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May 8, 2020

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

PROJECT NAME : Berkshire Avenue at Cottage and Harvey Streets  
PROJECT MUNICIPALITY : Springfield  
PROJECT WATERSHED : Mona Lake  
EEA NUMBER : 16182  
PROJECT PROPONENT : City of Springfield  
DATE NOTICED IN MONITOR : April 8, 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 roadway and traffic control improvements along 0.44 miles of roadway along Berkshire Avenue and its intersections with Harvey Street and Cottage Street in Springfield. The purpose of the project is to address safety and operations on Berkshire Avenue at these two intersections, and upgrade and expand facilities for bicycles and pedestrians within project limits in compliance with the Massachusetts Department of Transportation's (MassDOT) Healthy Transportation Policy. The project is proposed by the City of Springfield (City) in partnership with MassDOT. Construction is expected to begin in Spring 2021.

The project includes the following elements within the project limits:

- Provision of 5-foot wide bike lanes with marked crossings on all roadway sections in both directions including widening approaches on Harvey Street (both sides to provide separate

left and right turn lanes) and Cottage Street (south side to provide separate left and right turn lanes) and repurposing existing shoulders on Berkshire Avenue;

- Provision of bike boxes for right-turning cyclists on Harvey and Cottage Streets and shared left-turn lanes (sharrow markings);
- Provision of new concrete bus landing pads (compliant with Americans with Disability Act (ADA)/American Architectural Board (AAB) regulations) at all three bus stops;
- Pavement resurfacing and reconstruction of curbing and sidewalks on all roadway sections, except on MassDOT Bridge S-24-018 on Berkshire Avenue;
- Provision of new sidewalks in both directions along Cottage Street and reconstructing existing sidewalks and pedestrian ramps in both directions to ADA/AAB standards;
- Provision of crosswalks (all directions) for pedestrians at the intersections of Berkshire Avenue at Harvey Street and at Cottage Street;
- Replacement of traffic signal equipment/signs at the Berkshire Avenue/Harvey Street intersection;
- Construction of new traffic signal equipment/signs at the Berkshire Avenue/Cottage Street intersection;
- Removal of 18 public shade trees<sup>1</sup> and planting of 15 trees, replacement of chain link fence located behind sidewalks, and installation of traffic control interconnection conduit and wiring on Berkshire Avenue between the Harvey Street and Cottage Street intersections; and
- Installation of seven deep sump catch basins

### Project Site

The 3.84-acre project corridor extends along Berkshire Avenue from Harvey Street 1,500 linear feet (lf) northeast to Cottage Street. The project corridor comprises approximately 2,300 lf (0.44 miles) of roadway including 600 lf of Cottage Street, 230 lf of Harvey Street, and 1500 lf of Berkshire Ave. Within the project corridor: Berkshire Avenue includes four travel lanes with narrow shoulders and sidewalks on both sides; Cottage Street includes two travel lanes with narrow shoulders and is unsignalized at Berkshire Avenue; and Harvey Street includes two travel lanes with narrow shoulders and is signalized at Berkshire Avenue. Sidewalks extend on both sides of Harvey Street only (none on Cottage Street). Sidewalks on Berkshire Avenue lack ADA compliant curb ramps and sections are compromised due to tree roots. The project corridor does not include bicycle facilities. Berkshire Avenue is classified as an urban minor arterial and is owned and maintained by the City, except for the Berkshire Avenue bridge over the CSX Railroad tracks between Harvey and Cottage Streets. Cottage Street and Harvey Street are also under municipal jurisdiction. The Berkshire Avenue/Cottage Street intersection is ranked 188 on MassDOT's 2016 Top Crash Locations Report.

There are numerous large trees on Berkshire Avenue within the grass strip between the roadway and sidewalk. There are no wetland resource areas located within the project area, however Berkshire Avenue near Mona Lake is within the 100-foot Buffer Zone to Bordering Vegetated Wetlands. Land uses along the three roadways within the project area include commercial, industrial and residential. The Pioneer Valley Transit Authority (PVRTA) B6 bus line runs through the project area along Berkshire Avenue. The B6 line begins at Union Station in Downtown Springfield and extends to Ludlow,

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<sup>1</sup> The ENF indicates the project will remove 16 public shade trees; according to an email from Derek Litty (Alfred Benesch & Company) on behalf of the City on April 29, 2020, the project will remove 18 public shade trees.

servicing Berkshire Avenue from Bay Street to Page Boulevard/Berkshire Street. There are three B6 bus stops within the project corridor, with no accessible boarding platforms meeting ADA requirements.

### Environmental Impacts and Mitigation

Environmental impacts associated with the project include creation of 0.15 acres of new impervious area and the removal of 18 public shade trees over 14 inches diameter at breast height (dbh). Measures to avoid, minimize or mitigate Damage to the Environment include avoidance of new land alteration; upgrades to the stormwater management system to improve water quality; planting of 15 trees (2 to 2.5-inch in diameter); providing additional space for future tree planting along Cottage Street; and implementation of construction-period best management practices (BMPs).

### Jurisdiction and Permitting

This project is subject to MEPA review and preparation of an ENF pursuant to 301 CMR 11.03(6)(b)(2)(b) because it requires an Agency Action and will require cutting five or more living public shade trees of 14 or more inches dbh. The project is receiving Financial Assistance from the MassDOT.

The project requires a National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) from the U.S. Environmental Protection Agency (US EPA).<sup>2</sup>

Because the project will receive Financial Assistance, 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 provides a description of existing and proposed conditions, project plans, a brief discussion of project alternatives,<sup>3</sup> and identifies measures to avoid, minimize, and mitigate project impacts. The project is a component of the Pioneer Valley Planning Commission (PVPC) 2020 Transportation Improvement Program (TIP).

