December 13, 2018

Email eve.schluter@mass.gov

Ms. Everose Schlüter
Assistant Director
Massachusetts Environmental Policy Act Office
Executive Office of Energy and Environmental Affairs (EEA)
100 Cambridge Street, Suite 900 (9th Floor)
Boston, MA  02114

Re: EEA No. 15944 - Supplemental Information

Cape Cod Rail Trail Extension
LeCount Hollow Road to Route 6
LeCount Hollow Road Parking Lot Improvements
Wellfleet, Massachusetts

Dear Ms. Schlüter:

On behalf of the Project Proponent, the Massachusetts Department of Conservation and Recreation (DCR), LEC Environmental Consultants, Inc., (LEC) is submitting this letter to supplement the Environmental Notification Form filed for the proposed Cape Cod Rail Trail (CCRT) Extension Project. The Massachusetts Environmental Policy Act Office (MEPA) has requested additional information on: 1) alternatives to the proposed Route 6 parking lot; 2) the future connection/extension of a multi-use, shared path along Route 6; 3) improvements and potential connections to Paines Campground, now owned by DCR; 4) additional information on mitigation safety measures; and 5) NHESP review updates.

Route 6 Parking Lot Alternatives

DCR is proposing to install a new trailhead at the northerly terminus of the CCRT (Preferred Alternative). As currently proposed, the parking lot off Route 6 is to contain thirty-three (33) parking spaces, including two (2) van accessible handicap spaces. A MassDOT Vehicular Access Permit will be required for the new entrance off Route 6. A retaining wall will be installed along the westerly boundary of the parking lot to minimize regrading for both cuts and fills in consideration of the undulating topography. A proposed closed subsurface drainage infiltration system will be installed to handle and treat runoff from the new parking lot off Route 6 in compliance with MassDEP Stormwater Management Standards. The proposed parking lot will occupy 0.3± acres.
A trail connection will be installed off the southerly end of the parking lot and will include an area for benches, bike racks, and a porta potty. A split rail fence will separate the parking lot from the 10-foot wide paved, multi-use trail. A retaining wall is also proposed along a portion of the trail proximate to the new trailhead connection to retain abutting slopes.

Potential alternatives to the parking layout and trail configuration are limited within the 85± foot wide DCR corridor. Flipping the parking lot and trail does not reduce proposed land disturbance. The trail extension to Route 6 is necessary to connect with the upcoming MassDOT Route 6/Main Street Intersection Improvement Project (MassDOT #607397), which will include a multi-use, shared path along Route 6 (see below). Similar to the improvements at the LeCount Hollow Road parking lot, separating the parking lot (and vehicles) from the trail via a split rail fence is necessary for safety purposes.

The proposed parking lot does not occur within critically important state-listed rare species habitat. In fact, the northerly portion of the proposed parking lot and trail are not located within NHESP-mapped Priority Habitat and immediately abut existing developed properties. However, the proposed land disturbance associated with the parking lot will be mitigated in full under to-be-filed MESA Conservation and Management Permit, as detailed below.

The currently proposed 33 parking spaces represents the minimum need for existing and projected trail use in Wellfleet. Reducing the parking count is not viable to accommodate project needs. The proposed 33 parking spaces mimics the 32 spaces currently existing at the LeCount Hollow Road parking lot and is far less than the 67 parking spaces at the DCR CCRT parking lot off Route 134 in Dennis or the recently constructed 94 spaces off Station Avenue in Yarmouth.

During discussions with MEPA, the easterly abutting shelled parking area was questioned whether this area is a viable alternative. This privately-held subject parcel contains a single-family dwelling and appurtenances and a secondary building, now or formerly utilized as a real estate office. The shelled parking area is primarily utilized for boat storage and it contains a food truck. Necessary improvements to create a CCRT parking lot are unknown at this time, and under existing conditions, the property is not currently for sale and is therefore not a viable alternative. However, DCR will explore off-site options if any become available.

Following the December 3, 2018 on-site, DCR has also contemplated constructing a parking lot off Old Kings Highway. This area was dismissed due to its central location within NHESP-mapped Priority Habitat. Impacts to both state-listed Eastern Box Turtle habitat (e.g., nesting) and Common’s Panic Grass individuals would significantly increase with the necessary regrading limits in consideration of the undulating topography within this area. Furthermore, the parking lot would be oddly located approximately 1,000± feet short of the northerly trail terminus.
Parking at Paines Campground, recently acquired by DCR, was dismissed to avoid additional vehicular and foot traffic at the campground. Removal of the LeCount Hollow parking lot has also not been considered due to the existing infrastructure in place.

In summary, the Preferred Alternative meets project goals of safely establishing a northerly terminus to DCR-owned and operated CCRT extending from Yarmouth to Route 6 in Wellfleet, while avoiding, minimizing, and/or mitigating Damage to the Environment.

**Route 6 Multi-Use Shared Path Connection/Extension**

As mentioned above, the CCRT is intended to ultimately connect with a multi-use, shared path along Route 6 associated with the MassDOT Route 6/Main Street Intersection Improvement Project (MassDOT #607397). The multi-use, shared path along Route 6 is still in the early design stages (pre-25%) and will be subject to further analysis amongst MassDOT, the Town, and relevant stakeholders. The MassDOT Route 6/Main Street Intersection Improvement Project is a separate and distinct project from DCR’s CCRT Extension Project, and will undergo necessary permitting, potentially include MEPA review based on a final assessment of MEPA thresholds.

