

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

DEVAL L. PATRICK  
GOVERNOR

TIMOTHY P. MURRAY  
LIEUTENANT GOVERNOR

IAN A. BOWLES  
SECRETARY

Tel: (617) 626-1000  
Fax: (617) 626-1181  
<http://www.mass.gov/envir>

May 9, 2008

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

PROJECT NAME : Reconstruction of Springfield Street and Bridge Street  
Intersection  
PROJECT MUNICIPALITY : Palmer  
PROJECT WATERSHED : Chicopee  
EOEA NUMBER : 14212  
PROJECT PROPONENT : Massachusetts Highway Department and the  
Town of Palmer  
DATE NOTICED IN MONITOR : March 26, 2008

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) 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).

The proposed project consists of replacement of a 1.25-mile portion of roadway located along Springfield Street in the Town of Palmer and upgrading of the intersection of Main Street, Springfield Street, and Bridge Street. Sections of the existing paved roadway will be widened within the existing highway layout from two to four feet to create a uniform 32-foot travel surface. A 250-foot section of the roadway will be widened by up to fifteen feet within existing highway layout. This area is located near the Chicopee River at the intersection of Three Rivers Road, where there is a sharp curve and steep embankments. The embankments will be cleared of vegetation and paved with riprap. The proposed intersection upgrade (at Main Street/Bridge Street/Springfield Street) includes cold planing and resurfacing, widening and other geometric improvements, installation of a new traffic signal, new sidewalks, and removal of an abandoned railroad track. The proposed project also includes repair and replacement of deteriorating cross culverts and catch basins

The project involves work within Riverfront Area and mapped habitat of state-listed species. The project will result in cutting of twenty-four trees, of which thirteen are public shade



trees with a diameter of 14 inches or more at breast height. The project will impact 133,360 square feet (sf) of Riverfront Area and 13,035 sf of Bordering Land Subject to Flooding (BLSF). The project will result in approximately 8.7 acres of land alteration -- including 0.2 acres of new impervious area.

The project is undergoing environmental review pursuant to Section 11.03(6)(b)(2)(b) of the MEPA regulations because it will result in cutting of five or more living public shade trees of 14 or more inches in diameter. The project requires an Order of Conditions from the Palmer Conservation Commission (and on appeal only, a Superseding Order from the Massachusetts Department of Environmental Protection (MassDEP)). The project requires a National Pollutant Discharge Elimination System (NPDES) Construction Activities Permit from the U.S. Environmental Protection Agency (EPA). The project involves financial assistance from the Commonwealth and will be undertaken by a state agency. MEPA jurisdiction therefore extends to all aspects of the project that may cause Damage to the Environment as defined in the MEPA regulations

As noted in the Environmental Notification Form (ENF), the proponent has committed to replace any trees removed to the extent practicable. The project design includes six different varieties of trees. The proponent has committed to implement erosion and sedimentation controls to protect wetland resource areas.

According to the ENF, portions of the project area are located within estimated and priority habitat for the Wood Turtle (*Glyptemys insculpata*). The ENF indicates that the project has been modified in order to avoid a "take" and will include sloped instead of vertical curbing, and a Wood Turtle Protection Plan, which has been developed by a wildlife biologist and will be included in contract documents. The Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program (NHESP) indicated in its comment letter that the ENF is consistent with NHESP's previous comments relative to state-listed species (as further detailed in NHESP comment letters attached to the ENF). The proponent must obtain NHESP approval of the biologist selected by the contractor to implement the Wood Turtle Protection Plan and the candidate biologist must be in possession of a Commercial Scientific Collection Permit. The proponent should ensure that the project is implemented in accordance with the conditions specified by NHESP in order to avoid a prohibited "take" of state-listed species.

As noted in the MassDEP comment letter, a discrepancy exists between the revised wetlands impacts proposed in the proponent's July 10, 2007 Memorandum, the ENF and the Order of Conditions issued by the Palmer Conservation Commission. The Order of Conditions should be revised as appropriate to reflect the correct area of Riverfront alteration. The proponent should consult with MassDEP and the Commission regarding impacts to Bordering Land Subject to Flooding, and provide additional information to clarify if the work proposed as reconstruction in place will result in flood storage volume that is being lost or mitigated.


The proponent should implement measures to alleviate dust, noise, and odor nuisance conditions that may occur during the construction activities. Mitigation measures should be implemented to ensure compliance with the MassDEP's Bureau of Waste Prevention (BWP) Regulations 310 CMR 7.01, 7.09, and 7.10. The proponent should consider using equipment

with oxidation catalysts or particulate filters and/or low sulfur fuel. The proponent should ensure that all solid waste generated by the project is properly managed and disposed of pursuant to 310 CMR 16.00 and 310 CMR 19.00. I refer the proponent to MassDEP's comment letter for additional details on notification and other regulatory requirements pertaining to management and disposal of solid waste, including crushing and reuse of asphalt, brick and concrete (ABC).

The project is located within a 0.5-mile radius of disposal sites governed by the Massachusetts Oil and Hazardous Material Release Prevention and Response Act (M.G.L. c 21E). I refer the proponent to MassDEP's comment letter regarding procedures that may be applicable pursuant to the Massachusetts Contingency Plan (MCP) 310 CMR 40.0000. The proponent should retain a Licensed Site Professional (LSP) to review MassDEP's oil and/or hazardous material disposal sites list and associated files prior to start up of the project to identify contaminated sites that may pose a problem with on-site excavation activities. The proponent should also implement a Spills Contingency Plan, as recommended by MassDEP in its comment letter, to address potential releases of oil and /or hazardous materials from pre and post construction activities.

I have determined that the ENF has sufficiently defined the nature and general elements of the project and proposed measures to avoid and minimize or mitigate impacts. The project may proceed to the permitting agencies. No further MEPA review is required for project as proposed in the ENF.

May 9, 2008  
DATE

  
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Ian A. Bowles, Secretary

Comments Received:

- 4/16/08 Department of Environmental Protection, Western Regional Office
- 4/16/08 Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program

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