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April 10, 2009

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

PROJECT NAME : Foundry Street Roadway Improvement Project
PROJECT MUNICIPALITY : Easton
PROJECT WATERSHED : Taunton
EEA NUMBER : 14381
PROJECT PROPONENT : Town of Easton Department of Public Works
DATE NOTICED IN MONITOR : March 11, 2009

Pursuant to the Massachusetts Environmental Policy Act (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** the preparation of an Environmental Impact Report (EIR).

As described in the Environmental Notification Form (ENF), the project consists of the reconstruction of 0.83 miles of Foundry Street between the Eastman Street/Foundry Street and Foundry Street/Bay Road intersections in Easton. The proposed improvements include reconstruction of the entire pavement surface along the length of the project reach, installation of a continuous sidewalk on the north side of the road, widening the road in areas to create a consistent lane width, relocation of existing utility poles, and installation of stormwater management features. When completed, Foundry Street will have a consistent width of 11-foot travel lanes, 4-foot or 2-foot shoulders and a 5.5-foot sidewalk. The portion of Foundry Street where the work is proposed is a locally maintained roadway.

Estimated environmental impacts include 1.14 acres of new impervious area, 950 square feet (sf) of impact to Bordering Vegetated Wetland (BVW), 162 linear feet of impact to Bank, 36,060 sf of impact to Riverfront Area, and 23,305 sf of impact to Bordering Land Subject to Flooding (BLSF). A portion of the project site is located within the Canoe River Aquifer Area of Critical Environmental Concern (ACEC). The project includes the removal 24 living public shade trees and the relocation of approximately 140 feet of stone wall along the right of way. Additionally, Foundry Street runs through the Furnace Village Historic District; however the proposed improvements are limited to the roadway and are not expected to alter the character of the District or any listed structures within the District.

Jurisdiction

The project is undergoing MEPA review pursuant to Section 11.03(3)(b)(1)(f), Section 11.03(6)(b)(2)(b) and Section 11.03(11)(b) because the project requires a State agency action and will result in alteration of ½ acre or more of wetlands (Riverfront Area and BLSF), requires the removal of five or more public shade trees, and is located within an ACEC. The project will require an Order of Conditions from the Easton Conservation Commission, or in the case of an appeal, a Superseding Order of Conditions from the Massachusetts Department of Environmental Protection (MassDEP). The project will also require a National Pollutant Discharge Elimination System (NPDES) Construction General Permit from the United States Environmental Protection Agency (U.S. EPA).

The Town of Easton is seeking a Public Works Economic Development (PWED) grant from the Executive Office of Transportation and Public Works (EOTPW) to help fund the project. Therefore, MEPA jurisdiction for this project is broad and extends to all aspects of the project that are likely, directly or indirectly, to cause Damage to the Environment as defined by the MEPA regulations.

Transportation

The project has been proposed to address existing operations and safety concerns along portions of Foundry Street. Foundry Street is a heavily traveled roadway that is presently in poor condition with inconsistent lane widths and no pedestrian sidewalk. The project will provide consistent lane widths, Americans with Disabilities Act (ADA) compliant sidewalks and access ramps, new stormwater management structures, and enhance bicycle and pedestrian access. The Old Colony Planning Council has indicated that the project is consistent with the 2007 Regional Transportation Plan and the 2000 Old Colony Planning Council Regional Policy Plan.

A 140-foot section of stone wall will be relocated to accommodate the project within the existing right of way. Additionally, the project will require the removal of 24 public shade trees to facilitate roadway widening and the construction of the sidewalks and stormwater management system. The Proponent has indicated that trees will be replaced at a 1:1 ratio in cooperation with private property owners and the Town of Easton. I encourage the Proponent to

consider a monitoring program to ensure the health and viable replacement of these public shade trees along the project corridor.

