PUBLIC NOTICE

US Army Corps of Engineers ® New England District 696 Virginia Road Concord, MA 01742-2751 Comment Period Begins: May 6, 2014 Comment Period Ends: June 5, 2014 File Number: NAE-2009-00716 In Reply Refer To: Dan Vasconcelos Phone: (978) 318-8653 E-mail: daniel.b.vasconcelos@usace.army.mil

The District Engineer has received a permit application to conduct work in waters of the United States from the Massachusetts Department of Transportation – Highway Division (MassDOT), 10 Park Plaza, Boston, Massachusetts 02116. This work is proposed in unnamed waters of the United States, including wetlands, at the I-95/University Avenue Interchange in Dedham and Westwood, Massachusetts.

The site coordinates are: Latitude 42.212955°, Longitude -71.151763°.

Although this project may have only minimal impacts and may be eligible for authorization under the current Massachusetts General Permit, the work is not expected to begin until after the General Permit expires on January 20, 2015. The applicant is seeking an individual permit to allow for a full five years in which to complete the work.

The work involves the discharge of 10,249 square feet of fill material into unnamed waters and wetlands associated with improvements to the I-95/University Avenue Interchange in Dedham and Westwood, Massachusetts. The purpose of the work is to address existing design deficiencies of the I-95 southbound ramp at University Avenue and to reduce congestion. The proposed work would include the following components:

- Addition of auxiliary lane on I-95 southbound between rest area and University Avenue off-ramp
- Realignment of University Avenue off-ramp
- Improvements to University Avenue/Blue Hill Drive intersection
- Improvements to University Avenue/MBTA Driveway intersection

Of the total 10,249 square feet of impact, 6,995 square feet would be permanent and 3,254 square feet would be temporary. Permanent Section 404 fills associated with this project would result from rip-rap slopes associated with the construction of the auxiliary lane and realigned off-ramp, and from the widening of a portion of University Avenue, where a 30-inch reinforced concrete pipe (RCP) will be installed to convey the flow within the existing wetland/swale to be filled. Temporary Section 404 fills would result from fence removal and associated vegetation clearing, removal of an existing outfall structure, and construction access to the mitigation areas.

The work is shown on the attached plans entitled "APPLICATION FOR SECTION 401 WATER QUALITY CERTIFICATION, I-95 SOUTHBOUND RAMP AT UNIVERSITY AVENUE", on 12 sheets, and dated "March 13, 2014" (sheets 3 and 7 dated "Revised April 4, 2014").

In developing plans for the I-95/University Avenue Ramp Improvement Project, MassDOT considered ways to avoid and minimize impacts to waters of the United States, including wetlands. Steps to avoid and minimize

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impacts to wetlands and waterways include rejecting alternative design that would result in greater wetland impacts, using steepened side slopes (1.5:1 stabilized slopes) and retaining walls adjacent to wetlands, and the installation of erosion and sedimentation controls. Mitigation for unavoidable impacts is proposed, consisting of the creation of 13,040 square feet of Palustrine forested wetland in four areas adjacent to the impacted wetlands. These areas will be planted with a mix of native tree and shrub species and seeded with a native herbaceous wetland seed mix. In addition to the wetland creation effort, a total of 6,288 square feet of upland embankment areas will be constructed adjacent to the wetland mitigation areas, planted with native upland tree and shrubs species, and seeded with a native upland grass and wildflower mix.

AUTHORITY

Permits are required pursuant to:

____ Section 10 of the Rivers and Harbors Act of 1899

 \underline{X} Section 404 of the Clean Water Act

_____ Section 103 of the Marine Protection, Research and Sanctuaries Act.

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972, as amended.

NATIONAL HISTORIC PRESERVATION ACT

Based on his initial review, the District Engineer has determined that little likelihood exists for the proposed work to impinge upon properties with cultural or Native American significance, or listed in, or eligible for listing in, the National Register of Historic Places. Therefore, no further consideration of the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, is necessary. This determination is

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based upon one or more of the following:

- a. The permit area has been extensively modified by previous work.
- b. The permit area has been recently created.
- c. The proposed activity is of limited nature and scope.

d. Review of the latest published version of the National Register shows that no presence of

registered properties listed as being eligible for inclusion therein are in the permit area or general vicinity.

e. Coordination with the State Historic Preservation Officer and/or Tribal Historic Preservation Officer(s)

ENDANGERED SPECIES CONSULTATION

The New England District, Army Corps of Engineers has reviewed the list of species protected under the Endangered Species Act of 1973, as amended, which might occur at the project site. It is our preliminary determination that the proposed activity for which authorization is being sought is designed, situated or will be operated/used in such a manner that it is not likely to adversely affect any Federally listed endangered or threatened species or their designated critical habitat. By this Public Notice, we are requesting that the appropriate Federal Agency concur with our determination.

The following authorizations have been applied for, or have been, or will be obtained:

- (X) Permit, License or Assent from State.
- (X) Permit from Local Wetland Agency or Conservation Commission.
- (X) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. Comments should be submitted in writing by the above date. If you have any questions, please contact Dan Vasconcelos at (978) 318-8653, (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.

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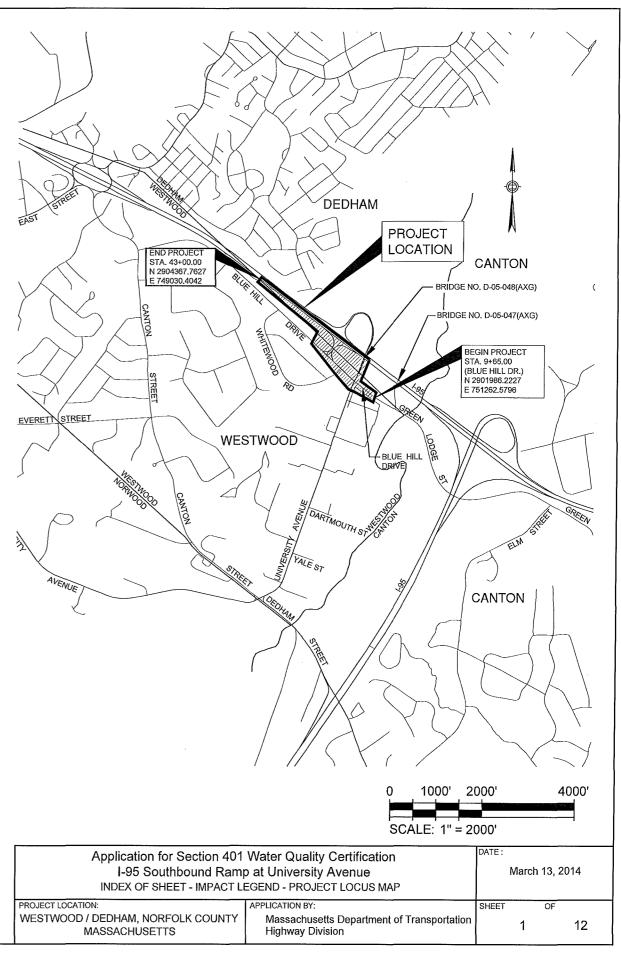
Karen K. Adams Chief, Permits and Enforcement Branch Regulatory Division

