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April 10, 2020

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

PROJECT NAME : Mohawk Bicycle and Pedestrian Trail
PROJECT MUNICIPALITY : Williamstown
PROJECT WATERSHED : Hudson River
EEA NUMBER : 16159
PROJECT PROPONENT : Town of Williamstown and Massachusetts Department of
Transportation
DATE NOTICED IN MONITOR : February 26, 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 the construction of a 2.4-mile shared-use path. The proposed route of the path generally runs along the Hoosic River in a northwest to southeast direction from the intersection of North Street (Route 7) and Syndicate Road in Williamstown (the Town) to the North Adams town line near Route 2. The project also includes the following components associated with the shared-use path:

- A passive park with benches, bicycle racks and parking for six cars near the intersection of North Street and Syndicate Road;

- Rest areas and “catch-up” areas with benches and interpretive signage at various points along the trail;
- A connection to the Williams College campus;
- Resurfacing of a section of North Street and addition of a crosswalk and wheelchair ramp;
- Installation of two catch basins and construction of a 300-foot (ft) long, 5.5-ft wide sidewalk at the intersection of North Street and Syndicate Road;
- Roadway widening and geometry improvements on the section of Syndicate Road near the proposed passive park to provide 10-ft travel lanes with 5-ft wide shoulders in each direction;
- Crosswalks, wheelchair ramps and pavement markings where the shared-use path crosses Stetson Road and Cole Avenue and Rectangular Road Flashing Beacons at the Cole Avenue crossing; and,
- An unpaved parking lot with 33 spaces at Spruces Park at the terminus of the project.

The shared-use path will be 12 ft wide with two-ft wide graded shoulders on either side, except for a 300-ft long section that will be 10 ft wide. It will be paved with asphalt except for a 4,500-ft long section of the path and parking lot at the eastern end of the project near Spruces Park, which will have an unpaved, hard-packed surface.

The project is a component of a regional trail system that has been the subject of planning efforts for over 20 years. It is the first phase of the Mohawk Bicycle and Pedestrian Trail, a planned six-mile long trail that will connect the center of Williamstown to the Western Gateway Heritage State Park in North Adams. The North Adams terminus of the trail is envisioned to connect to a potential northward extension of the Ashuwillticook Trail, a 12.7-mile trail that runs from Cheshire to Adams. The western terminus of the Mohawk Bicycle and Pedestrian Trail in Williamstown may in turn connect to a future northward extension of the trail along the Hoosic River into Vermont and ending along the banks of the Hudson River in New York.

Project Site

The project site occupies a total of 248.61 acres of land in the northeastern section of Williamstown. The project site includes the footprint of the path and accessory structures and adjacent areas that will be used to conduct staging activities and provide site access. The approximately one-mile long section of the proposed route from the North Street/Syndicate Road intersection to Stetson Road is on land owned by Williams College. The proposed route through this area coincides with informal pathways through a forest along the Hoosic River and passes along the perimeter of the college’s athletic fields and lawn areas. Sections of the route through this area will pass over an inactive landfill known as the Cole Field Landfill. The remainder of the proposed route is located on Town-owned land, including the site of a former manufacturing facility that will be redeveloped with affordable housing, woodlands, grasslands and a repurposed site now known as Spruces Park. Spruces Park is the site of a former mobile home park that was severely damaged by flooding. It was purchased by the Town with funding from the Federal Emergency Management Agency (FEMA), which placed restrictions on future use of the site to ensure it would continue to provide flood storage.

The proposed route passes adjacent to, through and over wetland resources areas associated with the Hoosic River and Green River, including Bordering Vegetated Wetlands (BVW), Land Under Water (LUW), Inland Bank and Riverfront Area. As shown on the FEMA Flood Insurance Rate Map (FIRM)

(number 2500460020B, effective April 3, 1984), nearly the entire route of the path is located within the 100-year floodplain (Zone A)¹ of the Hoosic and Green Rivers with Base Flood Elevations (BFE) ranging from 593 ft North American Vertical Datum of 1988 (NAVD 88) at the northwestern end to 613 ft NAVD 88 at the southeastern end. The route passes through the Zone I wellhead protection areas associated with three wells at the eastern end of Stetson Road and one well east of the Green River. All but a short section of the northwestern end of the proposed route lies within the Zone II wellhead protection areas of the same wells. The project site includes Priority Habitat for the Hairy-fruited Sedge (*Carex trichocarpa*), Wood Turtle (*Glyptemys insculpta*) and Longnose Sucker (*Catostomus catostomus*), all of which are listed as Species of Special Concern. According to the Natural Heritage and Endangered Species Program (NHESP), the project will result in a Take of Hairy-fruited Sedge.

