PUBLIC NOTICE



Comment Period Begins: May 12, 2020 Comment Period Ends: June 11, 2020 File Number: NAE-2019-00359

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 (MassDOT) – Highway Division, 10 Park Plaza, Boston, Massachusetts 02116. This work is proposed in the Cotley River, unnamed tributaries to the Cotley River, and associated vegetated wetlands, at the Route 24/Route 140 Interchange, including Route 24 from the Hart Street overpass to approximately 0.45 miles south of the interchange, and Route 140 between Industrial Drive and Stevens Street, in Taunton, Massachusetts. The site coordinates are: Latitude 41°52'19"N, Longitude 71°3'20"W.

The work includes the discharge of fill material into waters of the United States, including 68,193 square feet (1.6 acres) of permanent impacts to vegetated wetlands, 23,380 square feet (0.5 acres) of temporary impacts to vegetated wetlands, 1,344 linear feet of permanent stream impacts, and 75 linear feet of temporary stream impacts, resulting from improvements to the Route 24/Route 140 Interchange. The purpose of this project is to address traffic delays and improve safety within the interchange. The proposed work includes the following components:

- Widening on Route 24 and Route 140 to accommodate additional travel lanes, acceleration/deceleration lanes, and/or dedicated left turn lanes
- Ramp work including realignment of existing ramps and construction of a new ramp from Route 24 southbound to Route 140 northbound
- Replacement of the bridges conveying Route 24 over the MBTA rail line and Route 24 over Route 140
- Extension of three existing culverts conveying unnamed tributaries to the Cotley River, and the existing box culvert conveying Route 140 over the Cotley River
- Relocation of existing utilities from Route 140 roadbed to a new utility corridor on the south side of the road
- Stormwater improvements

Permanent Section 404 impacts associated with this project would result from roadway widening and associated side slopes, ramp construction/realignment, relocation of a stream resulting from road widening, culvert extensions, utility relocation, and stormwater improvements. Temporary Section 404 fills would result primarily from temporary construction access.

The work is shown on the enclosed plans entitled "ACOE Section 404 Permit Application Interchange Improvements at Routes 24 and 140 (Project 605888)" on 50 sheets, and dated "APRIL 20, 2020".

The project has been designed to avoid and minimize impacts to waters of the United States, including wetlands, through the use of various best management practices, including the installation of erosion and

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sedimentation controls at the project limits, construction phasing, and the use of retaining walls and 1.5:1 or 2:1 slopes adjacent to wetlands wherever feasible. As mitigation for unavoidable impacts, the applicant proposes a mix of onsite wetland restoration and replication combined with the purchase of credits from the Massachusetts in-lieu fee (ILF) program.

AUTHORITY

Permi	ts are required pursuant to:
	Section 10 of the Rivers and Harbors Act of 1899
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 U.S. Army Corps of Engineers, New England District (Corps), 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. The Corps will consider all comments received 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

The Federal Highway Administration (FHWA) is the lead federal agency responsible for coordination pursuant to Section 106 of the National Historic Preservation Act. MassDOT has concluded coordination with the State Historic Preservation Officer (SHPO) and relevant Tribal Historic Preservation Officers (THPOs) on behalf of the FHWA. Although FHWA has taken the lead on this consultation, 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. The Corps will continue review and consultation as required to fulfil the requirements of the National Historic Preservation Act as part of the permit review process.

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ENDANGERED SPECIES CONSULTATION

FHWA is the lead federal agency responsible for coordination pursuant to Section 7 of the Endangered Species Act. Although FHWA is the lead federal agency, the Corps has reviewed the application for the potential impact on Federally-listed threatened or endangered species and their designated critical habitat pursuant to section 7 of the Endangered Species Act as amended. 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 a listed species or their critical habitat. FHWA is coordinating with the U.S. Fish and Wildlife Service on listed species under their jurisdiction and the ESA consultation will be concluded prior to the final decision.

OTHER GOVERNMENT AUTHORIZATIONS

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.

