of predominantly agriculture, with residential development limited to areas west of the levee.

### Environmental Impacts and Mitigation

Environmental impacts associated with the project include alteration of 2.2 acres of land; creation of 0.71 acres of new impervious area; and alteration of 8,862 square feet (sf) of BVW (174 sf permanent and 8,688 sf temporary) and 33,688 sf of BLSF. Measures to avoid, minimize or mitigate Damage to the Environment include replication of BVW; provision of compensatory storage for loss of flood storage; upgrades to the stormwater management system to improve water quality through use of best management practices (BMPs) and Low Impact Development (LID); and implementation of construction-period BMPs.

### Jurisdiction and Permitting

This project is subject to MEPA review and preparation of an ENF pursuant to 301 CMR 11.03(3)(b)(1)(d) and 301 CMR 11.03(3)(b)(1)(f) because it requires an Agency Action and will alter 5,000 or more sf of BVW and one-half or more acres of other wetlands (BLSF). The project requires a Section 401 Water Quality Certification (WQC) from the Massachusetts Department of Environmental Protection (MassDEP).

The project requires a National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) from the U.S. Environmental Protection Agency (US EPA). The Northampton Conservation Commission issued an Order of Conditions for the project on May 8, 2020.

Because MassDOT is the Proponent and will provide Financial Assistance for the project, MEPA jurisdiction for any future review would be broad in scope and extend to all aspects of the project that may cause Damage to the Environment, as defined in the MEPA regulations.

### Review of the ENF

The ENF provides a description of existing and proposed conditions, project plans, a discussion of project alternatives, and identifies measures to avoid, minimize, and mitigate project impacts.

MassDOT evaluated alternatives (No Action, Alternative Alignments, and Preferred Alternative)

to meet the project purpose while limiting impacts to environmental resources and private property. The No Action Alternative would not meet the project purpose because the I-91 bridges would continue to deteriorate; the I-91 roadway shoulders on the bridge would not meet MassDOT guidelines; and the low clearance at both bridges would not be addressed. Although impacts to resource areas could be reduced or avoided by eliminating work proposed on Route 5 associated with the sidewalk, bike lanes and turning lanes, the No Action Alternative would not improve vehicular safety and operational improvements, address congestion on Route 5, nor incorporate MassDOT's Healthy Transportation Policy that provides accommodations for pedestrians and bicyclists. With proposed geometric and signal timing/phasing improvements at the I-91 NB ramp/Route 5 intersection, along with co-ordination with the intersection of I-91 SB ramp, both intersections are projected to operate acceptably.

Keeping bridges on the same alignment would avoid the need to shift I-91 approach embankments and minimize costs, and impacts to adjacent wetlands and private property. Route 5 is constrained by wetlands on both sides, ramp intersections, and bridge piers and abutments. The ENF indicates that relocating bridges or Route 5 to a new alignment in the project area would significantly increase costs and impacts to wetland resource areas. By staying on the same alignment, private property and ROW impacts are also avoided.

MassDOT considered alternative lane/sidewalk widths, intersection configurations, and slope treatments for the Preferred Alternative. Lengthy turning lanes and a standard slope (2 horizontal:1 vertical) were dismissed because of increased wetland and floodplain impacts. An early 25 percent design concept along Route 5 would have resulted in approximately 2,894 sf of permanent BVW impact and 2,676 cubic yards of fill in BLSF. By proposing a tiered 1:1 mechanically stabilized earth (MSE)<sup>2</sup> slope along the SB side of Route 5, the Preferred Alternative will significantly reduce impacts to BVW and BLSF. MSE slopes will minimize impacts to wetlands and BLSF because it will allow a 1:1 slope and cost less than a traditional retaining wall. According to the ENF, impacts to BVW and BLSF were unavoidable because no feasible alternative meets the project purpose and would result in less impacts to resource areas. Feasibility takes into account cost, constructability and other environmental impacts. The Preferred Alternative will include:

- 5-foot NB bike lane/shoulder, 12-foot NB through lane, 12-foot NB left-turn lane/painted median; and
- 12-foot SB through lane; 11-foot SB right-turn lane at each on-ramp<sup>3</sup>; 5-foot SB bike lane/shoulder; and 5-foot sidewalk on the SB side.