A short section of the proposed route passes through the Mill Village Historic District, which is listed in the National Register of Historic Places. The ENF included a copy of correspondence from the Massachusetts Historical Commission (MHC) indicating that MHC concurred with the Proponents' finding that the project will have no adverse effect on the historic district.

Environmental Impacts and Mitigation

Potential environmental impacts associated with the project include alteration of approximately 4.73 acres of land; creation of 2.08 acres of impervious area; alteration of 4,501 sf of BVW, 1,003 sf of LUW, 177 linear feet (lf) of Bank, 250,249 sf (5.7 acres) of Riverfront Area and 268,909 sf (6.17 acres) of Bordering Land Subject to Flooding (BLSF); and impacts to mapped *Priority Habitat* and Zone I and Zone II wellhead protection areas.

Measures to avoid, minimize, and mitigate Damage to the Environment include construction of stormwater drainage swales, BVW replication, Riverfront Area restoration, wetland crossings designed in accordance with the Massachusetts Stream Crossing Standards, relocation of populations of Hairy-fruited Sedge, installation of landfill venting systems and use of sedimentation and erosion controls to minimize impacts to water quality during the construction period.

Jurisdiction and Permitting

This project is subject to MEPA review and preparation of an ENF pursuant to 301 CMR 11.03(2)(b)(2) and 301 CMR 11.03(3)(b)(1)(f) because it requires State Agency Actions and involves both greater than two acres of disturbance of designated priority habitat, and alteration of one half or more acres of any other wetlands (Riverfront Area, BLSF, LUW and Bank). The project requires a Conservation and Management Permit (CMP) from NHESP and a Chapter 91 (c. 91) License and a 401 Water Quality Certificate (WQC) from the Massachusetts Department of Environmental Protection (MassDEP). MassDEP issued a Corrective Action Design Plan approval for proposed activities on the landfill on February 3, 2020.

¹ Zone A refers to an area designated as a "base floodplain" or "100-year floodplain" by FEMA, meaning an area that is prone to a level of flooding corresponding to a 1% chance of being equaled or exceeded in any given year (otherwise, known as the 100-year storm). See "Definitions of FEMA Flood Zone Designations" on FEMA's web site at https://efotg.sc.egov.usda.gov/references/public/NM/FEMA_FLD_HAZ_guide.pdf

The project requires an Order of Conditions from the Williamstown Conservation Commission (or a Superseding Order of Conditions from MassDEP in the event of an appeal). The project requires the submittal of a Pre-Construction Notification under the U.S. Army Corps of Engineers' (ACOE) General Permits for Massachusetts, and a National Pollutant Discharge Elimination System Construction General Permit (NPDES CGP) from the U.S. Environmental Protection Agency (EPA).

Because the project will receive Financial Assistance from MassDOT, MEPA jurisdiction is broad in scope and extends 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 provided detailed plans and descriptions of existing and proposed conditions, reviewed project alternatives, and identified measures to avoid, minimize and mitigate project impacts.

Alternatives Analysis

The purpose of the project is to provide a trail with easy grades for commuting and recreational use and to form a link in a planned regional trail system. The Berkshire Regional Planning Commission (BRPC) conducted a comprehensive analysis of alternative routes in a feasibility study completed in 2010.² The feasibility study considered different sets of alternative routes for the northwestern portion of the trail across the Williams College campus and for the southeastern part of the route on Town-owned property. Alternative routes were limited to college-owned and Town-owned lands adjacent to the Hoosic River in order to minimize travel on vehicular roadways and the need for new easements or land takings. Additional alternatives across the Williams College campus were analyzed in a study conducted for the college in 2015. A total of eight routes were evaluated for the portion of the shared-use path on Williams College property and five routes were analyzed across Town-owned property. Environmental impacts identified for the alternatives were supplemented with information about rare species habitat based on current maps.