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If you would prefer not to continue receiving Public Notices by email, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at <u>bettina.m.chaisson@usace.army.mil</u>. You may also check here () and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

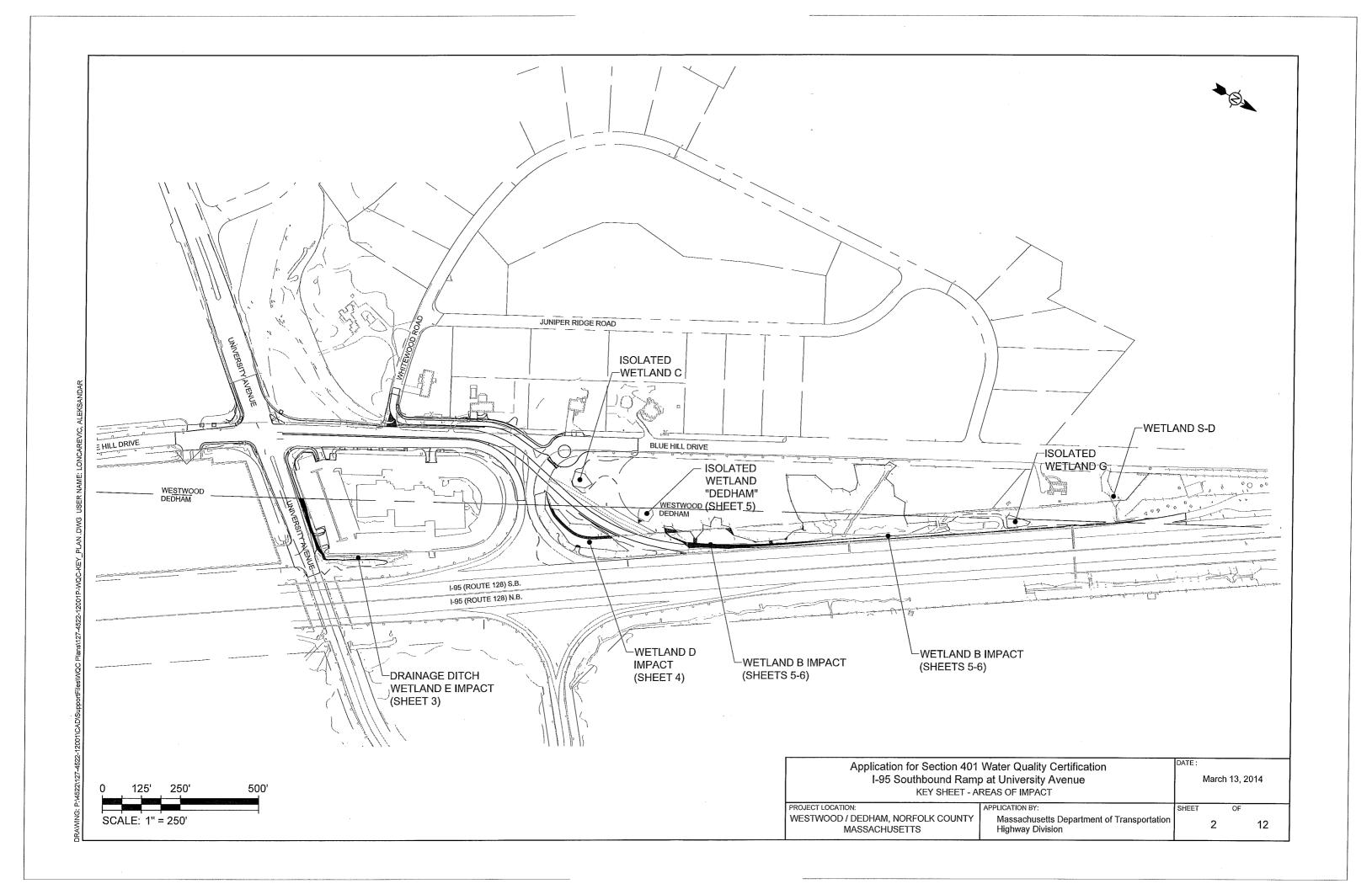
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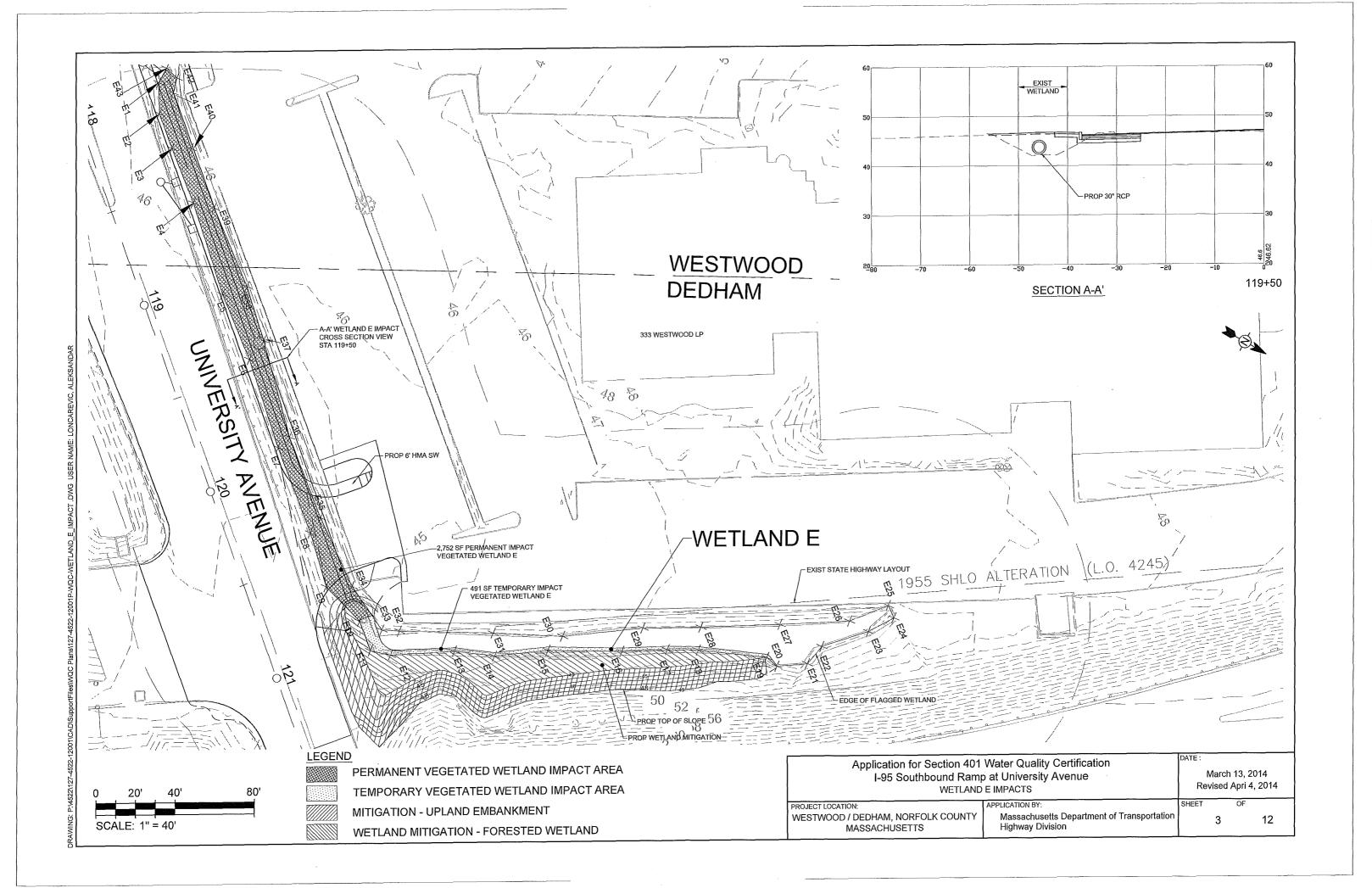
<u>PLAN #</u> 1	<u>TITLE</u> INDEX OF SHEETS - IMPACT LEGEND - PROJECT LOCUS MAP
2	KEY SHEET
3	WETLAND E IMPACTS & CROSS SECTION
4	WETLAND D IMPACTS
5-6	WETLAND B IMPACTS & CROSS SECTION
7	WETLAND MITIGATION AREA 1 & CROSS SECTIONS
8	WETLAND MITIGATION AREA 2 & CROSS SECTIONS
9	WETLAND MITIGATION AREA 3 & CROSS SECTIONS
10	WETLAND MITIGATION AREA 4 & CROSS SECTIONS
11-12	SPECIES LIST