Although 11-foot through-lanes would further reduce impacts, 12-foot lanes were required to comply with Engineering Directive E-14-006 and National Highway System (NHS) requirements. Similarly, narrowing proposed bike lanes and sidewalk would not provide an effective multimodal accommodation. BLSF and BVW impacts could be avoided only by eliminating proposed bike lanes and sidewalk which would not improve multimodal accommodations. The ENF indicates that the Preferred Alternative includes widening shoulders on I-91 because it meets the project purpose without increasing environmental impacts; fill will be added to only the higher portions of the embankment where there are no wetland resource areas.

---

<sup>2</sup> Geotextile fabric staked into the ground

<sup>3</sup> Right-turn lanes are required to improve the LOS at the intersections

The traffic analysis identified the provision of turning lanes as the most effective way to alleviate congestion on Route 5 and improve the LOS at its intersections with the I-91 ramps. MassDOT considered designing a grass or gravel strip of land between the Route 5 SB curb and the sidewalk to improve safety (by providing greater separation between traffic and pedestrians); this option was rejected because it would increase impacts to the floodplain and BVW.

MassDOT's Healthy Transportation Policy recommends a minimum of one sidewalk on each side of Route 5 and Hockanum Road and bicycle accommodations. Design exceptions have been requested as the Preferred Alternative will only provide a sidewalk on the west side of Route 5 and no sidewalks on Hockanum Road, and it will not fully address the clearance over Hockanum Road. A gravel path will be provided on Hockanum Road. The project will address the other deficiencies on the bridges and Route 5.

### *Wetlands and Stormwater*

The Northampton Conservation Commission reviewed the project to determine its consistency with the Wetlands Protection Act (WPA), the Wetlands Regulations (310 CMR 10.00), and associated performance standards, including the Massachusetts Stormwater Management Standards. It issued an Order of Conditions on May 8, 2020. MassDEP will review the project to determine its consistency with the 401 WQC regulations (314 CMR 9.00). MassDEP comments do not identify outstanding issues that warrant further MEPA review.

The project is anticipated to result in alteration of 8,862 sf of BVW including the permanent fill of 174 sf of BVW (Wetland 2B) to widen Route 5 to provide right-turn lanes, bike lanes, and a sidewalk. Mitigation includes replication of 215 sf of BVW in an upland area adjacent to Wetland 1. The project will temporarily alter an additional 651 sf of BVW in the same location (Wetland 2B) during construction. Reconfigured pier columns will have a net 0 sf permanent impact in Wetland 1 because replacement columns within the wetland will have the same diameter as existing columns. Timber matting to support construction equipment under the bridge will temporarily impact 8,037 sf of BVW in Wetland 1 for a duration of two to three years during construction. Temporary impacts to wetland resource areas will be restored in-kind.

The project will fill approximately 33,688 sf of BLSF (50,597 cubic feet (cf)) to widen Route 5 and will create approximately 11,880 sf of new BLSF as compensation. Proposed mitigation includes the provision of 51,219 cf of compensatory flood storage within the project area. Compensatory flood storage is provided on an incremental foot-by-foot basis with the exception of the area between elevations 121 and 123 due to site constraints. The ENF indicates the loss of flood storage at these elevations is compensated at lower elevations on a foot-by-foot basis. Areas of temporary disturbance to BLSF will be restored to pre-existing conditions and stabilized with appropriate vegetative cover.