The eight routes across the college campus were relatively close to one another and differed primarily in the extent to which they crossed the college's athletic fields and impacted wetlands adjacent to the river. All routes passed through rare species habitat, Zone I and Zone II wellhead protection areas and wetlands. One alternative would have used an existing sewer easement that extends south from the area of the proposed passive park across the Williams College campus. The potential benefits of this alternative include avoiding the former inactive landfill and a slightly shorter distance through mapped Hairy-fruited Sedge habitat than the Preferred Alternative. However, this alternative route would pass closer to stands of the vegetated wetland habitat that the Hairy-fruited Sedge is likely to be found in and would travel across the college's athletic fields. Other alternatives were rejected because they would have greater impacts to wetland resource areas, would not provide a connection to the future trail extension to Vermont and/or would require travel on roadways.

² The study can be viewed at:

http://berkshireplanning.org/images/uploads/documents/Mohawk_Bicycle_Pedestrian_Trail_Feasibility_and_Investment_Study_report_03.31.2010.pdf

The five alternative routes across Town-owned portions of the site are located primarily within the sewer easement, require a crossing of the Green River and have essentially the same impacts on the BLSF and Riverfront Area. One alternative route at the western end of this section would have deviated from the sewer easement to a route closer to the riverbank. This alternative is not feasible because it would conflict with the Town's plans to redevelop that portion of the site with affordable housing. Four alternatives were considered for the end of the path at Spruces Park. Two alternatives would extend approximately 1,000 ft eastward from Spruces Park to Galvin Road in North Adams; these alternatives were rejected because they would require crossings of Mount Williams Brook. Another alternative route for this end of the shared-use path would follow a route to the west of Spruces Park and end at the intersection of Route 2 and Galvin Road. This alternative was identified as the preferred route in the 2010 BRPC study and had the benefit of avoiding Spruces Park, which was privately owned at the time. This alternative is not advantageous now that the Town owns the park.

The Preferred Alternative is similar to the preferred routes identified in the BRPC study, with relatively minor changes to minimize impacts to wetlands and rare species habitat based on current maps. Most of the Preferred Alternative route follows previously-disturbed land, including informal footpaths and maintained lawn across the Williams College campus and the sewer easement and Spruces Park on town-owned land. The Preferred Alternative achieves a balance between impacts to wetlands and rare species, does not require new easements or land acquisition and minimizes the use of roadways. It meets the project goal by maintaining a relatively level grade for its entire length and offers opportunities for access to the river.

Wetlands and Stormwater

The project will impact 4,501 sf of BVW (3,079 sf permanent), 1,003 sf of LUW (5 sf permanent), 177 lf of Bank (65 lf permanent), 268,909 sf of BLSF (83,891 sf permanent) and 250,249 sf of Riverfront Area (186,867 sf permanent) in connection with the following activities:

- Installation of a 20-ft long, 48-inch diameter concrete culvert for a crossing of an intermittent stream and BVW;
- Installation of a 24-ft long, 9-ft wide and 5-ft tall concrete box culvert for a crossing of an intermittent stream;
- Replacement of a collapsed 48-inch diameter ductile iron culvert with a 20-ft long, 48-inch diameter concrete culvert at a crossing of an intermittent stream and associated BVW;
- Installation of a 200-ft long, 48-inch culvert to convey stormwater;
- Construction of a 16-ft wide, 82-ft long single span bicycle and pedestrian bridge over the Green River;
- Construction of the shared-use path and associated structures within the Riverfront Area and BLSF; and
- Impacts to BVW, BLSF and Riverfront Area associated with installation of sediment and erosion controls, construction access and grading.

The new stream and wetland crossings have been designed in conformance with the Massachusetts Stream Crossing standards. The new culverted BVW and stream crossings will be embedded at least two feet into the substrate and meet openness and span length requirements in order to cause no change in water depth or velocity. The Green River bridge will completely span the river and

have minimal effects on river hydrology and habitat. The replacement stream crossing culvert has been designed to meet the standards to the maximum extent feasible; it will be embedded at least two feet into the substrate and replaced in kind so that there will be no change in water depth or velocity.