COMMENTS

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.

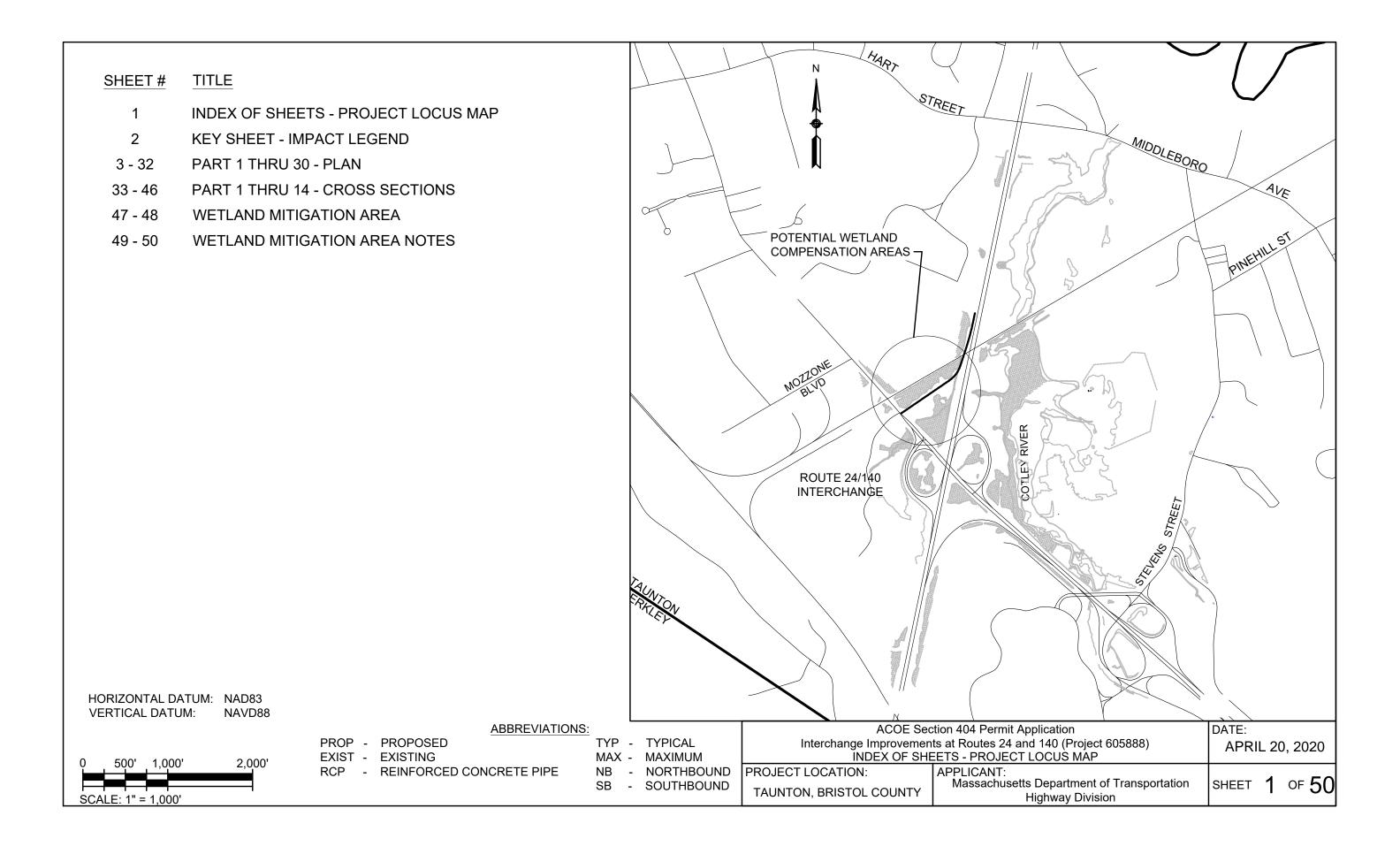
THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.