Wetlands and Stormwater

The project includes a variety of wetland resource area impacts associated with roadway widening, culvert replacements, and creation of a stormwater retention pond. Wetland impacts are estimated to include approximately 950 sf of BVW (660 sf of which will be permanent and 290 sf will be temporary), 162 linear feet of temporary impact to Bank, 23,305 sf of permanent impact to BLSF, and 36,060 sf of permanent impact to Riverfront Area. The Proponent has indicated that no BVW alteration is proposed in the Canoe River Aquifer ACEC. Sidewalk placement on the north side of Foundry Street was proposed as a means to avoid additional wetland resource area impacts in lieu of sidewalk placement on the south side of the roadway. Portions of the project may qualify as a limited project in association with the Massachusetts Wetlands Protection Act regulations (310 CMR 10.53).

The Notice of Intent (NOI) submission to the Easton Conservation Commission should include plan details of the roadway, stream crossings and culverts, wetland resource areas that will be altered and proposed wetland replication areas. Replication of BVW should be provided at a minimum 1:1 replacement ratio. The NOI should evaluate the culvert replacements within the context of the Culvert Replacement Standards of the "Massachusetts River and Stream Crossing Standards: Technical Guidelines" of August 6, 2004. The project will be required to meet Section 10.57 of the Wetlands Protection Act regulations (310 CMR 10.57) ensuring that no increase in flood stage or velocity will result from the proposed project during the 100-year flood. The NOI should also discuss how the project meets the criteria for redevelopment within a Riverfront Area in accordance with 310 CMR 10.58(5).

Stormwater management along the project site is currently insufficient to manage stormwater quality or flows from the roadway in a manner consistent with current MassDEP Stormwater Management standards. The project includes the implementation of stormwater Best Management Practices (BMPs) consisting of deep sump catch basins with hoods, water quality swales with check dams, a detention basin, and replacement of substandard culverts. The project will be required to comply with the MassDEP Stormwater Management Standards that became part of the Wetlands Protection Act on January 2, 2008.

The NOI submission should demonstrate that the project will meet redevelopment standard (Standard 7) of the Stormwater Management regulations. The NOI should include design detail and drainage calculations associated with the proposed retention basin near Beaver Brook. I encourage the Proponent to work with the Town of Easton to establish appropriate construction period mitigation measures and subsequent wetland replication and restoration monitoring requirements. I request that the Proponent consider the construction period, mitigation, and monitoring recommendations made by Department of Conservation and Recreation (DCR) comment letter.

Historic

The Massachusetts Historical Commission (MHC) has determined that upon review of the Inventory of Historic and Archaeological Assets, the project is located within the Foundry Village Historic District (MHC #EST.D), listed in the State and National Registers of Historic Places. In their comment letter on the ENF, MHC opined that the culverts proposed for replacement have been previously modified and no longer retain architectural integrity as structures, and therefore do not contribute to the significant historic characteristics of the New and Old Pond Dam elements of the Foundry Village Historic Districts. Additionally, subsequent to an MHC staff site visit, it was determined that the project will impact areas previously disturbed by previous road construction, grading, landscaping or other types of modifications. Archaeological investigations of the proposed stormwater retention basin are not recommended by MHC, as they are unlikely to contribute additional significant information on the Foundry Village Historic District. In conclusion, the MHC has determined that the project, as proposed, will have "no adverse effect" (950 CMR 71.07(2)(b)(2)) to the Foundry Village Historic District.

I note the recommendation from the Easton Historical Commission (EHC) that construction should proceed with caution in the areas near Old and New Pond. Should artifacts be discovered during the construction period, the Proponent should notify the EHC and the MHC. I encourage the Proponent to work with the EHC regarding photo documentation of the granite culvert at Old Pond prior to dismantling.


Hazardous Materials

MassDEP has identified four current disposal sites and six former disposal sites located in the vicinity of the project in the Bureau of Waste Site Cleanup database. The Proponent is advised that, if oil and/or hazardous material is identified during the implementation of the project, notification pursuant to the Massachusetts Contingency Plan (310 CMR 40.0000) must be made to MassDEP, if necessary. A Licensed Site Professional (LSP) may be retained to determine if notification is required and, if need be, to render appropriate opinions.

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

April 10, 2009

Date



Ian A. Bowles

Comments received:

03/30/2009 Town of Easton Historical Commission
03/30/2009 Old Colony Planning Council
03/30/2009 Massachusetts Historical Commission
03/31/2009 Massachusetts Department of Environmental Protection – SERO
03/31/2009 Department of Conservation and Recreation

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