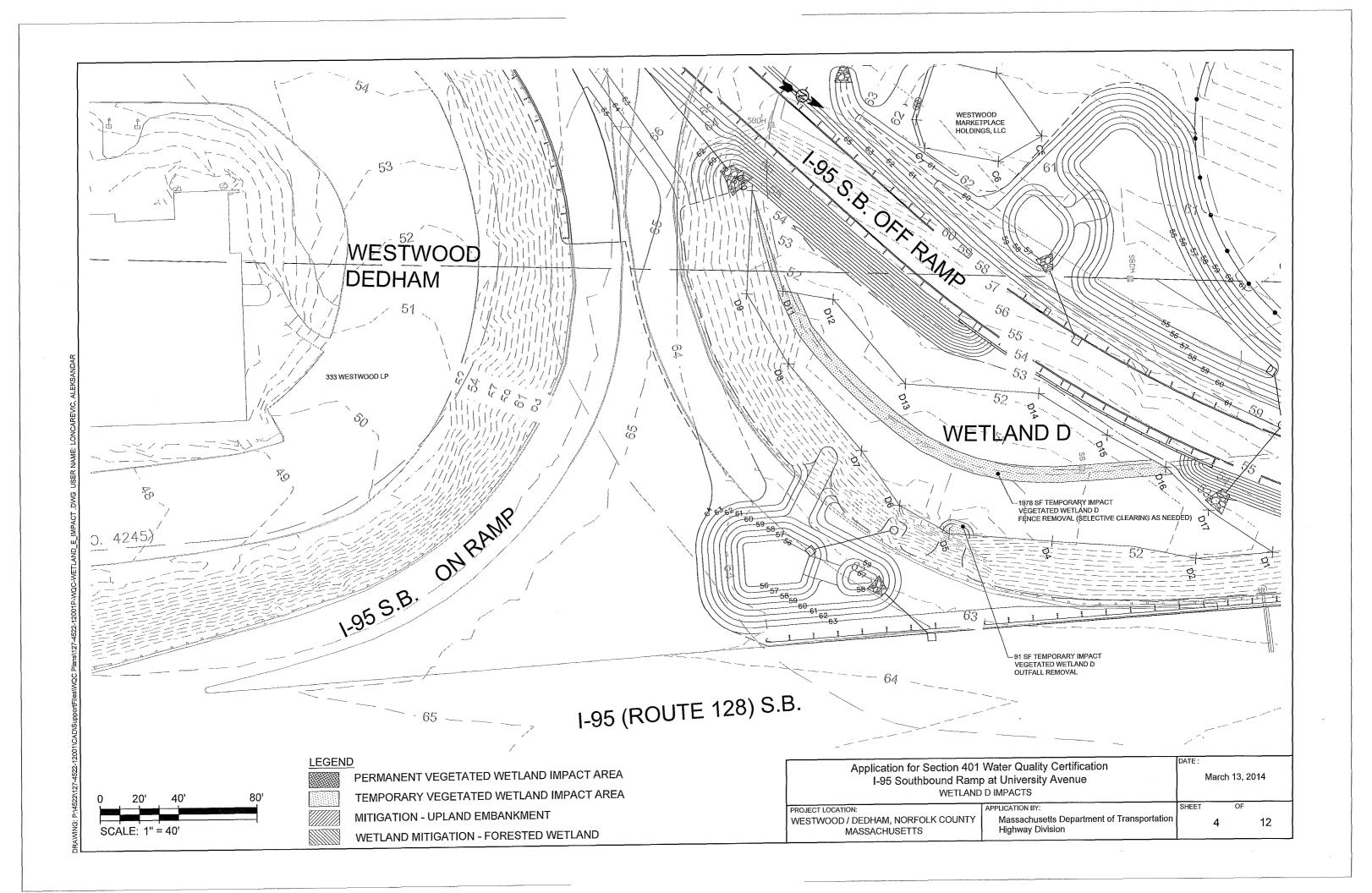


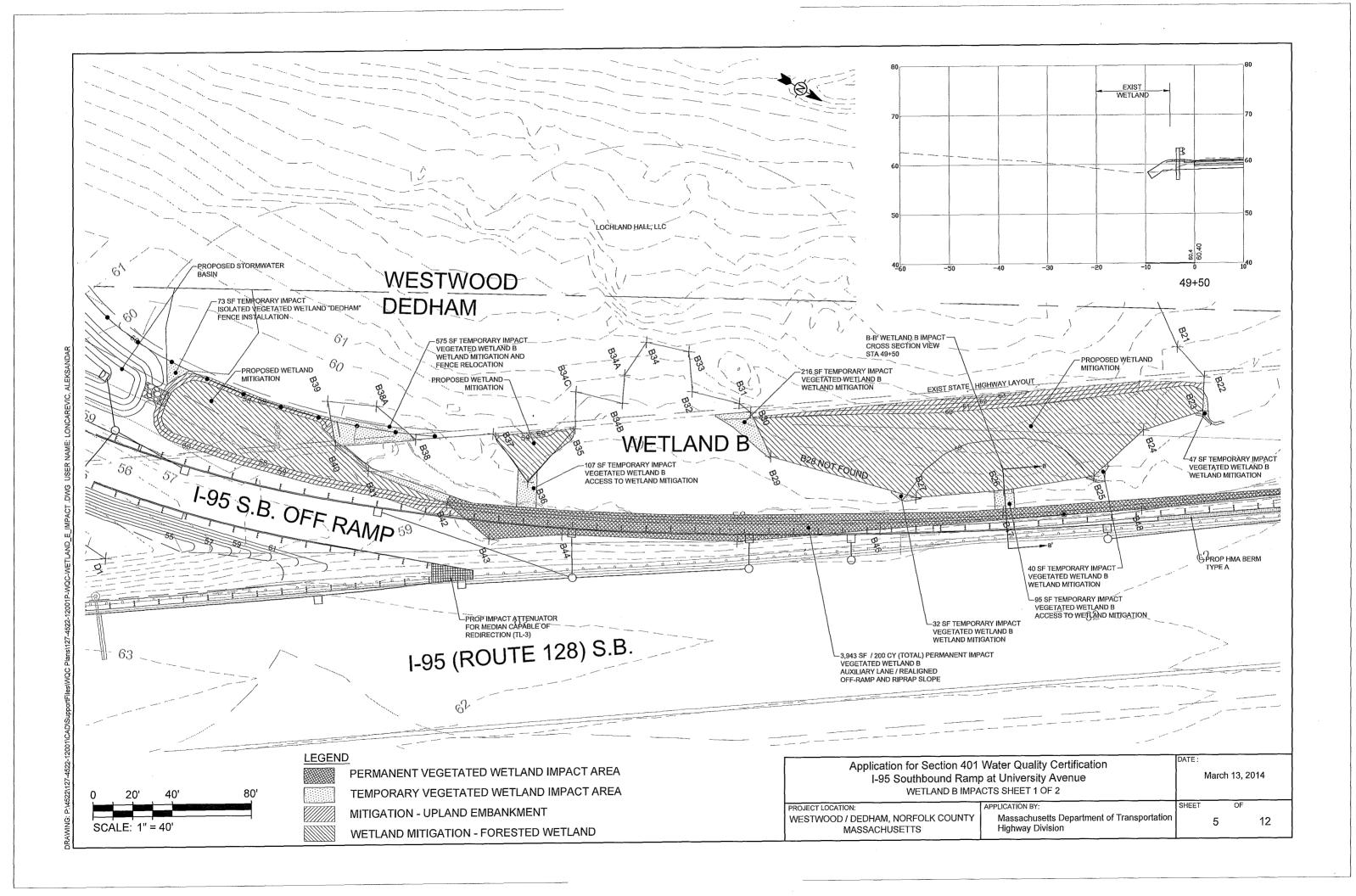