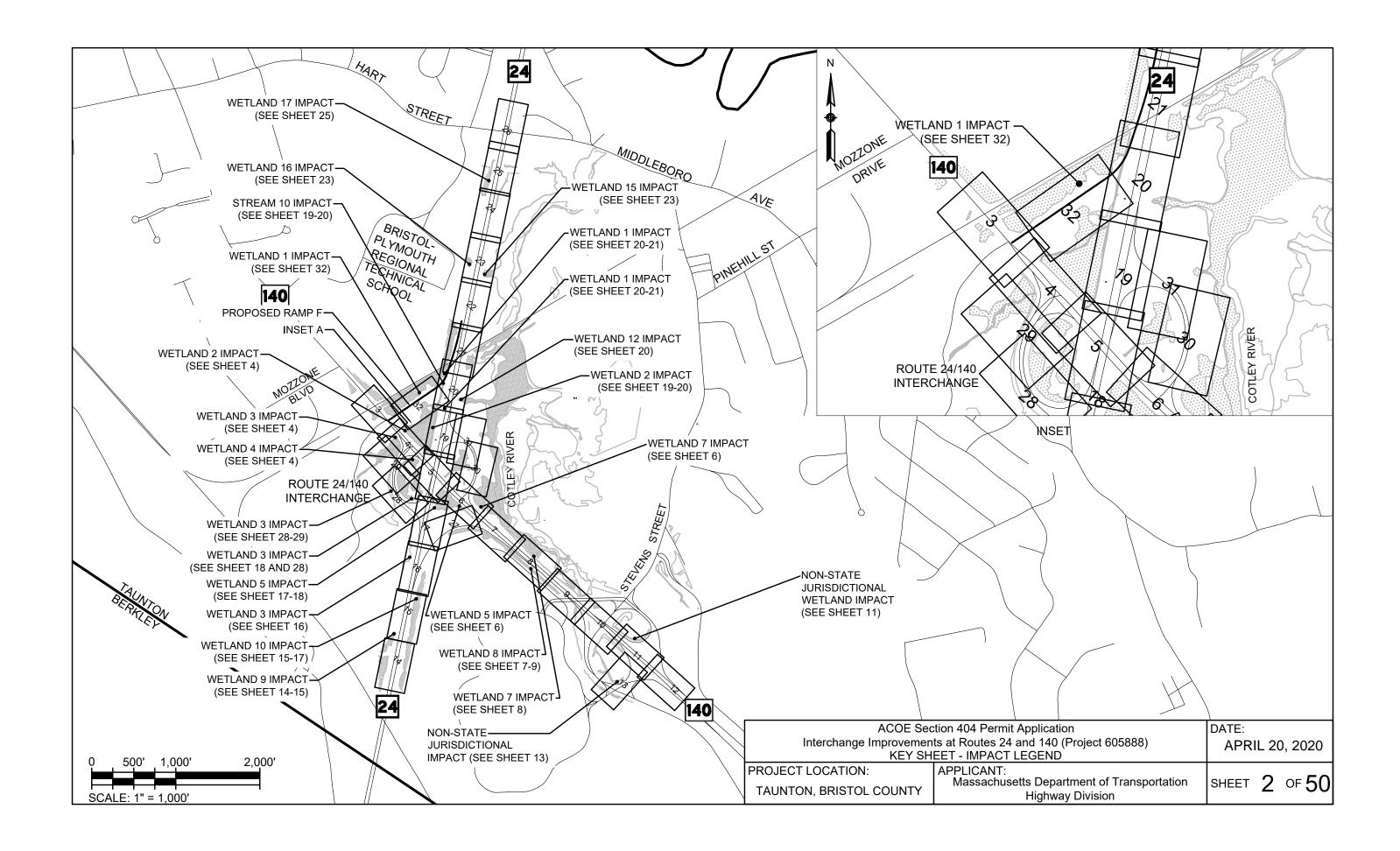
Barbara H. Newman Chief, Permits and Enforcement Branch Regulatory Division

