



Deval L. Patrick, Governor  
Timothy P. Murray, Lt. Governor  
Richard A. Davey, Secretary & CEO  
Frank DePaola, Administrator



RE: Amherst/Hadley/Northampton - Norwottuck Rail Trail Improvement Project,  
EEA# 14614

To whom it may concern:

I have enclosed for your review, as required by the Massachusetts Environmental Policy Act Regulations, a copy of the Notice of Project Change (NPC) for the above-referenced project. The project was previously scoped for the preparation of an Environmental Impact Report. However, the project scope has been reduced and results in significantly less environmental impacts. The enclosed NPC details those scope and impact reductions.

This document was filed with the Executive Office of Environmental Affairs on May 31, 2012.

All comments should be sent to:

Secretary Richard K. Sullivan  
Executive Office of Energy & Environmental Affairs  
Attn: MEPA Office  
100 Cambridge Street, Suite 900  
Boston, MA 02114

Please send a copy of your comments to:

MassDOT Highway Division  
Environmental Services Division  
Attn: Michael Trepanier  
10 Park Plaza, Room 4260  
Boston, MA 02116

If you need any additional information regarding the subject project, please contact me at (617) 973-8250.

Sincerely,

Michael G. Trepanier  
Senior Environmental Planner  
Environmental Services Division

Ten Park Plaza, Suite 4160, Boston, MA 02116  
Tel: 617-973-7000, TDD: 617-973-7306  
[www.mass.gov/massdot](http://www.mass.gov/massdot)

**Commonwealth of Massachusetts**  
**Executive Office of Energy and Environmental Affairs ■ MEPA Office**

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*Executive Office of Environmental Affairs*

MEPA Analyst:  
Phone: 617-626

## Notice of Project Change

The information requested on this form must be completed to begin MEPA Review of a NPC in accordance with the provisions of the Massachusetts Environmental Policy Act and its implementing regulations (see 301 CMR 11.10(1)).

EEA # 14614		
Project Name: Norwottuck Rail Trail Rehabilitation		
Street Address: Norwottuck Rail Trail from Damon Road, Northampton to Station Road, Amherst		
Municipality: Amherst, Hadley, Northampton	Watershed: Connecticut River	
Universal Transverse Mercator Coordinates:	Latitude: 42 21 34	Longitude: -72 32 1
Estimated commencement date: 2013	Estimated completion date: 2015	
Project Type: Transportation/Recreation	Status of project design: 25	%complete
Proponent: MassDOT Highway Division and Department of Conservation and Recreation		
Street Address: 10 Park Plaza		
Municipality: Boston	State: MA	Zip Code: 02116
Name of Contact Person: Michael Trepanier		
Firm/Agency: MassDOT-Highway	Street Address: 10 Park Plaza, Room 4260	
Municipality: Boston	State: MA	Zip Code: 02116
Phone: (617) 973-8250	Fax: (617) 973-8879	E-mail: Michael.Trepanier@state.ma.us

With this Notice of Project Change, are you requesting:

a Single EIR? (see 301 CMR 11.06(8))	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
a Special Review Procedure? (see 301CMR 11.09)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
a Waiver of mandatory EIR? (see 301 CMR 11.11)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
a Phase I Waiver? (see 301 CMR 11.11)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Which MEPA review threshold(s) does the project meet or exceed (see 301 CMR 11.03)?

**a) Wetlands, Waterways, & Tidelands (301 CMR 11.03(3)(b)1.f. - Alteration of more than ½ acre of other wetlands)**

Which State Agency Permits will the project require?

**A 401 Water Quality Certificate from the Massachusetts department of Environmental Protection (DEP) pursuant to the Federal Clean Water Act; review and approval from the**

**Natural Heritage and Endangered Species Program; a Curb Cut permit from MassDOT; a construction access permit from DCR.**

Identify any financial assistance or land transfer from an Agency of the Commonwealth, including the Agency name and the amount of funding or land area in acres:

**The cost of construction will be funded with both state and federal funds.**

## **PROJECT INFORMATION**

In 25 words or less, what is the project change? **Scope significantly reduced: removed 2.1 miles from project corridor, reduced footprint of path and side slopes (variable width), removed dam construction; limited tree removal; limited scope results in drastic reduction of impacts to environmental resources from previously reviewed project.**

Date of publication of availability of the ENF in the Environmental Monitor **6/23/2010**

Was an EIR required? ☒ Yes ☐ No; if yes,  
was a Draft EIR filed? ☐ Yes (Date: ) ☒ No  
was a Final EIR filed? ☐ Yes (Date: ) ☒ No  
was a Single EIR filed? ☐ Yes (Date: ) ☒ No

