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July 24, 2009

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

PROJECT NAME : Athol Richmond Road (Route 32) Improvements Project
PROJECT MUNICIPALITY : Royalston
PROJECT WATERSHED : Millers River
EOEA NUMBER : 14429
PROJECT PROPONENT : Massachusetts Highway Department/Town of Royalston
DATE NOTICED IN MONITOR : June 10, 2009

Pursuant to the Massachusetts Environmental Policy Act (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).

Project Description

As described in the Environmental Notification Form (ENF), the Massachusetts Highway Department (MassHighway) together with the Town of Royalston (collectively, the Proponents) propose to improve a 6.5-mile segment of the Athol Richmond Road (Route 32) in Royalston to address extremely poor roadway conditions that pose safety hazards. Beginning at the New Hampshire State Border and traveling south to the Athol town line, the Proponents are proposing to reconstruct Route 32 to a uniform width of 22 feet within the existing roadway right-of-way using a reclaimed base course and an application of new asphalt pavement surface.

The project includes raising the elevation of two segments of the Route 32 roadway with stabilized riprap slopes to maintain water levels and prevent overtopping and roadway flooding in two areas where beaver damming activity has restricted water flow. In addition to raising the roadway elevation, the Proponent is also proposing to install flow control devices through each of two beaver dams to maintain water levels beneath the raised roadway surface. The project also includes the installation of steel beam highway guard rail barriers at the two raised roadway locations and on a section of Route 32 that runs along the Tully Dam located at the southerly end of the project corridor. The project includes the replacement/installation of approximately 50 new cross-culverts along the entire 6.5-mile project corridor and new traffic signage and pavement markings. The project will require approximately twenty separate permanent and temporary use easements for parcels of property located within the project corridor.

Jurisdiction

The project is undergoing review pursuant to section 11.03 (3)(b)(1)(f) and (6)(b)(2)(b) of the MEPA regulations, because it involves the alteration of one half or more acres of Riverfront Area and the cutting of five or more living public shade trees 14 or more inches in diameter. The project will result in the removal of a total of 130 shade trees. The project may require a 401 Water Quality Certificate from MassDEP and may also require a Section 404 Programmatic General Permit (PGP) from the U.S. Army Corps of Engineers (ACOE). The project will require an Order of Conditions from the Royalston Conservation Commission, and, on appeal only, a Superseding Order of Conditions from MassDEP. The project should comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site.

Because the project is being undertaken in part by MassHighway, a State Agency, MEPA jurisdiction is broad and extends to all aspects of the project that may cause Damage to the Environment, as defined in the MEPA regulations.

REVIEW OF THE ENVIRONMENTAL NOTIFICATION FORM

Wetlands/Water Resources

The project will result in impacts to approximately 4,800 square feet (sf) of bordering vegetated wetlands (BVW) and approximately 48,370 sf of Riverfront Area associated with the proposed culvert replacements and alterations of roadway elevations. The Proponents have proposed to construct approximately 4,280 sf of wetland replication (0.9:1 replacement ratio) to be located immediately west of the Athol Richmond Road/Stewart Street intersection in Royalston.

The project corridor is located in the vicinity of coldwater fisheries resources including Collar Brook, Tully River and Tully Lake. According to the Natural Heritage and Endangered Species program (NHESP), these coldwater fisheries are highly susceptible to changes in water quality and streamflow conditions. NHESP has recommended that the proposed culvert replacement work be constructed only during times of the year characterized by seasonal low stream flow conditions. I support NHESP's recommendation and make this time of year (TOY) restriction a condition of my issuance of this Certificate. As noted in MassDEP's comments, the project may result in impacts to Isolated Wetlands and Land Under Water to complete the replacement of new cross-culverts. The Proponents must consult with MassDEP to determine if the project will also require a 401 Water Quality Certification a Section 404 Programmatic General Permit (PGP) from the U.S. Army Corps of Engineers (ACOE).

Stormwater/Flood Plain

The project will result in an increase of approximately 1.0 acre of impervious surface area. As described in the ENF, the project will be designed in compliance with the stormwater performance standards in the Stormwater Management Regulations (SMR) to the greatest extent practicable. The stormwater surface runoff will be directed by open country drainage to discharge points at more than 50 cross culverts to be replaced throughout the project corridor. At approximately 75 separate locations along the project corridor, paved waterway channels will be used to direct surface stormwater away from the roadway onto riprap splash pads to prevent erosion and allow for settlement of suspended solids prior to discharging to BVW or a surface water resource area. The stormwater management system for the project corridor will be maintained by the Proponents. The Town of Royalston will undergo a street sweeping and maintenance program to ensure that the stormwater management system is free of debris and functioning properly. The proposed culvert replacements must be designed in compliance with the Massachusetts River and Stream Crossing Standards: Technical Guidelines, August 6, 2004, and as noted above, must be constructed during seasonal low stream flow conditions. I encourage the Proponents to work closely with NHESP and the Royalston Conservation Commission in the final design and construction of the project's stormwater drainage improvements.

Article 97

The ENF describes the need for a total of 28 drainage easements along the Route 32 roadway to accommodate new culvert outflow headwalls and to allow the Royalston Department of Public Works to maintain these drainage structures. According to the comments from the Massachusetts Department of Conservation and Recreation (DCR), the Proponents are proposing two easements on properties for which the DCR holds a conservation restriction (CR). DCR anticipates working closely with the Proponents to identify opportunities for successfully accommodating the proposed

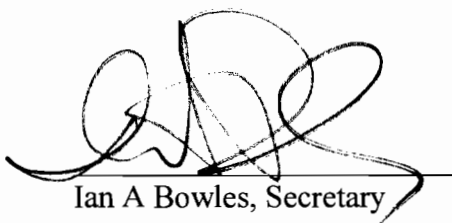
easement work within the requirements of the CRs held for these two properties and the provisions of Article 97 of the Amendments to the Massachusetts Constitution.

Mitigation

The Proponents must consult with MassDEP and the Royalston Conservation Commission to finalize the Proponents' stormwater drainage improvements and any proposed mitigation of impacts to wetland resource areas.

Overall, the Proponents appear to have designed the project to minimize its impacts, particularly to wetlands resource areas and stormwater drainage. Based on a review of the information provided in the ENF submittal and after consultation with the relevant public agencies, I find that the potential impacts of this project do not warrant the preparation of an EIR. The Proponents can resolve the remaining issues pertaining to wetlands, stormwater and drainage easements during the permitting process.

July 24, 2009
DATE



Ian A Bowles, Secretary

Comments received:

06/30/09	Montachusett Regional Planning Commission
07/08/09	Massachusetts Department of Environmental Protection (MassDEP) – WERO
07/14/09	Massachusetts Department of Conservation and Recreation (DCR)

EEA ENF# 14429
IAB/NCZ/ncz