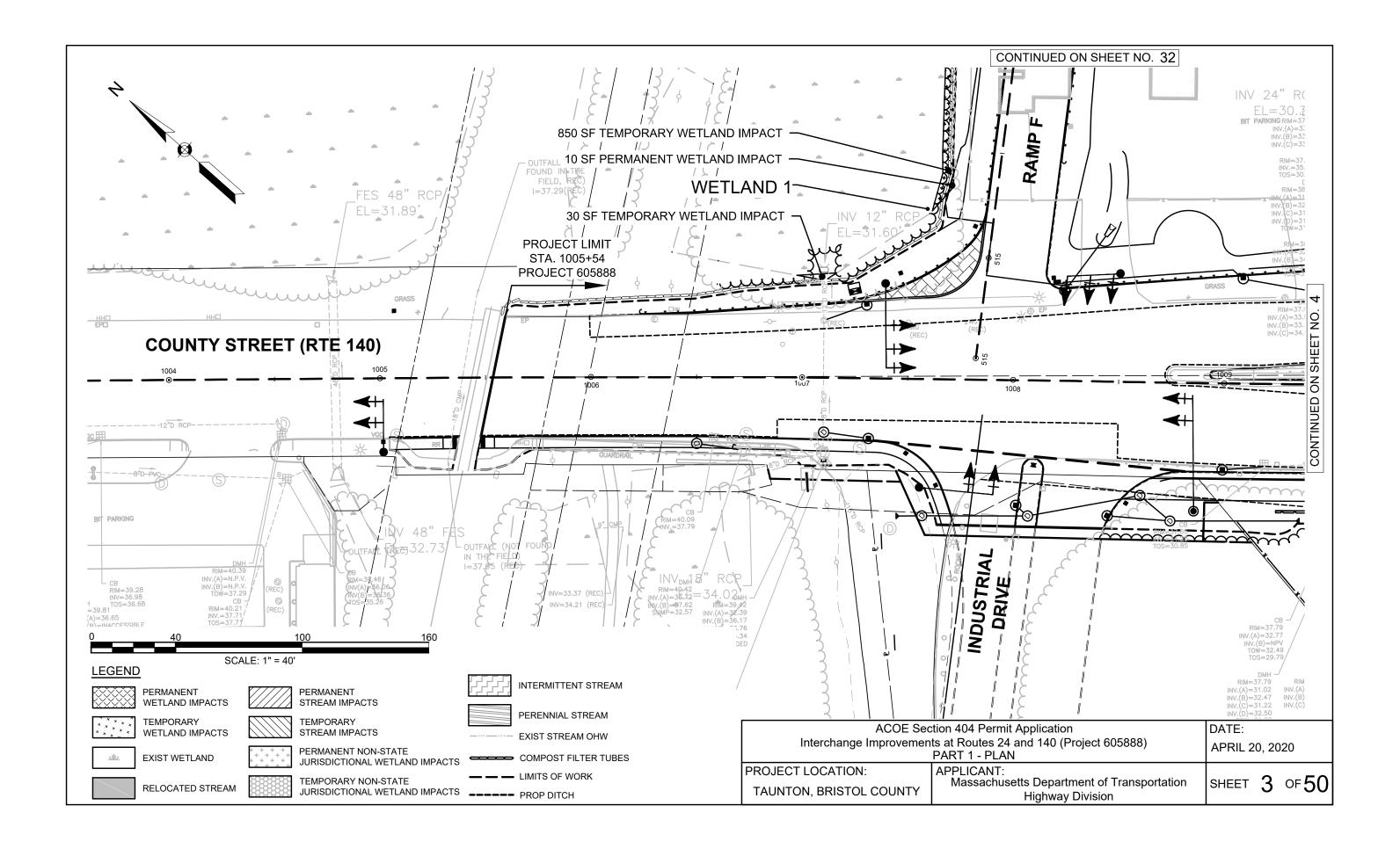
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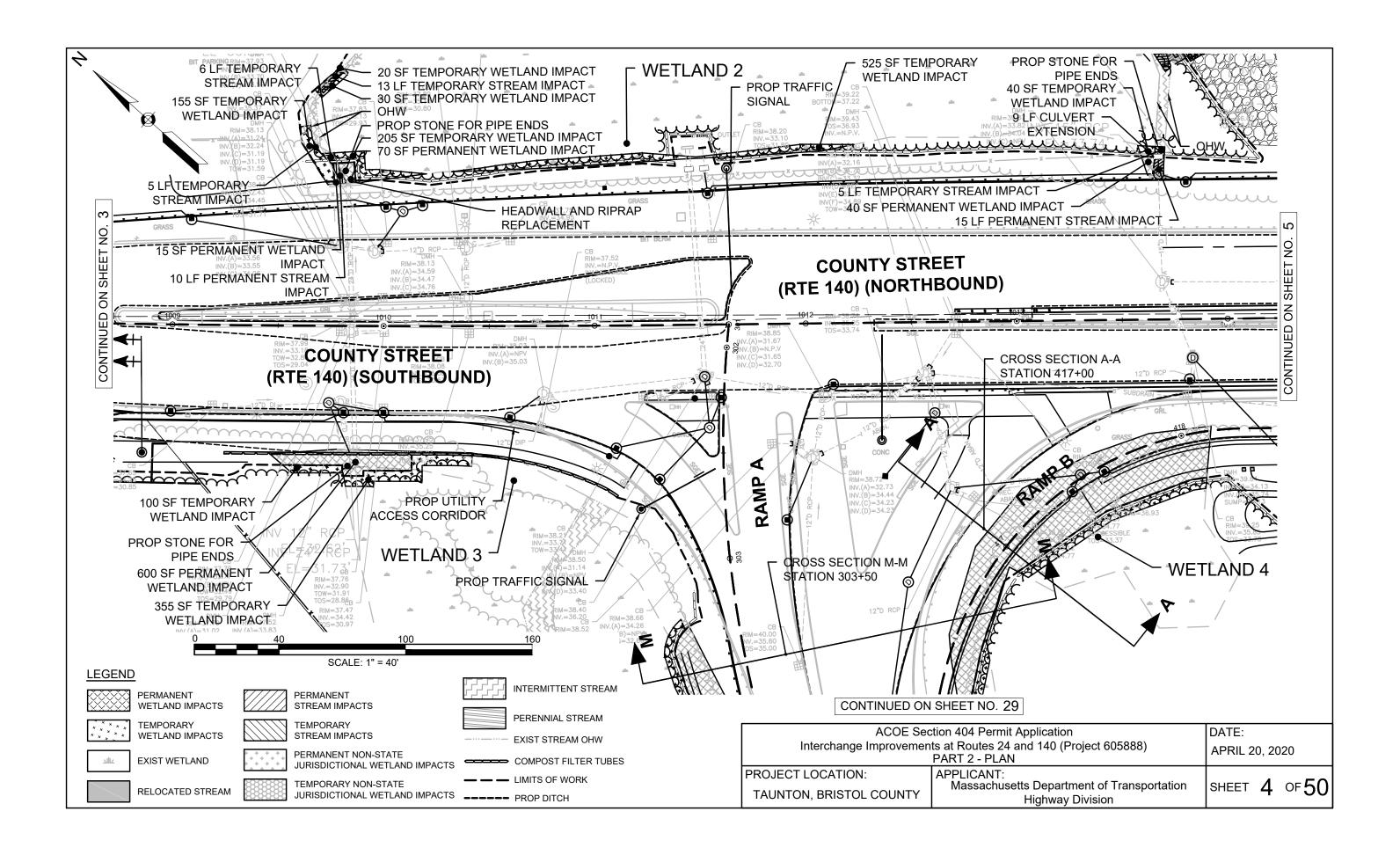
If you would prefer not to continue receiving Public Notices by email, please contact Ms. Tina Chaisson at
(978) 318-8058 or e-mail her at bettina.m.chaisson@usace.army.mil. You may also check here () and return
this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps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