The project will mitigate permanent impacts to 3,079 sf of BVW by constructing a replication area of 5,121 sf. The project will result in 147,467 cubic feet of fill in BLSF. According to the ENF, a hydraulic analysis has been completed that demonstrates that the fill will not cause an increase in the horizontal extent or depth of floodwaters. The path will have a pervious surface through Spruces Park, consistent with FEMA requirements for maintenance of the flood storage capacity of the park. Impacts to Riverfront Area will be mitigated by restoring disturbed areas with a wildlife seed mix, implementing an invasive species removal program and planting native species.

According to the ENF, the project will include stormwater management measures that comply with MassDEP's Stormwater Management Standards. Runoff from impervious portions of the trail will sheet flow to adjacent vegetated areas or be directed to shallow vegetated swales to be constructed along the edge of the trail, then flow over adjacent undeveloped areas and follow natural drainage and infiltration patterns. According to the ENF, the proposed stormwater management system will be effective in removing Total Suspended Solids (TSS) from runoff and maintaining pre-construction peak discharge flow volumes and rates because the path will be limited to use by bicyclists and pedestrians and will add minimal impervious area. Structural stormwater management measures will be constructed at the proposed parking area and at the intersection of North Street and Syndicate Road. Runoff from the parking area will be directed to bioswales and a stone diaphragm for pretreatment prior to infiltration or sheet flow across undeveloped areas toward the Hoosic River. Two new catch basins will be installed at the intersection and will direct runoff to the existing drainage system.

Rare Species

As noted above, the project site includes mapped Priority Habitat for three rare species. NHESP has determined that the project will not impact Longnose Sucker habitat; can likely be conditioned to avoid a Take of Wood Turtle through the implementation of a turtle protection plan during construction; and will require a CMP because it will result in a Take of the Hairy-fruited Sedge. Issuance of a CMP requires that a project avoid or minimize impacts to state-listed species in accordance with the following performance standards: 1) assess alternatives that avoid or minimize temporary and permanent impacts to the state-listed species, (2) demonstrate that an insignificant portion of the local population will be impacted or that no viable alternative exists, and (3) develop and implement a conservation plan that provides a long-term net benefit to the conservation of the local population of the impacted species.

According to the ENF, the proposed route of the shared-use path has been refined to reduce impacts to Hairy-fruited Sedge habitat from 3,760 sf to 2,018 sf. Hairy-fruited sedge located on the proposed route of the path has already been replanted outside of the project footprint. The Proponent will install temporary fencing around populations of Hairy-fruited Sedge during construction. According to the ENF, additional mitigation measures may include land conservation measures in areas with known populations of Hairy-fruited Sedge or providing funding for genetic and habitat research.

Drinking Water Supply

Nearly the entire project site is located in a Zone II wellhead protection area. In addition, the route will pass through four Zone I wellhead protection areas. According to MassDEP, proposed activities within a Zone I require prior written MassDEP approval in accordance with the provisions of the Drinking Water regulations at 310 CMR 22.21. The Proponent will be required to provide an analysis of alternatives that would not encroach upon the Zone I and identify impacts and propose mitigation measures, such as the use of BMPs to manage stormwater runoff and implementation of spill prevention and cleanup measures during construction. During the review period, the Proponent indicated that the project is an allowed activity pursuant to 310 CMR 22.21 and MassDEP's guidelines and policies for drinking water supplies. The project includes measures that will protect water supplies, including pet waste disposal facilities, removal of debris and signage. The Proponent should consult with the Williamstown Water Department and MassDEP prior to completing design of the project.

Solid and Hazardous Waste

Two sections of the trail, totaling approximately 2,200 lf, will pass over or adjacent to the inactive Cole Field Landfill. MassDEP issued a Corrective Action Design plan approval requiring construction of the path on two feet of clean cover material overlying the landfill, the implementation of a Health and Safety Plan, relocation of waste or unsuitable soil encountered during construction to another location in the landfill, and the construction of a landfill gas venting system. According to the ENF, the project includes a 58-lf landfill gas venting trench along the southern side of the path near the Williams College athletic fields. The trench will be lined with a geo-membrane and filled with stone and will vent through a perforated PVC pipe with three 2-inch diameter PVC risers.