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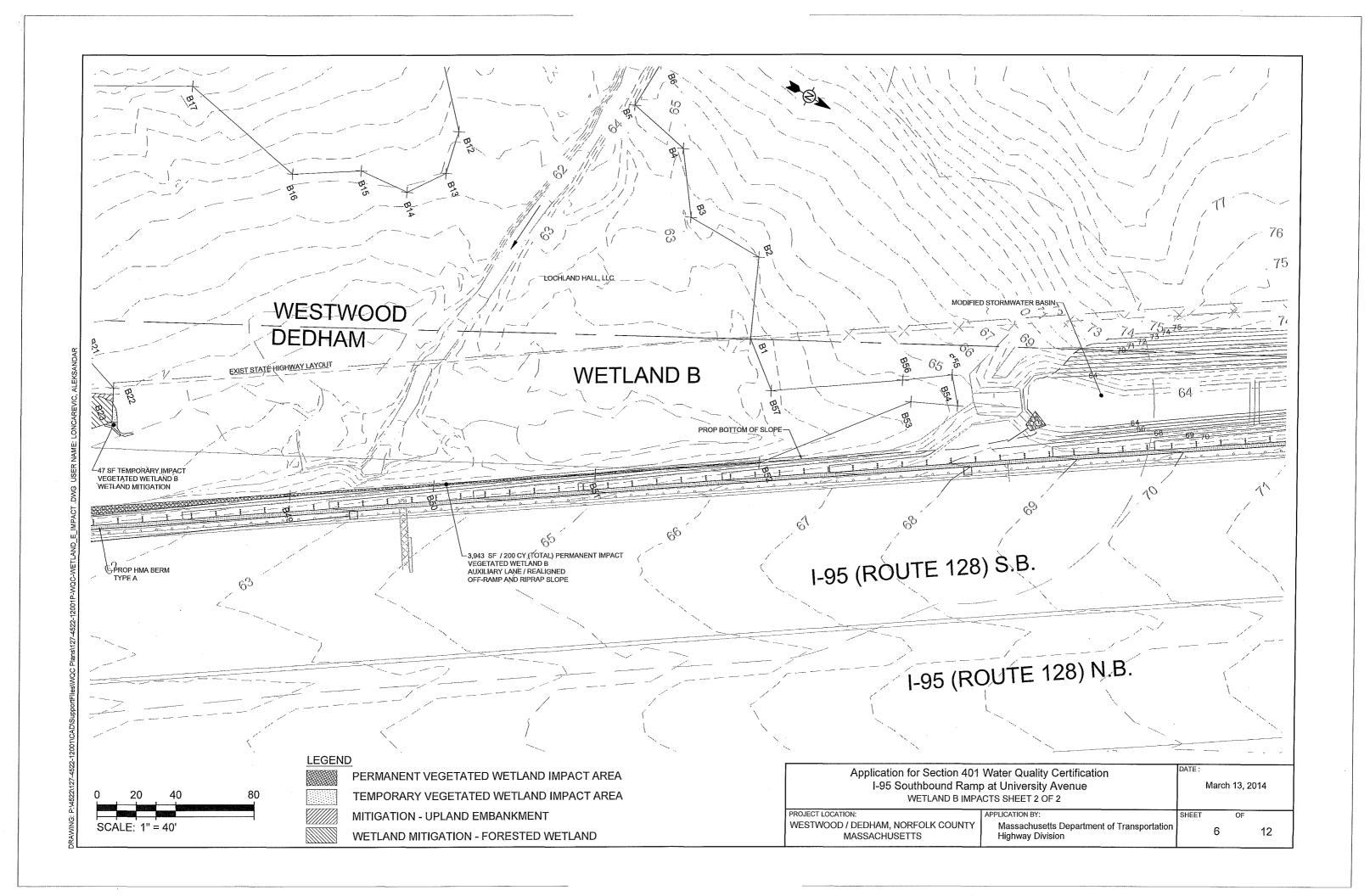