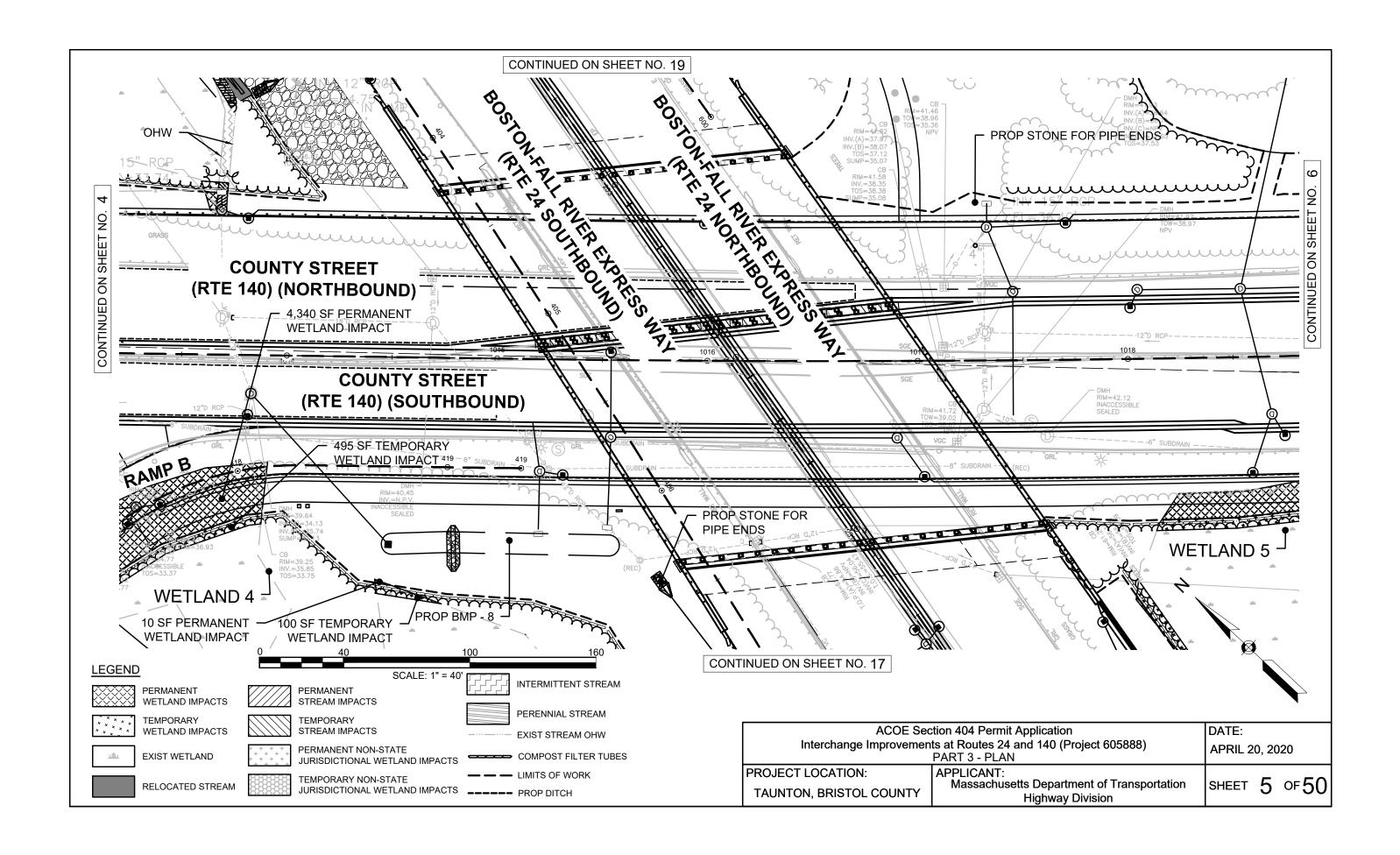
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