The route of the shared-use path will cross two properties with documented releases of hazardous waste that are regulated under the Massachusetts Contingency Plan (MCP). Both of the sites are located near Cole Avenue and are subject to Activity and Use Limitations (AUL) that prohibit their use for residential or agricultural purposes. According to the ENF, Soil Management Plans will be prepared for both sites by a Licensed Site Professional (LSP) and will describe procedures for the excavation, handling, storage, transport and disposal of soil from these sites. Health and Safety Plans will also be prepared to identify measures necessary to protect construction personnel and nearby receptors.

Construction

All construction and demolition 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 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, the Proponent 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 the Proponent to reuse or recycle construction and demolition (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. A Notice of Project Change may be required for the second phase of the Mohawk Bicycle and Pedestrian Trail through North Adams. The MEPA Office should be consulted about the need for further review when the design of that section of the trail is underway.

April 10, 2020

Date

K. Theoharides

Kathleen A. Theoharides

Comments received:

03/13/2020 Massachusetts Department of Environmental Protection (MassDEP)- Western Regional Office (WERO)
 03/17/2020 Natural Heritage and Endangered Species Program (NHESP)
 03/17/2020 Berkshire Environmental Action Team (BEAT)
 03/31/2020 Berkshire Regional Planning Commission (BRPC)

KAT/AJS/ajs



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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Lieutenant Governor

Kathleen A. Theoharides
Secretary

Martin Suuberg
Commissioner

March 13, 2020

Kathleen A. Theoharides, Secretary
Executive Office of Energy & Environmental Affairs
Massachusetts Environmental Policy Act Office
Alex Strysky, EEA No. 16159
100 Cambridge Street, 9th Floor
Boston, MA 02114-2524

Re: Mohawk Bicycle/Pedestrian Trail
Williamstown to North Adams 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) for the proposed Mohawk Bicycle/Pedestrian Trail, a multi-modal path of approximately 6.5 miles that will eventually connect the city center of North Adams to the town center of Williamstown. The project (EEA # 16159) includes the 2.4 miles of trail that will be within Williamstown. MassDEP attended at site visit on March 11, 2020.

I. Project Description

The trail, a 10 ft – 12 ft wide path with an asphalt surface for much of its length, generally runs along the Hoosic River and crosses four intermittent streams and the Green River by way of a proposed bike/pedestrian bridge. Most of the wetland resource area impacts are associated with replacement and/or construction of culverts and construction of the bridge. The project includes two parking lots and portions of the trail will cross over the inactive Cole Field Landfill. The MassDOT is proposing the installation of an approximately 58-linear foot landfill gas venting trench along the southern side of the trail, north of the

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.

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Williams College Sports Complex property. The trail also crosses two properties with recorded Activity and Use Limitations.

There will be greater than two acres of disturbance of designated priority habitat that results in a take of state-listed endangered or threatened species or species of special concern (wood turtle, longnose sucker, and hairy-fruited sedge). The project proponents are the MassDOT Highway Division and the Town of Williamstown. It is estimated the project will begin in the Fall 2020/Spring 2021 and be completed in early summer 2022. The applicable MassDEP regulatory and permitting considerations regarding wetlands, waterways, water quality, drinking water, air pollution, solid waste, hazardous waste and waste site cleanup are discussed.

Environmental impacts associated with this project include:

- 248.61 total site acreage
- 4.73 new acres of land altered
- 14.23 acres of existing impervious area
- 2.08 acres of new impervious area
- 1,422 sf temporary of new Bordering Vegetated Wetland (BVW) alteration (Williamstown)
- 3,079 sf permanent of new BVW alteration (Williamstown)

Square feet of new, other wetland alteration:

- 998 sf temporary Land Under Water (LUW)
- 5 sf permanent LUW
- 112 lf Bank, temporary
- 65 lf Bank, permanent
- 63,382 sf Riverfront Area (RA), temporary
- 186,867 sf RA, permanent
- 185,018 sf Bordering Land Subject to Flooding (BLSF), temporary
- 83,891 sf BLSF, permanent
- 2,547 sf of new non-water dependent use of tidelands or waterways
- 39 parking spaces

Note: the impacts to RA and BLSF overlap for the majority of the project area

II. Required Mass DEP Permits and/or Applicable Regulations

Wetlands

310 CMR 10.000

Water Quality Certificate

314 CMR 9.00

Waterways

310 CMR 9.00

Drinking Water

310 CMR 22.00

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 MassDEP on February 19, 2020, and on March 10, 2020, MassDEP issued a file number with comments which may be found here:

<https://eeaonline.eea.state.ma.us/portal#!/search/wire>.