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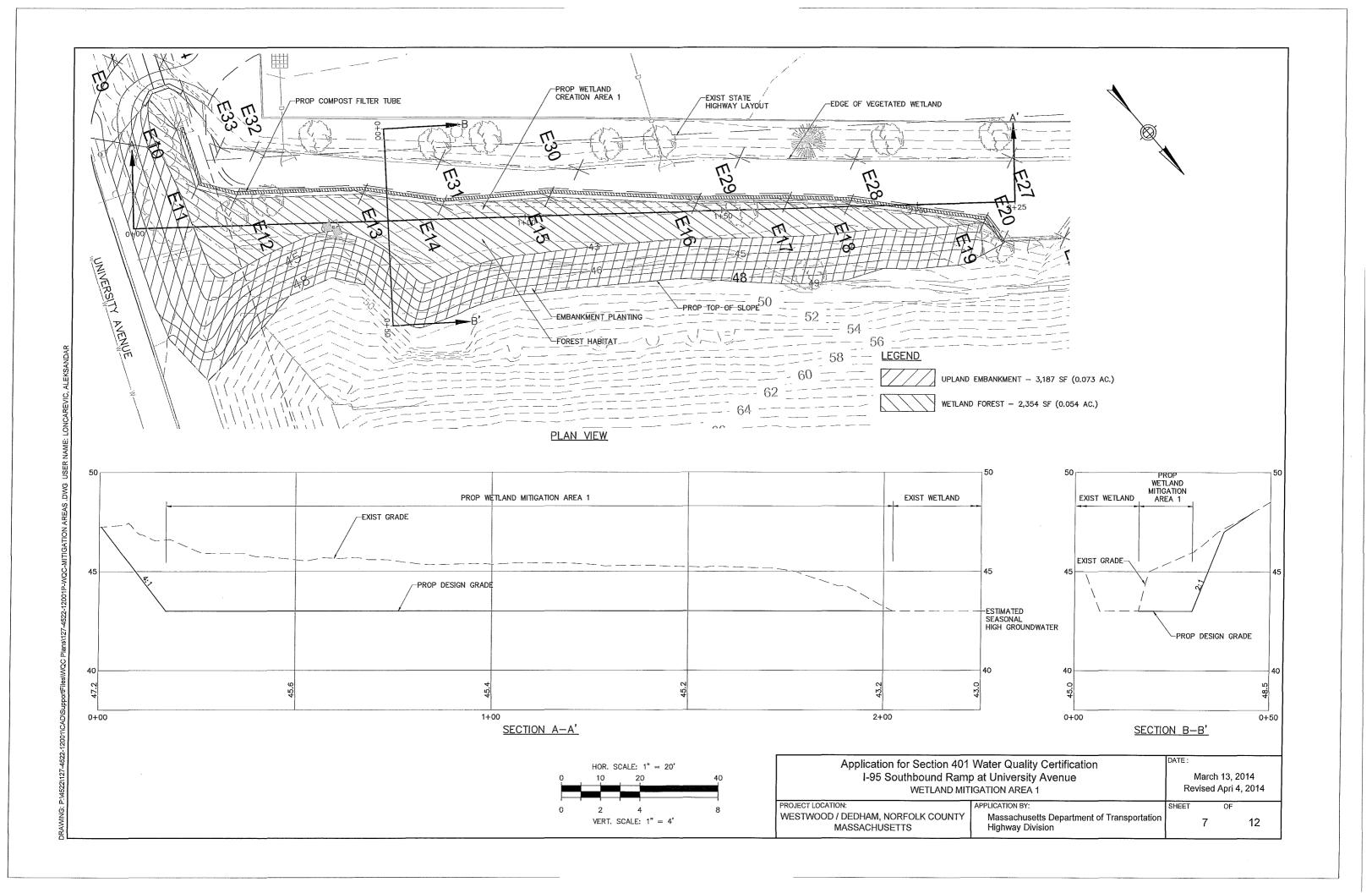