Have other NPCs been filed? ☐ Yes (Date(s): ) ☒ No

If this is a NPC solely for lapse of time (see 301 CMR 11.10(2)) proceed directly to

## **ATTACHMENTS & SIGNATURES.**

### **PERMITS / FINANCIAL ASSISTANCE / LAND TRANSFER**

List or describe all new or modified state permits, financial assistance, or land transfers not previously reviewed: **dd w/ list of State Agency Actions (e.g., Agency Project, Financial Assistance, Land Transfer, List of Permits)**

**None.**

Are you requesting a finding that this project change is insignificant? A change in a Project is ordinarily insignificant if it results solely in an increase in square footage, linear footage, height, depth or other relevant measures of the physical dimensions of the Project of less than 10% over estimates previously reviewed, provided the increase does not meet or exceed any review thresholds. A change in a Project is also ordinarily insignificant if it results solely in an increase in impacts of less than 25% of the level specified in any review threshold, provided that cumulative impacts of the Project do not meet or exceed any review thresholds that were not previously met or exceeded. (see 301 CMR 11.10(6))

☐ Yes ☒ No; if yes, provide an explanation of this request in the Project Change Description below.

### **FOR PROJECTS SUBJECT TO AN EIR**

If the project requires the submission of an EIR, are you requesting that a Scope in a previously issued Certificate be rescinded?

☐ **Yes**   ☐ **No**; if yes, provide an explanation of this request.   **Not applicable. The project as previously proposed required the preparation of an EIR. Due to the reduction in scope, the project no longer exceeds a mandatory EIR review threshold.**

If the project requires the submission of an EIR, are you requesting a change to a Scope in a previously issued Certificate?

☐ **Yes**   ☐ **No**; if yes, provide an explanation of this request.   **Not applicable. The project as previously proposed required the preparation of an EIR. Due to the reduction in scope, the project no longer exceeds a mandatory EIR review threshold.**

### **SUMMARY OF PROJECT CHANGE PARAMETERS AND IMPACTS**

Summary of Project Size & Environmental Impacts	Previously reviewed	Net Change	Currently Proposed
<b>LAND</b>			
Total site acreage	105.79 +/-	-15	85
Acres of land altered	23.04	-7.5	15.54
Acres of impervious area	17.11	-5.7	11.41
Square feet of bordering vegetated wetlands alteration	120,443 sf	-117,976 sf	1,792 sf (Perm. = 948 sf; Temp. =844 sf)
Square feet of other wetland alteration	BLSF =102,863sf  IVW = 3,248 sf Riverfront = 75,240 sf LUW = 118 sf Bank = 3,854	BLSF = -101,463 sf IVW = -3,180 sf Riverfront = -18,634 sf LUW = -110.8sf Bank = -3829	BLSF = 1,400 sf IVW = 68 sf Riverfront = 56,606 sf LUW = 7.2sf Bank = 25
Acres of non-water dependent use of tidelands or waterways	N/A	N/A	N/A
<b>STRUCTURES (Bridges)</b>			
Gross square footage	1960 (Area consisted of existing structures only, with no new structures proposed)	0	1960 (Area consists of existing structures only, with no new structures proposed)

Number of housing units	N/A	N/A	N/A
Maximum height (in feet)	30	0	30
<b>TRANSPORTATION</b>			
Vehicle trips per day	N/A	N/A	N/A
Parking spaces	148	-32	116
<b>WATER/WASTEWATER</b>			
Gallons/day (GPD) of water use	N/A	N/A	N/A
GPD water withdrawal	N/A	N/A	N/A
GPD wastewater generation/ treatment	N/A	N/A	N/A
Length of water/sewer mains (in miles)	N/A	N/A	N/A

Does the project change involve any new or modified:

1. conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97? ☐Yes ☒No

2. release of any conservation restriction, preservation restriction, agricultural preservation restriction, or watershed preservation restriction? ☐Yes ☒No

3. impacts on Rare Species? ☒Yes ☐No

4. demolition of all or part of any structure, site or district listed in the State Register of Historic Place or the inventory of Historic and Archaeological Assets of the Commonwealth?  
☐Yes ☒No

5. impact upon an Area of Critical Environmental Concern? ☐Yes ☒No

If you answered 'Yes' to any of these 5 questions, explain below:

**3. Per NHESP correspondence, habitat for over twenty state-listed rare species occur near/within the project area. Given the limited scope of the project, it is anticipated that the project will not result in a prohibited "take" of endangered species. The previously reviewed preferred alternative would have likely resulted in greater impacts to rare species than the currently proposed project. MassDOT and DCR will continue to coordinate with the Natural Heritage and Endangered Species Program as the design is further developed.**

## **PROJECT CHANGE DESCRIPTION**

(attach additional pages as necessary).