401 Water Quality Certification

As over 5,000 sq. ft. of fill is proposed within Waters of the United States within the Commonwealth, a 401 Water Quality Certificate application shall be submitted to the Western Regional Office. Compliance with the stream crossings will be addressed when the application is received by MassDEP.

Waterways

The project proponent submitted a Chapter 91 waterways license application to MassDEP on February 25, 2019. MassDEP, on April 18, 2019, requested additional information from the project proponent in order to continue processing the application. To date, MassDEP has not received the requested information.

Drinking Water

The Town of Williamstown's Public Water System (PWS) wells known as the Stetson Road Wells and Green River Well are located in close proximity to the proposed route; but were not identified in the ENF. The route proposed in the project description in the ENF passes through Zone I for each of Williamstown's PWS wells. Because the ENF did not identify the wells (or Zone I for those wells) the proposed project does not include provisions for the protection of the wells or Zone I in the project description. Potential

impacts include temporary construction impacts and permanent impacts from changes within the Zone I wellhead areas (including the wellheads).

The applicant should consult: (1) the Drinking Water Regulations at 310 CMR 22.00 (specifically 301 CMR 22.21 – Groundwater Supply Protection); (2) MassDEP's *Guidelines and Policies for Public Water Systems*, including Chapter 4 of the *Guidelines*; and (3) MassDEP Drinking Water Program Policy 94-03 to determine protective requirements, prohibited and permitted activities in a Zone I.

The applicant should revise its project plans to include (1) the identification of these drinking water resources, (2) consideration of alternatives to encroachment near the wellheads and within the wellheads' Zone I wellhead protection areas; (3) identification of impacts from the identified activities and proposed mitigation (such as BMPs, spill kits, emergency response procedures and other means to address heavy equipment), if any; prohibitions on unpermitted activities in the Zone I; (4) consultation with the Williamstown Water Department and (5) review and approval from MassDEP prior to commencement of the project.

Any proposed activity within a Zone I requires prior written MassDEP approval in accordance with the provisions of 310 CMR 22.21 and the *Guidelines and Policies for Public Water Systems*, including Chapter 4 of the *Guidelines*.

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 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 participate in the MassDEP Diesel Retrofit Program. 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

An approximately 2,200 linear foot portion of the multimodal trail crosses the Cole Field Landfill, an inactive municipal solid waste landfill. This landfill received a soil cover in accordance with MassDEP's 1971 regulations, has been assessed as part of the Landfill

Assessment and Closure (LAC) program, and has an ongoing monitoring program, but a formal closure certification has not been filed.

The MassDEP Solid Waste program's comments are limited to the portion of the trail located on the landfill property regulated under 310 CMR 19.00.

MassDEP issued a limited Corrective Action Design (CAD) plan approval to permit the construction of the multimodal trail on February 3, 2020. The CAD permit includes a requirement for placing or maintaining two feet of clean cover material overlying solid waste beneath the trail alignment, and on areas of the landfill accessible to pedestrians. The permit also includes conditions addressing a site-specific Health and Safety Plan, local landfill gas mitigation, and the relocation of solid waste or unsuitable soil encountered during construction to a location within the landfill, to avoid the need for off-site disposal of this material. The proponent should comply with the conditions of this permit.

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. If asbestos-containing waste material is encountered, it must be managed as special wastes in accordance with 310 CMR 19.061.

Hazardous Waste

Any hazardous wastes, including waste oil, generated by the construction/demolition activities must be properly managed in accordance with 310 CMR 30.0000.

Bureau of Waste Site Cleanup

The proponent has identified sites within the project area that are regulated under the Massachusetts Contingency Plan (MCP) and sites with an Activity and Use Limitation (AUL). The party conducting the work should retain a Licensed Site Professional (LSP) to manage and oversee any activities to assure compliance with MCP. Any future activities and uses near sites with AULs must be consistent with the current AUL and the obligations and conditions specified within the AUL must be adhered to in accordance with the MCP 310 CMR 40.1070 (2). MassDEP staff are available for guidance.

The LSP should review MassDEP's oil and/or hazardous material disposal sites list and associated files periodically during the start-up and duration of the project to determine any previous or newly listed contaminated areas that could pose a problem with onsite excavation activities.