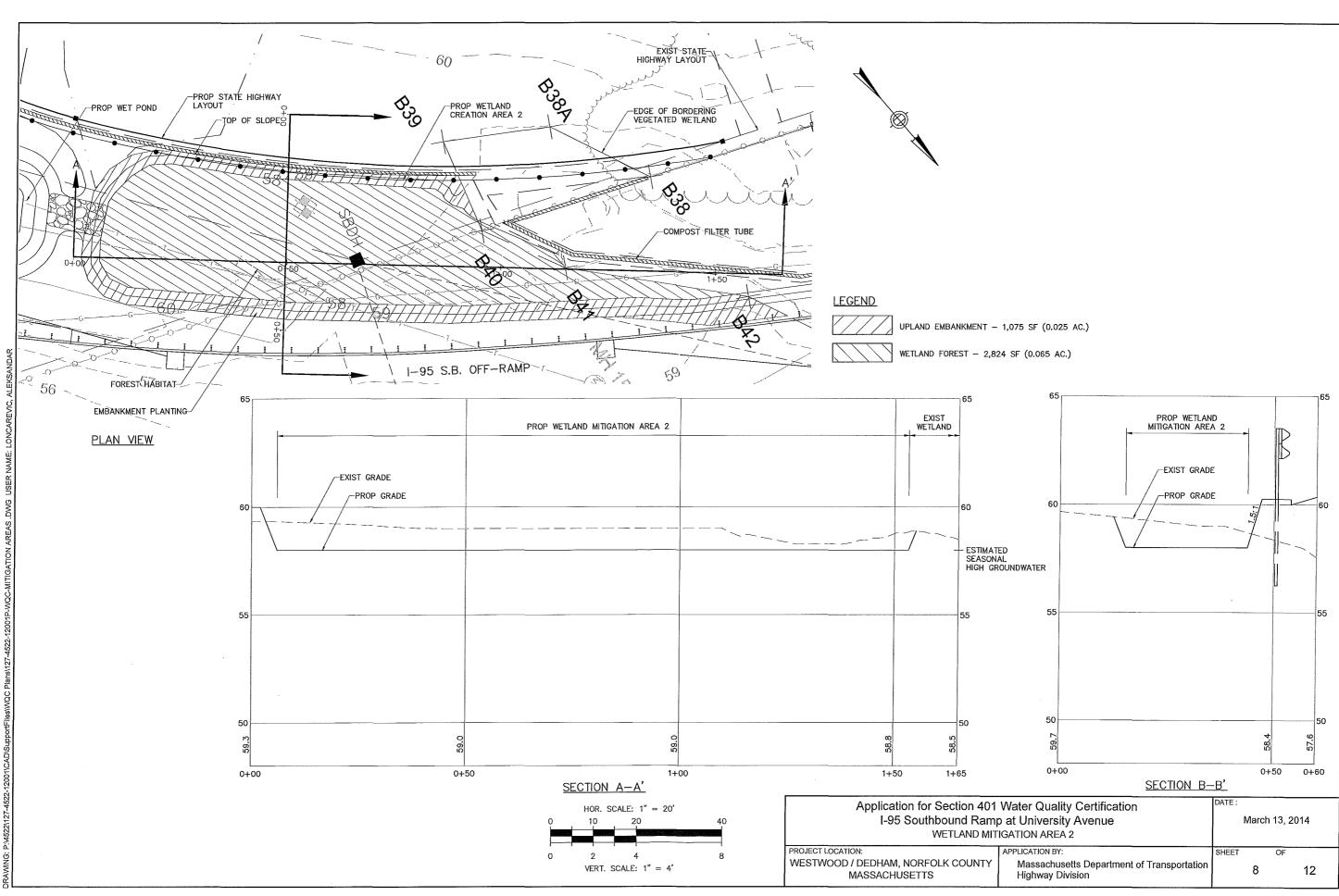


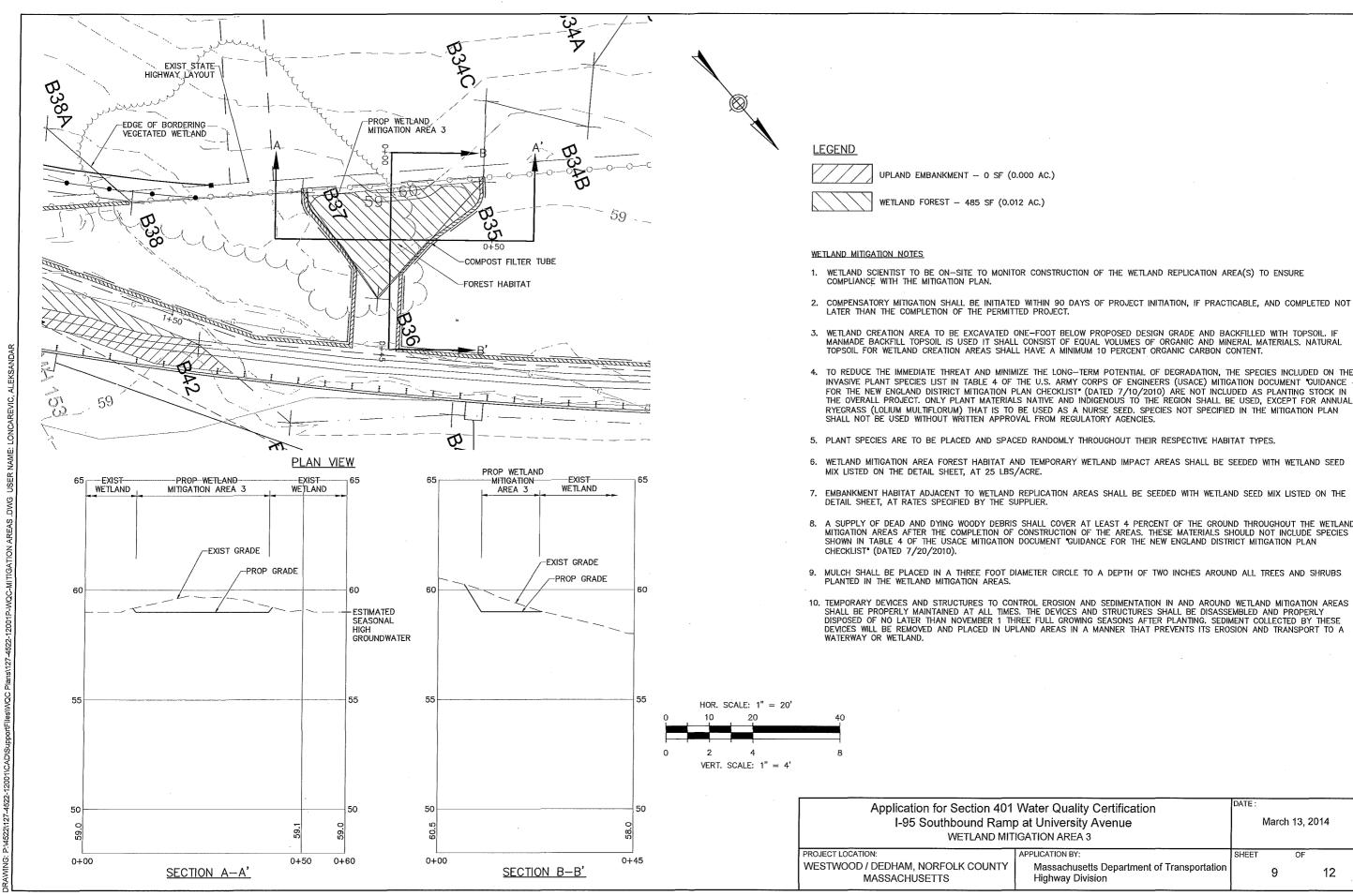












3. WETLAND CREATION AREA TO BE EXCAVATED ONE-FOOT BELOW PROPOSED DESIGN GRADE AND BACKFILLED WITH TOPSOIL IF MANMADE BACKFILL TOPSOIL IS USED IT SHALL CONSIST OF EQUAL VOLUMES OF ORGANIC AND MINERAL MATERIALS. NATURAL