Runoff generated from impervious surfaces will be collected and managed in accordance with the MassDEP Stormwater Policy. Pavement runoff from I-91 and Route 5 discharges through a closed drainage system without treatment to the Connecticut River. The project will improve drainage within the project limits to the maximum extent practicable through a modified drainage system on I-91, a new drainage system on Route 5, structural stormwater BMPs and LID methods. BMPs include two bioretention areas, one sediment forebay, and 36 deep sump catch basins. Most of the I-91 runoff will

drain to the proposed I-91 bioretention area; all other I-91 outlets will drain to existing wetland or infield areas where further treatment was not feasible due to site constraints. No new drainage structures and BMPs are proposed on Hockanum Road because no changes are proposed to the roadway and drainage. Erosion controls will be used during construction and operation of the roadways will be maintained during construction.

### *Rare Species*

The project will occur within the mapped Priority and Estimated Habitat for Green Dragon (*Arisaema dracontium*; Threatened), a perennial plant. This plant species and its habitat are protected pursuant to the Massachusetts Endangered Species Act (MESA) and its implementing regulations (321 CMR 10.00). NHESP determined in a letter dated April 3, 2018 that the project must be conditioned to avoid a prohibited Take of state-listed species (321 CMR 10.18(2)(a)). Prior to the start of work, MassDOT must contact NHESP to conduct a survey of the area for Green Dragon for the purpose of delineating and avoiding the species. The ENF includes email correspondence between MassDOT and NHESP<sup>4</sup>, in which NHESP indicated that it had visited the site and conducted a botanical survey on June 27, 2018 at which time no rare plants were found; based on the findings, NHESP indicated that no further review is required.

### *Climate Change Adaptation*

Governor Baker's Executive Order 569: Establishing an Integrated Climate Change Strategy for the Commonwealth (EO 569; the Order) was issued on September 16, 2016. The Order recognizes the serious threat presented by climate change and direct Executive Branch agencies to develop and implement an integrated strategy that leverages state resources to combat climate change and prepare for its impacts. The Order seeks to ensure that Massachusetts will meet GHG emissions reduction limits established under the Global Warming Solution Act of 2008 (GWSA) and will work to prepare state government and cities and towns for the impacts of climate change. The MEPA statute directs all State Agencies to consider reasonably foreseeable climate change impacts, including additional greenhouse gas emissions, and other effects, when issuing permits, licenses and other administrative approvals and decisions. M.G.L. c. 30, § 61. MassDOT is engaged in efforts to assess the potential impacts of climate change on State transportation infrastructure. I expect that MassDOT will consider the impacts of climate change, including increased frequency and intensity of precipitation events, when determining ramp and bridge elevations and when designing the stormwater management system.

### *Construction Period*

All construction and demolition (C&D) activities should be managed in accordance with applicable MassDEP's regulations regarding Air Pollution Control (310 CMR 7.01, 7.09-7.10), and Solid Waste Facilities (310 CMR 16.00 and 310 CMR 19.00, including the waste ban provision at 310 CMR 19.017). The project should include measures to reduce construction period impacts (e.g., noise, dust, odor, solid waste management) and emissions of air pollutants from equipment, including anti-idling measures in accordance with the Air Quality regulations (310 CMR 7.11). Consistent with the GreenDOT policy directive, MassDOT requires that contractors install emission control devices in all off-road vehicles. MassDOT's Revised Diesel Retrofit Specification also requires that emissions control

---

<sup>4</sup> Refer to Attachment D in the ENF – Agency Correspondence – for e-mail, D. Paulson to R. Natario, dated August 7, 2018.

standards must be met or technology must be used for non-road, diesel-powered construction equipment in excess of 50 horsepower. Contractors will be instructed to limit engine idling and use ultra-low sulfur diesel fuel. If oil and/or hazardous materials are found during construction, MassDOT should notify MassDEP in accordance with the Massachusetts Contingency Plan (310 CMR 40.00). All construction activities should be undertaken in compliance with the conditions of all State and local permits. I encourage MassDOT to reuse or recycle C&D debris to the maximum extent.