Spills Prevention

A spills contingency plan addressing potential releases during project activities, including but not limited to refueling of machinery and storage of fuels, should be enforced and presented to workers on site. Additional provisions to protect public water supplies were discussed previously.

IV. Other Comments/Guidance

MassDEP staff are available to conduct pre-permitting guidance with respect to the 401 WQC, Chapter 91 and drinking water program approvals, as necessary. 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

(<http://www.mass.gov/orgs/department-of-public-utilities>) Mass.gov | Executive Office of

An official application of the Commonwealth of Massachusetts



Energy & Environmental Affairs
Public Comments Portal

alexander.strycky@mass.gov

View Comment

Comment Details

| | | | |
|------------------------------|------------------------|--------------------|---|
| EEA #/MEPA ID* | First Name | Address Line 1 | Organization |
| 16159 | David | 1 Rabbit Hill Road | MA Division of Fisheries and Wildlife-NHESP |
| Comments Submit Date | Last Name | Address Line 2 | Affiliation Description |
| 3-17-2020 | Paulson | -- | State Agency |
| Review Due By | Phone | State | Status |
| 3-17-2020 | -- | MASSACHUSETTS | Opened |
| Reviewer | Email | Zip Code | |
| Alex Stryisky (617) 626-1025 | david.paulson@mass.gov | 01581 | |

Comments

Topic: Mohawk Bicycle/Pedestrian Trail Williamstown, Massachusetts ENF (16159/17-3686)

EOEEA # 16159 17-3686 Mohawk Bicycle/Pedestrian Trail Williamstown, Massachusetts ENF Dear Secretary Theoarides: The Natural Heritage & Endangered Species Program of the Massachusetts Division of Fisheries & Wildlife (the "Division") has reviewed the Environmental Notification Form (ENF) for the proposed "Mohawk Bicycle/Pedestrian Trail and Related Work in Williamstown, Massachusetts Project" and would like to offer the following comments regarding state-listed rare species and their habitats. The Division has been in early coordination and consultation with the Proponent for the above referenced project. These discussions have been productive and the Division anticipates that the Project will likely result in a "take" of the Hairy Fruited Sedge (*Carex trichocarpa*), listed as a species of "Special Concern". In addition, the project will likely be conditioned to avoid a "take" of Wood Turtle (*Glyptemys insculpta*), listed as a species of "Special Concern" through the implementation of a wood turtle protection plan during construction. Projects resulting in a Take of state-listed species may only be permitted if they meet the performance standards for a Conservation and Management Permit (CMP; 321 CMR 10.23). In order for a project to qualify for a CMP, the applicant must demonstrate that the project has avoided, minimized and mitigated impacts to state-listed species consistent with the following performance standards: (a) adequately assess alternatives to both temporary and permanent impacts to the state-listed species, (b) demonstrate that an insignificant portion of the local population will be impacted, and (c) develop and agree to carry out a conservation and management plan that provides a long-term net benefit to the conservation of the state-listed rare species. The Applicant has proactively consulted with the Division to avoid, minimize and mitigate impacts to state-listed species and their habitats associated with proposed project. They are developing a draft CMP. Based on ongoing consultations with the Applicant, we understand that the proposed project will include the following measures in consideration of state-listed species concerns: · Habitat Preservation · Habitat Management · Species Monitoring Although the exact details of the long-term net benefit required under a CMP have not been finalized, based on a review of the draft materials submitted to date the Division anticipates that the proposed project should be able to meet the necessary performance standards of a CMP. In our view, the Applicant has and continues to work constructively with the Division to proactively address rare species issues and permitting requirements associated with this project. Please note that the Division will not render a final decision until a final CMP Application has been submitted and the Massachusetts Environmental Policy Act (MEPA) review process has been completed. We appreciate 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@state.ma.us.

Attachments

Update Status

Status

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Executive Director

March 31, 2020

Kathleen Theoharides, Secretary
Executive Office of Energy and Environmental Affairs
Attn: Holly Johnson
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: Mohawk Bike Ped Trail ENF, EEA# 16159

Dear Secretary Theoharides:

The Berkshire Regional Planning Commission (BRPC) hereby submits comments on the proposed Mohawk Bike Ped Trail ENF (EEA # 16159) in the Town of Williamstown. This project does not exceed any mandatory EIR thresholds, and BRPC does not believe that an EIR is needed.