4. TO REDUCE THE IMMEDIATE THREAT AND MINIMIZE THE LONG-TERM POTENTIAL OF DEGRADATION. THE SPECIES INCLUDED ON THE INVASIVE PLANT SPECIES LIST IN TABLE 4 OF THE U.S. ARMY CORPS OF ENGINEERS (USACE) MITIGATION DOCUMENT 'GUIDANCE FOR THE NEW ENGLAND DISTRICT MITIGATION PLAN CHECKLIST (DATED 7/10/2010) ARE NOT INCLUDED AS PLANTING STOCK IN THE OVERALL PROJECT. ONLY PLANT MATERIALS NATIVE AND INDIGENOUS TO THE REGION SHALL BE USED, EXCEPT FOR ANNUAL RYEGRASS (LOLIUM MULTIFLORUM) THAT IS TO BE USED AS A NURSE SEED. SPECIES NOT SPECIFIED IN THE MITIGATION PLAN

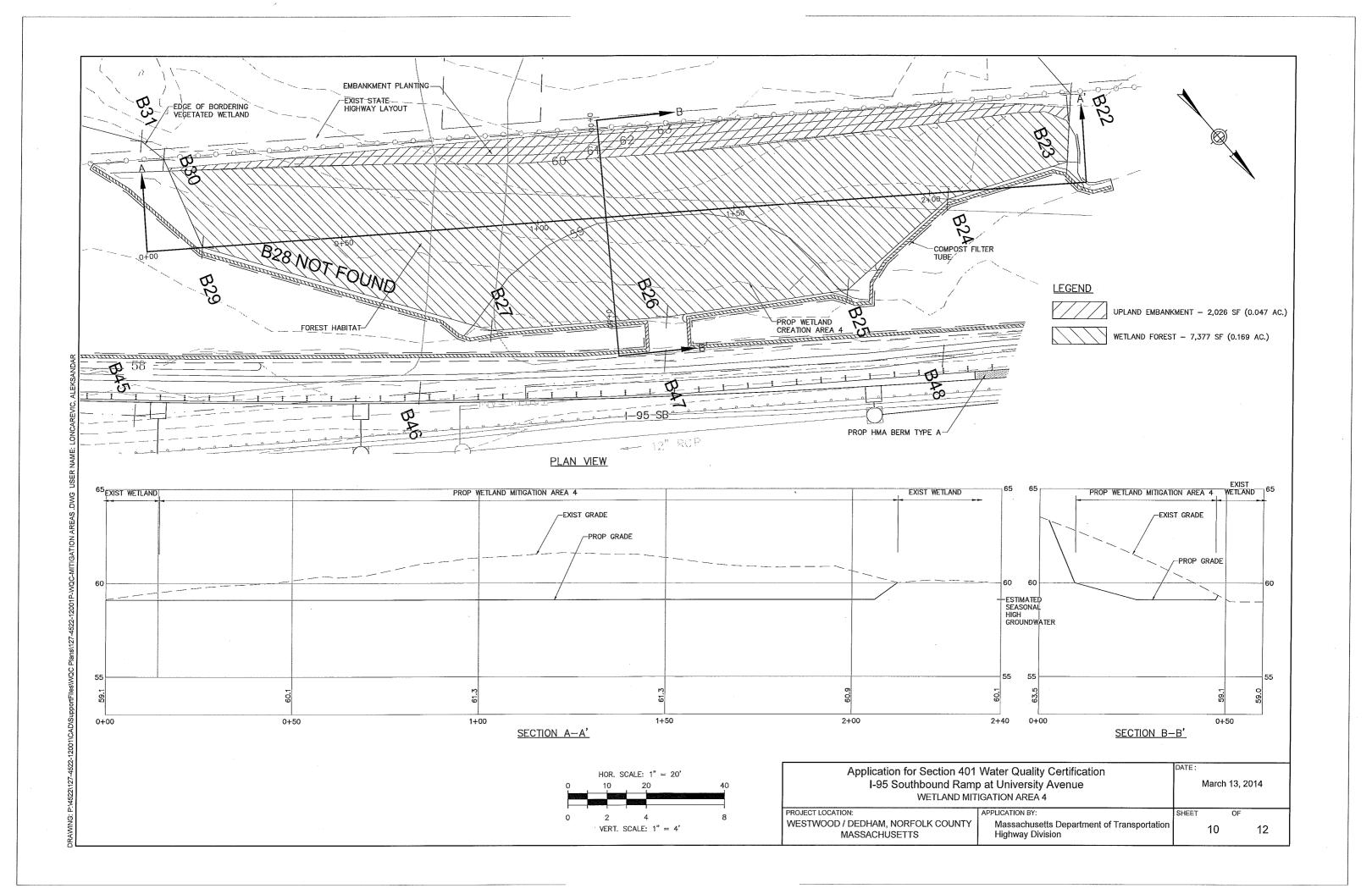
6. WETLAND MITIGATION AREA FOREST HABITAT AND TEMPORARY WETLAND IMPACT AREAS SHALL BE SEEDED WITH WETLAND SEED

7. EMBANKMENT HABITAT ADJACENT TO WETLAND REPLICATION AREAS SHALL BE SEEDED WITH WETLAND SEED MIX LISTED ON THE

8. A SUPPLY OF DEAD AND DYING WOODY DEBRIS SHALL COVER AT LEAST 4 PERCENT OF THE GROUND THROUGHOUT THE WETLAND MITIGATION AREAS AFTER THE COMPLETION OF CONSTRUCTION OF THE AREAS. THESE MATERIALS SHOULD NOT INCLUDE SPECIES SHOWN IN TABLE 4 OF THE USACE MITIGATION DOCUMENT "GUIDANCE FOR THE NEW ENGLAND DISTRICT MITIGATION PLAN

10. TEMPORARY DEVICES AND STRUCTURES TO CONTROL EROSION AND SEDIMENTATION IN AND AROUND WETLAND MITIGATION AREAS SHALL BE PROPERLY MAINTAINED AT ALL TIMES. THE DEVICES AND STRUCTURES SHALL BE DISASSEMBLED AND PROPERLY DISPOSED OF NO LATER THAN NOVEMBER 1 THREE FULL GROWING SEASONS AFTER PLANTING. SEDIMENT COLLECTED BY THESE DEVICES WILL BE REMOVED AND PLACED IN UPLAND AREAS IN A MANNER THAT PREVENTS ITS EROSION AND TRANSPORT TO A