Conclusion

The ENF has adequately described and analyzed the project and its alternatives, and assessed its potential environmental impacts and mitigation measures. Based on review of the ENF and comments received on it, and in consultation with State Agencies, I have determined that an EIR is not required.



May 22, 2020  
Date

Kathleen A. Theoharides

Comments received:

- 05/11/2020 Massachusetts Department of Environmental Protection (MassDEP) – Western Regional Office (WERO)
- 05/11/2020 Massachusetts Natural Heritage and Endangered Species Program (NHESP)

KAT/PPP/ppp



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

# Department of Environmental Protection

Western Regional Office • 436 Dwight Street, Springfield MA 01103 • 413-784-1100

Charles D. Baker  
Governor

Karyn E. Polito  
Lieutenant Governor

Kathleen A. Theoharides  
Secretary

Martin Suuberg  
Commissioner

May 11, 2020

Kathleen A. Theoharides, Secretary  
Executive Office of Energy & Environmental Affairs  
Massachusetts Environmental Policy Act Office  
Purvi Patel, EEA No. 16192  
100 Cambridge Street, 9<sup>th</sup> Floor  
Boston, MA 02114-2524

Re: Bridge Replacements Project  
Northampton ENF

Dear Secretary Theoharides,

The Massachusetts Department of Environmental Protection (MassDEP), Western Regional Office (WERO) appreciates the opportunity to comment on the Environmental Notification Form (ENF) submitted for the proposed Bridge Replacements Project in Northampton, Massachusetts. The applicable MassDEP regulatory and permitting considerations regarding wetlands, water quality certificate, air pollution, solid waste, hazardous waste and waste site cleanup are discussed. A site meeting was held on May 5, 2020.

## **I. Project Description**

MassDOT, Proponent, is proposing two bridge replacements at bridge numbers N-10-059, I-91 over US Route 5 and B&M RR, N-19-060 I-91 over Hockanum Road, improvements to I-91/ interchange 18 and substantial improvements to US Route 5. The bridges are approximately ¼ mile apart. Street address I-91 and US Route 5 (Mt. Tom Road) in Northampton (EEA 16192). The project is for replacements and upgrades to US Route 5 including expanding the embankment on the west side of Route 5 and expanding the existing road shoulder to be 10 feet for much of the project length. The bridges are either structurally deficient or functionally obsolete. Some areas lack sidewalks and dedicated bike lanes within the project limits. Multimodal accommodations will be improved. Total project site acreage is 55.6 acres.

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.  
TTY# MassRelay Service 1-800-439-2370  
MassDEP Website: [www.mass.gov/dep](http://www.mass.gov/dep)

Printed on Recycled Paper



Environmental impacts associated with this project include:

- 2.2 new acres of land altered
- 14.79 acres of impervious area existing
- 0.71 acres of impervious area new
- 174 sf of new bordering vegetated wetlands alteration (permanent)
- 8,688 sf of new bordering vegetated wetlands alteration (temporary)
- 33,688 sf of new other wetland alteration - BLSF
- Structures 44,380 sf existing, 9,720 sf change – total 54,100 sf
- 72,677 vehicle trips per day – current – no change

## **II. Required Mass DEP Permits and/or Applicable Regulations**

### Wetlands

310 CMR 10.000

### Water Quality Certificate

314 CMR 9.00

### Air Pollution

310 CMR 7.00

### Solid Waste

310 CMR 16.00

### Hazardous Waste

310 CMR 30.00

### Bureau of Waste Site Cleanup

310 CMR 40.000

## **III. Permit Discussion**

### **Bureau of Water Resources**

#### Wetlands

A Notice of Intent was submitted to the Northampton Conservation Commission and MassDEP on December 24, 2019. MassDEP issued comments and a file number on January 13, 2020. Those comments may be reviewed here...