Currently, the MassDOT Route 6/Main Street Intersection Improvement Project is on the TIP for FY21 and permitting may be targeted for late 2019 or 2020. Based on this schedule, there may be a 1-2 year gap between DCR’s scheduled completion date by summer 2020 and commencement of MassDOT’s project. To address this time gap and provide pedestrian/bike safety, DCR is now proposing to only pave the 10-foot-wide paved, multi-use trail up to the trailhead connection to the Route 6 parking lot. Interim trail end signage and/or fencing will be installed at the paved terminus to trail as an additional safety measure. All regrading will be completed during the 2019/2020 CCRT Extension construction schedule and paving the remaining 400± feet of the trail will occur concurrently with the MassDOT project construction schedule.

**Paines Campground Improvements/CCRT Connection**

In June 2018, DCR acquired the 28± acre Paines Campground that abuts the proposed CCRT Extension to the west between Sta 77 and Sta 85 (Sheets 17 & 18 of site plans), which is almost halfway between LeCount Hollow Road and Route 6 (see Aerial Orthophoto, Attachment A). The campground maintains access off Old County Road to the west and currently contains 155 campsites nestled within a typical Cape Cod oak/pitch pine forest. Various driveways and paths connect the campsites.

DCR is proposing to reduce the number of campsites, abandon some paths, and restore habitat conditions in place. Proposed short-term improvements are largely based on improving accessibility for ADA-compliance, including upgrading the existing bathhouse to code and resurfacing some of the existing driveways and paths to an aggregate surface (e.g., OrganicLock). Future potential long-term improvements are currently being analyzed. However, proposed improvements will not trigger any
MEPA thresholds and are intended to minimize the use and potential impact on the landscape. Considering that the majority of Paines Campground occurs within NHESP-mapped Priority Habitat, any non-exempt proposed improvements will be sent to NHESP for review as necessary.

As depicted on Sheet 17 of the site plans, a paved driveway apron is proposed where the existing Paines Campground shelled driveway meets the proposed CCRT Extension. A proposed split rail fence and gate are proposed at this connection. As mentioned within the ENF, this shelled driveway will be used as access during project construction.

DCR is in the process of designing a new campground connection to the CCRT. The proposed new connection will occur between Campsites C50 and C52, as depicted on Attachment B. The preliminary design is contemplated to be an ADA-compliant earthen path or boardwalk connection that will minimize land disturbance through site grading and vegetation clearing. Existing, informal trail connections will be abandoned and allowed to naturally revegetate.

Mitigation Safety Measures

The proposed project involves two crossings at LeCount Hollow Road and Old Kings Highway. Both crossings will have signage and pavement markings installed to warn oncoming motorists. Road crossing signage and pavement markings will also be installed on the trail ahead of the crossings. The signs on LeCount Hollow Road will be supplemented with rectangular, rapid flashing beacons that will be activated by path users through pushbuttons.

NHESP Review Update

The submitted ENF reviews the proposed mitigation associated with the “take” of state-listed Rare Species (Eastern Box Turtle and Common’s Panic-Grass). To reiterate, proposed mitigation associated with impacts to the Common’s Panic-Grass, include implementation of a NHESP-approved Transplantation/Monitoring Plan (pre-construction), Rare Plant Protection Plan (during construction), and Habitat Management Plan (post-construction). Based on continuing conversations with NHESP, DCR is proposing to provide a long-term net benefit for potential impacts to Eastern Box Turtle habitat via off-site funding and/or habitat restoration, enhancement, and/or protection on existing DCR-owned lands containing known Eastern Box Turtle populations.

The off-site funding will be directed to the Eastern Box Turtle Mitigation Bank, operated by The Nature Conservancy (TNC), to be used exclusively to provide net-benefit mitigation for the Eastern Box Turtle, pursuant to the Off-Site Mitigation Memorandum of Agreement (MOA) between the MA Division of Fisheries & Wildlife and TNC, dated July 16, 2008, amended October 29, 2009. The funding will be utilized for land protection, conservation research, habitat management, and/or conservation planning to benefit the Eastern Box Turtle potentially impacted by the CCRT Extension.
Alternatively or in combination with, DCR will implement NHESP-approved habitat restoration, enhancement, and/or land protection on existing or future DCR-owned lands identified as core habitat for sustaining Eastern Box Turtle habitats in Massachusetts. Potential habitat restoration or enhancement may involve creating viable nesting and early successional habitat for the Eastern Box Turtle, potentially coupled with long-term management. Habitat protection may involve measures to restrict future trail extensions through important habitat areas. NHESP is currently compiling a list of desired sites and will be working cooperatively with DCR to review appropriate mitigation projects. Furthermore, new land protection for coverage under Article 97 would also be considered as mitigation in consultation with NHESP. Mitigation details will be memorialized within the MESA Conservation and Management Permit.

Thank you for your consideration of this supplemental information. If you have any questions or require additional information during the extended public comment period or in advance of issuing the ENF Certificate, please do not hesitate to contact me.

Sincerely,

LEC Environmental Consultants, Inc.

Brian T. Madden
Wildlife Scientist

Attachments
Attachment A

Aerial Orthophoto Map
Attachment B

Paines Campground Sketch