The proposed project is consistent with the *Sustainable Berkshires Plan* in the following ways:

Economic Development: The Berkshire Region’s economy is primarily dependent on art and entertainment (tourism) and on education, health care and social assistance industries. One of the challenges the region is facing is population decline and population aging. By providing a recreational pathway, the Project seeks to add a new “high quality of life amenity” to the region, which will help attract potential residents and retain existing residents. This Project is consistent with supporting the regional economy as it will increase mobility between Williams College in Williamstown and downtown North Adams.

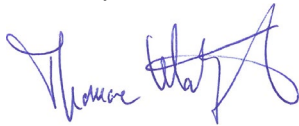
Adequacy of Infrastructure: The Infrastructure and Services section of *Sustainable Berkshires* seeks to provide additional pedestrian and non-motorized travel infrastructure, as these modes of transportation are beneficial for health, the environment, and traffic congestion. This Project has been designed to improve the local community’s “walkability” and “bikeability”, while minimizing the impacts to traffic congestion by decreasing the length of the trail along any roadways. The Project also proposes to construct stormwater BMPs along the project corridor and downgradient of the proposed parking areas to control and treat the stormwater runoff to protect water quality. This portion of the Project is consistent with the *Sustainable Berkshires* stormwater infrastructure goals.

Open Space Impacts: *Sustainable Berkshires* seeks to provide recreational opportunities, while still protecting wildlife habitat and water resources. The Open Space goals include providing a regional bicycle path that extends from Connecticut, through the Berkshires, to Vermont. This Project will serve as part of this overall bicycle path plan, providing a link between Route 7 in Williamstown and Route 2 in North Adams. This Project seeks to fulfill other regional Open Space goals, including providing additional accessible open space trails and providing access to the Hoosic River.

The following items should be addressed through the state and local permitting processes.

- 1) Provide detailed timing and sequencing of project construction activities.
- 2) Provide the actual location of areas to be used for refueling and maintenance of construction equipment. These areas should be located away from resource areas on the site.
- 3) Provide a detailed plan to monitor and ensure the success of plantings. Plant materials should be monitored and guaranteed for at least two years after planting, and replaced if they are not successful during this time. Removal of invasive plant species should be conducted during this monitoring period.

Sincerely,



Thomas Matuszko, AICP
Executive Director



BERKSHIRE ENVIRONMENTAL ACTION TEAM
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Protecting the environment for wildlife in support of the natural world that sustains us all.

March 17, 2020

Secretary Kathleen A. Theoharides
Executive Office of Energy and Environmental Affairs (EEA)
Attn: MEPA Office Alex Strysky, EEA No. 16159
100 Cambridge Street, Suite 900 Boston MA 02114

Dear Secretary Theoharides,

Please accept the following comments/request from Berkshire Environmental Action Team, Inc. (BEAT). BEAT's mission is to protect the environment for wildlife in support of the natural world that sustains us all.

No loss of flood volume - Couldn't an equal volume of fill be removed before putting down an asphalt mix so there would be no resulting increase in fill volume in the Bordering Land Subject to Flooding?

Require permeability the entire length of the new trail - Rather than use Hot Mix Asphalt, MassDOT should consider using permeable asphalt.

All stream crossings should meet or exceed the Massachusetts River and Stream Crossing Standards for new crossings. The existing culverts should be replaced with resilient, open-bottom structures that span at least 1.2 times the bankful width of the stream – even if the stream is intermittent - and the structure should, at a minimum, pass the 100 year storm.

It is not enough to protect in-stream turtle habitat – the great loss is of suitable, safe turtle nesting habitat. MassDOT should work with the Natural Heritage and Endangered Species Program to enhance nearby turtle nesting habitat and provide protection for wood turtles' nests in this area – perhaps through a science program with Williams College and Massachusetts College of Liberal Arts to monitor nest sites. The Ashuwillticook Rail Trail has destroyed turtle nesting habitat along much of its length and brought predators to much more turtle nesting habitat along the length of the trail. Mass DOT should use this opportunity to make up for some of that destruction by working with NHESP to enhance and protect turtle nesting along the trail.

Thank you for considering our comments.

Sincerely,

Jane Winn