The ENF evaluates alternatives to meet the project purpose while limiting environmental impacts including the No-Build and the Preferred Alternative. The No-Build Alternative would avoid removal of public shade trees; however, it would not achieve the project goals of addressing safety and operations at a known high-crash location (Berkshire Avenue/Cottage Street intersection) and improving the accessibility of existing multimodal accommodations within the project corridor. According to MassDOT, alternatives beyond the No-Build and the Preferred Alternative were not analyzed due to the limited scope of work associated with the Preferred Alternative, which meets the purpose and need of the project in a cost-effective manner while minimizing impacts to environmental resources.

The project will use existing stormwater closed-systems for the collection of stormwater runoff from approximately 0.15 acres of new impervious area. The adjacent grass tree belt abutting the project

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<sup>2</sup> According to the ENF, MassDOT issued a Section 106 Clearance on June 25, 2018.

<sup>3</sup> An addendum to the alternatives analysis was submitted to the distribution list on April 14, 2020.

area will facilitate collection of stormwater runoff. No new stormwater discharge outfalls are proposed. Seven new deep-sump catch basins will be provided. According to the City, the City of Springfield Natural Resources Manager confirmed in an email dated April 5, 2019 that the project is exempt pursuant to Massachusetts Wetlands Protection Act (310 CMR 10.02(2)(b)2(p)) and does not require permitting from the Springfield Conservation Commission.

The project will improve traffic flow through the Berkshire Avenue/Cottage Street by installing a new traffic control signal system. It will also reconstruct the traffic control signal system at the Berkshire Avenue/Harvey Street intersection. No improvements are proposed to the MassDOT Bridge located on Berkshire Avenue between the intersections at Harvey and Cottage Streets with the exception of installation of interconnection conduit on the west fascia of the bridge to facilitate interconnection of the proposed traffic control signal systems at each intersection. The project proposes to implement Complete Street improvements that include constructing/reconstructing pedestrian and bicycle facilities on both sides of all project roadways. In addition, existing PVTA bus stops located within the project limits will be provided with new ADA/AAB bus landing platforms and new B6 Bus Stop signs.

According to the ENF, each public shade tree removal is necessary to meet the purpose and need of the project and cannot be avoided. In many cases, these trees are located within the footprint of existing sidewalk and must be removed to reconstruct sidewalks in-place, which are in poor condition and do not meet AAB/ADA requirements. Several trees are proposed to be removed at the CSX Railroad bridge crossing due to sidewalk realignment to comply with the American Association of State Highway and Transportation Officials (AASHTO) Roadside Design Guide-Compliant guardrail at the bridge approaches. The City will plant 15 new trees with a diameter of 2 to 2.5 inches and maintain space along Cottage Street for future tree planting.

### *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 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 City 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 City 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 8, 2020

Date

Kathleen A. Theoharides

Comments received:

04/28/2020 Massachusetts Department of Environmental Protection (MassDEP) –  
Western Regional Office (WERO)

KAT/PPP/ppp



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

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Kathleen A. Theoharides  
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Commissioner

April 27, 2020

Kathleen A. Theoharides, Secretary  
Executive Office of Energy & Environmental Affairs  
Massachusetts Environmental Policy Act Office  
Purvi Patel, EEA No. 16182  
100 Cambridge Street, 9<sup>th</sup> Floor  
Boston, MA 02114-2524

Re: Berkshire Avenue and Cottage Street  
Springfield- 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 roadway improvements at Berkshire Avenue and Cottage Street and Berkshire Avenue and Harvey Street, Springfield MA (EEA #16182).

The applicable MassDEP regulatory and permitting considerations regarding air pollution, solid waste, hazardous waste and waste site cleanup are discussed. MassDEP attended a site visit on April 24, 2020.

### **I. Project Description**

The project proponent is MassDOT and construction is expected to begin in the Spring 2021. The project address 715-855 Berkshire Avenue and is designed to provide improvements and accommodations for non-vehicular users including bicycles, pedestrians and bus landing pads (ADA compliant). There will be new sidewalks as well as pavement resurfacing, new curbing, and road widening at several locations. Traffic signaling and crosswalks will also be improved.

Environmental Impacts associated with this project include:

Total project size: 3.84 acres - existing  
3.34 acres of impervious area – existing  
0.15 acres new impervious area  
21,500 vehicle trips per day

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

### 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 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.

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.

All remnant material (waste metals, cutoffs, concrete, wires, cable coverings etc.) resulting from the installation 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)

If MassDEP determines that either because of the nature of the proposed activity, the amount of the excavated material, and/or the characteristics of the excavated material that the material requires management as a hazardous or solid waste, then the disposition of the material must comply with any applicable requirements pursuant to 310 CMR 30.0000, 310 CMR 16.00 or 310 CMR 19.000. In addition, compliance with, COMM-97-001 *"Reuse and Disposal of Contaminated Soil at Massachusetts Landfills"* and the *"Revised Guidelines for Determining Closure Activities at Inactive Unlined Landfill Sites"*, may be applicable.

#### Hazardous Waste

Any hazardous wastes exposed during the excavation activities or universal wastes such as mercury containing lamps or mercury thermostats, or lead-based paint from street markings, etc., must be properly managed in accordance with 310 CMR 30.0000.

If any hazardous waste, including waste oil, is generated at any of the sites 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)

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.

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 Mona Lake.



**IV. Other Comments/Guidance**

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