The project change description should include:

- (a) a brief description of the project as most recently reviewed
- (b) a description of material changes to the project as previously reviewed,
- (c) if applicable, the significance of the proposed changes, with specific reference to the factors listed 301 CMR 11.10(6), and
- (d) measures that the project is taking to avoid damage to the environment or to minimize and mitigate unavoidable environmental impacts. If the change will involve modification of any previously issued Section 61 Finding, include a draft of the modified Section 61 Finding (or it will be required in a Supplemental EIR).

**a) The project most recently reviewed consisted of widening the rail trail throughout its entire length from 8 to ten feet wide, reconstruction of shoulders and side slopes, construction of a new dam, embankment stabilization, repair/replacement of existing culverts, construction of new accessible access ramps, re-alignment at the approach to the Route 9 tunnel, public safety improvements at road crossings, additional universal accessibility improvements and substantial tree cutting. An EENF was submitted to the Massachusetts Environmental Policy Act (MEPA) office on 6/14/2010 because the project exceeded the following MEPA thresholds: 301 CMR 11.03(3)(a)(2), alteration requiring a variance in accordance with the Massachusetts Wetlands Protection Act; 301 CMR 11.03(3)(b)(1)(d), alteration of 5,000 SF or more of bordering or isolated vegetated wetlands; 301 CMR 11.03(3)(b)(1)(f), alteration of ½ or more acres of any other wetlands; 301 CMR 11.03 (3)(a)(3), construction of a new dam; and 301 CMR 11.03(6)(b)(2)(b), cutting of five or more living public shade trees that are 14 or more inches in diameter at breast height. The EENF was expanded in an attempt to receive a mandatory EIR waiver. Some of the elements described in the EENF generated significant comments and concerns over impacts to wetland resources and the lack of clarity around tree removal. DCR voluntarily withdrew the waiver request and the preparation of a single EIR was required. MEPA issued a certificate on the EENF on July 30, 2010.**

**b) The material changes to the project include the following:**

- **The overall project scope has been significantly reduced to avoid many of the impacts that were included in the most recently reviewed project.**
- **2.1 miles of the previously reviewed project has been eliminated to avoid wetland and other impacts. The project still begins in Northampton at the Damon Road parking lot, but now only extends to Station Road in Amherst.**
- **All work east of Station Road has been eliminated. There is no work proposed in Belchertown.**
- **Of the 8.5 miles of the project, 73% of the length will be widened to 10 feet. Approximately 27% of the trail will not be widened but will instead be repaved to its current width of approximately 8.33 ft. Widening is now proposed where it can be accomplished without significant wetland or tree removal impacts.**
- **The construction of a dam has been removed from the project to avoid wetland impacts and significant vegetation removal.**

- The cross section of the path has been revised to more closely follow the existing terrain, and to avoid tree cutting and wetlands impacts. For much of the project length the limit of grading work will stay within 2 to 3 feet from the edge of the existing pavement. This will significantly reduce tree clearing and wetland impacts.
- The proposed profile of the path has been revised to exactly match the existing profile, which will help to eliminate cuts and fills and minimize environmental impacts.
- The proposed grass shoulders along the path will be built with a variable width in many locations in order to avoid further impacts.
- A 130 foot long elevated boardwalk will be constructed in order to improve the dangerous sharp corner at the Route 9 tunnel entrance. The path leading to the tunnel entrance will be elevated over the wetlands while providing a much safer entrance to the tunnel.
- Project wide tree removal has been reduced. Tree removal will occur at selected locations where individual trees are or may be causing root damage to the pavement, where trees close to the path would be a hazard to cyclists, and where proposed additional rest stops and turn-arounds to improve user experiences, and enhance universal accessibility.
- MassDOT has assumed responsibility of the design of the project. However, MassDOT and DCR are continuing to work closely as co-proponents of the project.

c) The proposed changes result in a very significant reduction in impacts compared with the most recently reviewed project. As shown above in the Summary of Project Change Parameters and Impacts, the proposed changes result in:

- A net decrease in total site acreage from 105 acres to 85 acres.
- A net decrease in acres of land altered from 23.04 acres to 15.5 acres.
- A net decrease in acres of impervious area from 17.11 acres to 11.4 acres.
- A net decrease in square feet of Bordering Vegetated Wetlands alteration from 120,443 sf to 1,792 sf. (948 sf of permanent and 844 sf of temporary BVW impacts)
- A net decrease in square feet of Bordering Land Subject to Flooding (BLSF) alteration from 102,863 sf to 1,400 sf.
- A net decrease in square feet of Isolated Vegetated Wetlands impacts from 3,248 sf to 68 sf (regulated under the Clean Water Act).
- A net decrease in square feet of work in Riverfront Area from 75,240 sf to 56,606 sf.
- A net decrease in square feet of Land Under Water impacts from 118 sf to 7.2 sf.
- A net decrease in Bank impacts from 3854 linear feet to 25 linear feet.