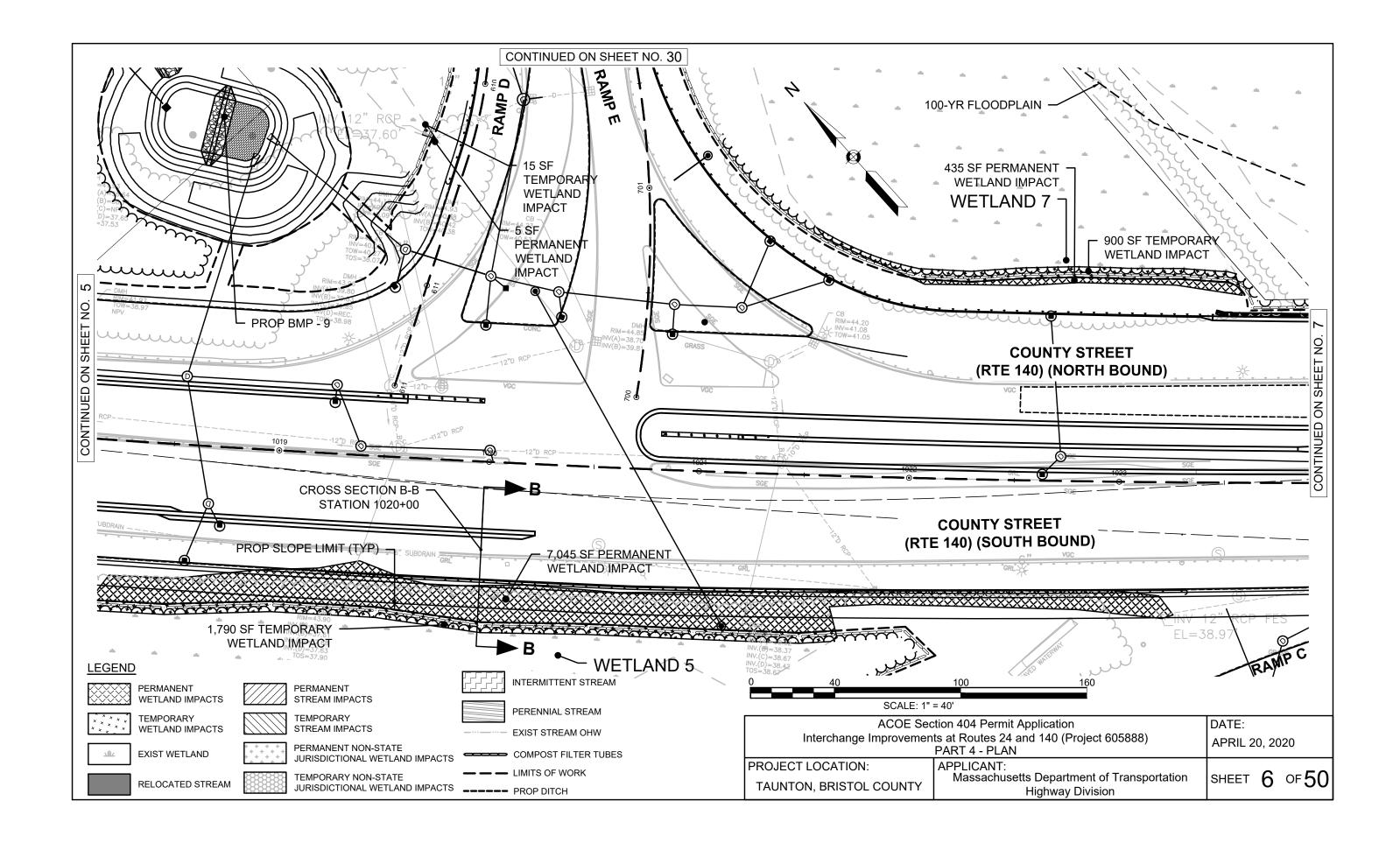