<https://eeaonline.eea.state.ma.us/portal#!/search/wire/results?TownId=19720>

#### Water Quality Certificate

A 401 Water Quality Certification application was sent to Boston for review and approval. The Notice of Intent is currently before the Northampton Conservation Commission. A 401 Water Quality Certification cannot be issued until the Secretary has issued their Certificate.

## **Bureau of Air and Waste**

### Air Quality

#### *Construction and Demolition Activities*

The construction and demolition activity must conform to current Air Pollution Control Regulations. The proponent should implement measures to alleviate dust, noise, and odor nuisance conditions that may occur during the construction and demolition activities. Such measures must comply with the MassDEP's Bureau of Air and Waste (BAW) Regulations 310 CMR 7.01, 7.09, and 7.10.

#### *Construction Equipment*

MassDEP believes it is necessary to mitigate the construction-period impacts of diesel emissions to the maximum extent feasible and recommends that the project proponent require the contractors and subcontractors to use diesel equipment/machinery that are fitted with pollution control devices as well as to minimize excessive idling. All non-road engines shall be operated using only ultra low sulfur diesel (ULSD) with a sulfur content of no greater than 15 ppm pursuant to 40 CFR 80.510.

### Solid Waste

The proponent shall properly manage and dispose of all solid waste generated by this proposed project pursuant to 310 CMR 16.00 and 310 CMR 19.000, including the regulations at 310 CMR 19.017 (waste ban). In addition, the proponent shall manage regulated asbestos and asbestos-containing waste material as special wastes in accordance with 310 CMR 19.061. Antiquated bridges described in this project are known to contain asbestos-cement based utility conduit within the concrete or below the deck as well as asbestos-containing and/or PCB caulking.

Asphalt, brick and concrete (ABC) generated through crushing and reuse on-site must be handled in accordance with regulation and policy. Otherwise, the proponent would need to obtain a site assignment and facility permit for the crushing activity and a Beneficial Use Determination (BUD) for the reuse of the crushed material. More information regarding the handling of ABC, and a copy of the 30-day notification form may be found at the following website:

<http://www.mass.gov/eea/agencies/massdep/recycle/reduce/using-or-processing-asphalt-pavement-brick-and-concrete-.html>.

The BUD regulations at 310 CMR 19.060 establish levels of assessment for four categories of beneficial use. Similarly, the fee regulations at 310 CMR 4.00, et seq. Were

amended. These amended regulations would be applicable to reuse of any materials generated by this project that would otherwise be considered solid waste.

The project proponent should be aware that construction activity at the site must comply with both Solid Waste and Air Quality Control regulations. The appropriate Solid Waste provisions addressing this include M.G.L. Chapter 40, Section 54.

Any discarded objects associated with the demolition of the existing bridges shall be removed from the site for disposal as Solid Waste or recycling as appropriate. All remnant material (waste metals, cutoffs, concrete, wires, cable coverings etc.) resulting from the installation of the new bridges shall be collected and removed from the site as Solid Waste for disposal or shall be recycled as appropriate.

#### Solid and Hazardous Waste Management (Soil Excavation)

Any hazardous wastes (including any lead-based paint waste), waste oil and universal wastes generated by the construction/demolition activities must be properly managed in accordance with all applicable provisions of 310 CMR 30.0000. If any hazardous waste, including waste oil, is generated at any part of the site, the proponent must ensure that such generation is properly registered with the Department and managed in accordance with 310 CMR 30.0000.

#### **Bureau of Waste Site Cleanup**

##### *Massachusetts Contingency Plan (MCP)*

The proponent has identified release tracking numbers (RTNs) within the project area with Response Action Outcomes (RAOs) and/or Permanent Solution Statements with or without conditions (PS/PSC). In addition, there are several sites within a 0.5-mile radius from the project site. If soil and/or groundwater contamination is encountered during excavation activities, the proponent should retain a Licensed Site Professional (LSP); the MCP details procedures to follow for the parties conducting work. MassDEP staff are available for guidance.