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WETLAND CREATION AREA 1 SPECIES LIST

COMMON NAME	SCIENTIFIC NAME	QUANTITY	TYPE/SIZE
RED MAPLE	ACER RUBRUM	20	CONTAINER/4' MIN. HEIGHT
BLACK WILLOW	SALIX NIGRA	6	CONTAINER/4' MIN. HEIGHT
RED OSIER DOGWOOD	CORNUS STOLONIFERA	4	CONTAINER/18-24" MIN. HEIGHT
ELDERBERRY	SAMBUCUS CANADENSIS	4	CONTAINER/18-24" MIN. HEIGHT
PUSSY WILLOW	SALIX DISCOLOR	4	CONTAINER/18-24" MIN. HEIGHT

WETLAND CREATION AREA 1 EMBANKMENT SPECIES LIST

COMMON NAME	SCIENTIFIC NAME	QUANTITY	TYPE/SIZE
RED MAPLE	ACER RUBRUM	6	CONTAINER/4' MIN. HEIGHT
RED OAK	QUERCUS RUBRA	6	CONTAINER/4' MIN. HEIGHT
SLIPPERY ELM	ULMUS RUBRA	4	CONTAINER/4' MIN. HEIGHT
SHADBUSH	AMELANCHIER CANADENSIS	6	CONTAINER/18-24" MIN. HEIGHT
INKBERRY	ILEX GLABRA	6	CONTAINER/18-24" MIN. HEIGHT
BAYBERRY	MYRICA PENSYLVANICA	4	CONTAINER/18-24" MIN. HEIGHT
HIGHBUSH BLUEBERRY	VACCINIUM CORYMBOSUM	6	CONTAINER/18-24" MIN. HEIGHT
NANNYBERRY	VIBURNUM LENTAGO	6	CONTAINER/18-24" MIN. HEIGHT

WETLAND CREATION AREA 2 SPECIES LIST

TREE AND SHRUB HABITAT			
COMMON NAME	SCIENTIFIC NAME	QUANTITY	TYPE/SIZE
RED MAPLE	ACER RUBRUM	7	CONTAINER/4' MIN. HEIGHT
BLACK WILLOW	SALIX NIGRA	10	CONTAINER/4' MIN. HEIGHT
SPECKLED ALDER	ALNUS RUGOSA	7	CONTAINER/18-24" MIN. HEIGHT
RED OSIER DOGWOOD	CORNUS STOLONIFERA	5	CONTAINER/18-24" MIN. HEIGHT
ELDERBERRY	SAMBUCUS CANADENSIS	7	CONTAINER/18-24" MIN. HEIGHT
PUSSY WILLOW	SALIX DISCOLOR	7	CONTAINER/18-24" MIN. HEIGHT
NORTHERN ARROWWOOD	VIBURNUM RECOGNITUM	5	CONTAINER/18-24" MIN. HEIGHT

WETLAND CREATION AREA 2 EMBANKMENT SPECIES LIST

COMMON NAME	SCIENTIFIC NAME	QUANTITY	TYPE/SIZE
RED MAPLE	ACER RUBRUM	3	CONTAINER/4' MIN. HEIGHT
RED OAK	QUERCUS RUBRA	3	CONTAINER/4' MIN. HEIGHT
SLIPPERY ELM	ULMUS RUBRA	3	CONTAINER/4' MIN. HEIGHT
SHADBUSH	AMELANCHIER CANADENSIS	3	CONTAINER/18-24" MIN. HEIGHT
INKBERRY	ILEX GLABRA	3	CONTAINER/18-24" MIN. HEIGHT
BAYBERRY	MYRICA PENSYLVANICA	3	CONTAINER/18-24" MIN. HEIGHT
HIGHBUSH BLUEBERRY	VACCINIUM CORYMBOSUM	3	CONTAINER/18-24" MIN. HEIGHT
NANNYBERRY	VIBURNUM LENTAGO	3	CONTAINER/18-24" MIN. HEIGHT

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WETLAND CREATION AREA	3 SPECIES LIST	r	
TREE AND SHRUB HABITAT	·		
COMMON NAME	SCIENTIFIC NAME	QUANTITY	TYPE/SIZE
BLACK WILLOW	SALIX NIGARA	4	CONTAINER/4' MIN. HEIGHT
PUSSY WILLOW	SALIX DISCOLOR	4	CONTAINER/18-24" MIN. HEIGHT

WETLAND CREATION AREA 4 SPECIES LIST

SCIENTIFIC NAME	QUANTITY	TYPE/SIZ
ACER RUBRUM	10	CONTAINE
SALIX NIGRA	8	CONTAINE
CORNUS STOLONIFERA	8	CONTAINE HEIGHT
SAMBUCUS CANADENSIS	8	CONTAINE HEIGHT
SALIX DISCOLOR	10	CONTAINEI HEIGHT
	NAME ACER RUBRUM SALIX NIGRA CORNUS STOLONIFERA SAMBUCUS CANADENSIS SALIX	NAME ACER RUBRUM 10 SALIX NIGRA 8 CORNUS 8 STOLONIFERA SAMBUCUS 8 CANADENSIS SALIX 10

WETLAND CREATION AREA 4 EMBANKMENT SPECIES LIST

COMMON NAME	SCIENTIFIC NAME	QUANTITY	TYPE/SIZE
RED MAPLE	ACER RUBRUM	5	CONTAINER/4' MIN. HEIGHT
RED OAK	QUERCUS RUBRA	5	CONTAINER/4' MIN. HEIGHT
SLIPPERY EIM	ULMUS RUBRA	4	CONTAINER/4' MIN. HEIGHT
SHADBUSH	AMELANCHIER CANADENSIS	6	CONTAINER/18-24" MIN. HEIGHT
INKBERRY	ILEX GLABRA	4	CONTAINER/18-24" MIN. HEIGHT
BAYBERRY	MYRICA PENSYLVANICA	4	CONTAINER/18-24" MIN. HEIGHT
HIGHBUSH BLUEBERRY	VACCINIUM CORYMBOSUM	4	CONTAINER/18-24" MIN. HEIGHT
NANNYBERRY	VIBURNUM LENTAGO	6	CONTAINER/18-24" MIN. HEIGHT

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