Because of the project changes, the project no longer triggers the MEPA review thresholds for:

- 301 CMR 11.03(3)(a)(2), alteration requiring a variance in accordance with the Massachusetts Wetlands Protection Act (Because the project no longer triggers the threshold for bordering or isolated vegetated wetlands (5,000 SF), a variance will not

be required).

- 301 CMR 11.03(3)(b)(1)(d), alteration of 5,000 SF or more of bordering or isolated vegetated wetlands (Total BVW+IVW= 2,535 SF which is less than the 5,000 SF threshold).
- 301 CMR 11.03 (3)(a)(3), construction of a new dam (The dam construction has been eliminated from the project).

The project will still trigger the following MEPA thresholds:

- 301 CMR 11.03(3)(b)(1)(f), alteration of  $\frac{1}{2}$  or more acres of any other wetlands; (BLSF+Riverfront+LUW+Bank=58,038.2 SF ( 1.33 acres) which is greater than the  $\frac{1}{2}$  acre threshold. It should be noted, however, that of the 1.33 acres of work in other wetlands, 0.7 acres (or 30,490sf) consists of work rehabilitating existing bicycle path and parking lot pavement.

d) Measures that the project is taking to avoid damage to the environment or to minimize and mitigate unavoidable environmental impacts. If the change will involve modification of any previously issued Section 61 Finding, include a draft of the modified Section 61 Finding (or it will be required in a Supplemental EIR).

The following mitigation is proposed in areas where unavoidable environmental impacts occur:

- The entire project has been re-designed to minimize impacts to wetland resources and landscape features by minimizing changes in path profile, reducing the extent of shoulder and side-slope reconstruction, and employing a variable width approach where necessary, as recommended by the previous MEPA review.
- Where permanent wetlands impacts occur, wetland replication is proposed.
- At the Route 9 tunnel approach, an elevated boardwalk is proposed to minimize the area of wetland that will be permanently altered.
- Erosion control measures including straw bales, silt fence, and mulch filter tubes will be used to prevent construction materials from entering resource areas.
- Project wide tree clearing has been eliminated to prevent future root damage to the trail pavement. Instead, individually selected trees will be removed based on safety concerns and the potential for root damage to the pavement.
- Ongoing community coordination and outreach has occurred to address community concerns and provide information. This outreach has included numerous meetings with the Norwottuck Rail Trail Advisory Committee, meetings with the Amherst and Hadley Conservation Commissions, a meeting with the Hadley Historical Commission, meetings with various stakeholder groups and individuals, and a public information forum.

## ATTACHMENTS & SIGNATURES

### Attachments:

1. Certificate of the Secretary of Energy and Environmental Affairs on the Expanded Environmental Notification Form, dated July 30, 2010 (Secretary's most recent Certificate on this project).
2. Plan & Profile of Norwottuck Rail Trail in the Towns of Northampton, Hadley, Amherst & Belchertown, Hampshire County, dated 6/15/2010 (**Plan showing most recent previously-reviewed proposed build condition**).
3. Plan & Profile of Norwottuck Rail Trail Rehabilitation in the City/Towns of Northampton, Hadley & Amherst, Hampshire County, dated May 2012 (**Plan showing currently proposed build condition**).
4. U.S.G.S. Map, Norwottuck Rail Trail Rehabilitation Project, dated May 2012
5. Notice of Project Change Calculations
6. Tree Impact Calculations
7. List of all agencies and persons to whom the proponent circulated the NPC, in accordance with 301 CMR 11.10(7).
8. List of EENF Commenter's

### Signatures:

5/30/2012   
Date Signature of Responsible Officer  
or Proponent

\_\_\_\_\_  
Date Signature of person preparing  
NPC (if different from above)

Michael Trepanier

\_\_\_\_\_  
Name (print or type)

\_\_\_\_\_  
Name (print or type)

MassDOT Highway Division

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Firm/Agency

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