##### *Spills Prevention*

A spills contingency plan addressing prevention and management of potential releases of oil and/or hazardous materials from pre- and post-construction activities should be presented to workers at the site and enforced. The plan should include but not be limited to, refueling of machinery, storage of fuels, and potential releases. This plan is of particular importance due to the proximity of the work to the Connecticut River.

**IV. Other Comments/Guidance**

MassDEP staff is available for discussions as the project progresses. If you have any questions regarding this comment letter, please do not hesitate to contact Kathleen Fournier at (413) 755-2267.

Sincerely,

This final document copy is being provided to you electronically by the Department of Environmental Protection. A signed copy of this document is on file at the DEP office listed on the letterhead.

Michael Gorski  
Regional Director

cc: MEPA File

# View Comment

## Comment Details

<b>EEA #/MEPA ID*</b> 16192	<b>First Name</b> David	<b>Address Line 1</b> 1 Rabbit Hill Road	<b>Organization</b> MA Division of Fisheries and Wildlife-NHESP
<b>Comments Submit Date</b> 5-11-2020	<b>Last Name</b> Paulson	<b>Address Line 2</b> --	<b>Affiliation Description</b> State Agency
<b>Review Due By</b> 5-21-2020	<b>Phone</b> --	<b>State</b> MASSACHUSETTS	<b>Status</b> Opened
<b>Reviewer</b> Purvi Patel purvi.patel@mass.gov	<b>Email</b> david.paulson@mass.gov	<b>Zip Code</b> 01581	

## Comments

**Topic:** NHESP 18-37626/MEPA: 16192: Bridge Replacement and Associated Road Improvements -Northampton ENF

NHESP 18-37626 MEPA: 16192 Dear Secretary Theoharides: The Natural Heritage & Endangered Species Program (“NHESP”) of the Massachusetts Division of Fisheries & Wildlife (the “Division”) has reviewed the Environmental Notification Form (ENF) for the proposed “Bridge Replacement and Associated Road Improvements - Northampton” and would like to offer the following comments regarding state-listed rare species and their habitats. On April 3, 2018, the Division issued the following determinations pursuant to the Massachusetts Endangered Species Act. MASSACHUSETTS ENDANGERED SPECIES ACT (MESA) The Division has determined that this Project, as currently proposed, will occur within the mapped Priority and Estimated Habitat for Green Dragon (*Arisaema dracontium*; Threatened). This species and its habitat are protected pursuant to the MESA. A fact sheet for this species can be found on our website, [www.mass.gov/nhesp](http://www.mass.gov/nhesp). Based on a review of the information that was provided and the information in our database, the Division has determined that this project, as currently proposed, must be conditioned in order to avoid a prohibited Take of state-listed species (321 CMR 10.18(2)(a)). The project shall comply with the following condition: -Prior to the start of work, the area must be surveyed for Green Dragon (*Arisaema dracontium*). The survey shall be implemented by the Division for the purposes of delineating the location of the species in order to avoid it during work activities. The appropriate time of year to survey for this species is May through June. Please contact the Division for further coordination regarding this matter. Provided the above-noted condition is fully implemented and there are no changes to the project plans, this project will not result in a Take of state-listed species. The Division notes that all work is subject to the anti-segmentation provisions (321 CMR 10.16) of the MESA. This determination is a final decision of the Division pursuant to 321 CMR 10.18. Any changes to the proposed project or any additional work beyond that shown on the site plans may require an additional filing with the Division pursuant to the MESA. This project may be subject to further review if no physical work is commenced within five years from the date of issuance of this determination, or if there is a change to the project. The Division appreciates the opportunity to comment on this project. If you have any questions about this letter, please contact David Paulson, Senior Endangered Species Review Biologist, at (508) 389-6366 or [david.paulson@mass.gov](mailto:david.paulson@mass.gov).

## Attachments

[Northampton\\_18-37626.pdf\(null\)](#)

## Update Status

Status

SUBMIT

## Share Comment

SHARE WITH A REGISTERED USER

[BACK TO SEARCH RESULTS](#)



MASSWILDLIFE

## DIVISION OF FISHERIES & WILDLIFE

1 Rabbit Hill Road, Westborough, MA 01581  
p: (508) 389-6300 | f: (508) 389-7890  
**MASS.GOV/MASSWILDLIFE**

Jack Buckley, *Director*

April 3, 2018

Tim Dexter  
MassDOT Highway Division  
10 Park Plaza  
Boston, MA 02116

RE:      Applicant:                      Tim Dexter, MassDOT Highway Division  
         Project Location:                I-91 over Route 5; I-91 over Hockanum Road  
         Project Description:            Bridge Replacement  
         **NHESP File No.:**                **18-37626**

Dear Applicant:

The Natural Heritage & Endangered Species Program of the Massachusetts Division of Fisheries & Wildlife (the "Division") received a MESA Review Checklist and supporting documentation for review pursuant to the MA Endangered Species Act Regulations (321 CMR 10.18).

The MESA is administered by the Division, and prohibits the Take of state-listed species. The Take of state-listed species is defined as "in reference to animals, means to harass, harm, pursue, hunt, shoot, hound, kill, trap, capture, collect, process, disrupt the nesting, breeding, feeding or migratory activity or attempt to engage in any such conduct, or to assist such conduct....Disruption of nesting, breeding, feeding or migratory activity may result from, but is not limited to, the modification, degradation or destruction of Habitat." (321 CMR 10.02).

The Division has determined that this Project, as currently proposed, will occur **within** the mapped Priority and Estimated Habitat for Green Dragon (*Arisaema dracontium*; Threatened). This species and its habitat are protected pursuant to the MESA. A fact sheet for this species can be found on our website, [www.mass.gov/nhesp](http://www.mass.gov/nhesp).

Based on a review of the information that was provided and the information in our database, the Division has determined that this project, as currently proposed, **must be conditioned in order to avoid a prohibited Take** of state-listed species (321 CMR 10.18(2)(a)). The project shall comply with the following condition:

- Prior to the start of work, the area must be surveyed for Green Dragon (*Arisaema dracontium*). The survey will be implemented by the Division for the purposes of delineating and avoiding the species. The appropriate time of year to survey for this species is May through June. Please contact the Division for further coordination regarding this matter.

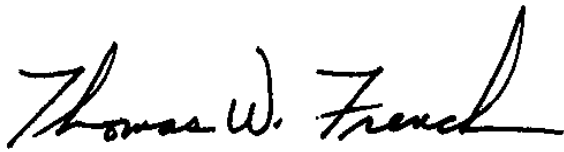
Provided the above-noted condition is fully implemented and there are no changes to the project plans, this project will not result in a Take of state-listed species. We note that all work is subject to the anti-segmentation provisions (321 CMR 10.16) of the MESA. This determination is a final decision of the

MASSWILDLIFE

Division of Fisheries and Wildlife pursuant to 321 CMR 10.18. Any changes to the proposed project or any additional work beyond that shown on the site plans may require an additional filing with the Division pursuant to the MESA. This project may be subject to further review if no physical work is commenced within five years from the date of issuance of this determination, or if there is a change to the project.

Please note that this determination addresses only the matter of state-listed species and their habitats. If you have any questions regarding this letter please contact David J. Paulson, Senior Endangered Species Review Biologist, at 508-389-6366.

Sincerely,

A handwritten signature in black ink that reads "Thomas W. French". The signature is written in a cursive, flowing style with a prominent initial 'T' and 'F'.

Thomas W. French, Ph.D.  
Assistant Director