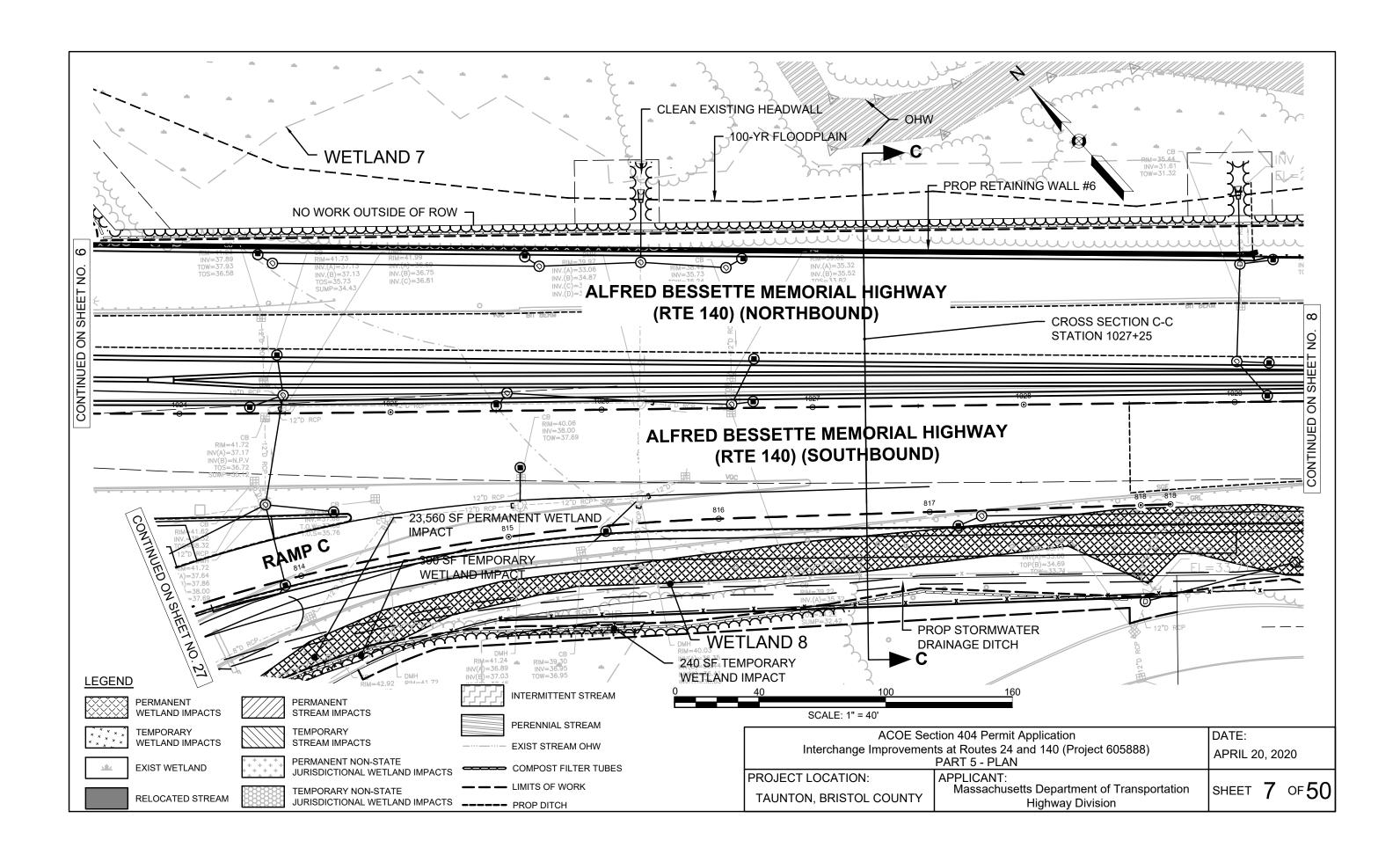


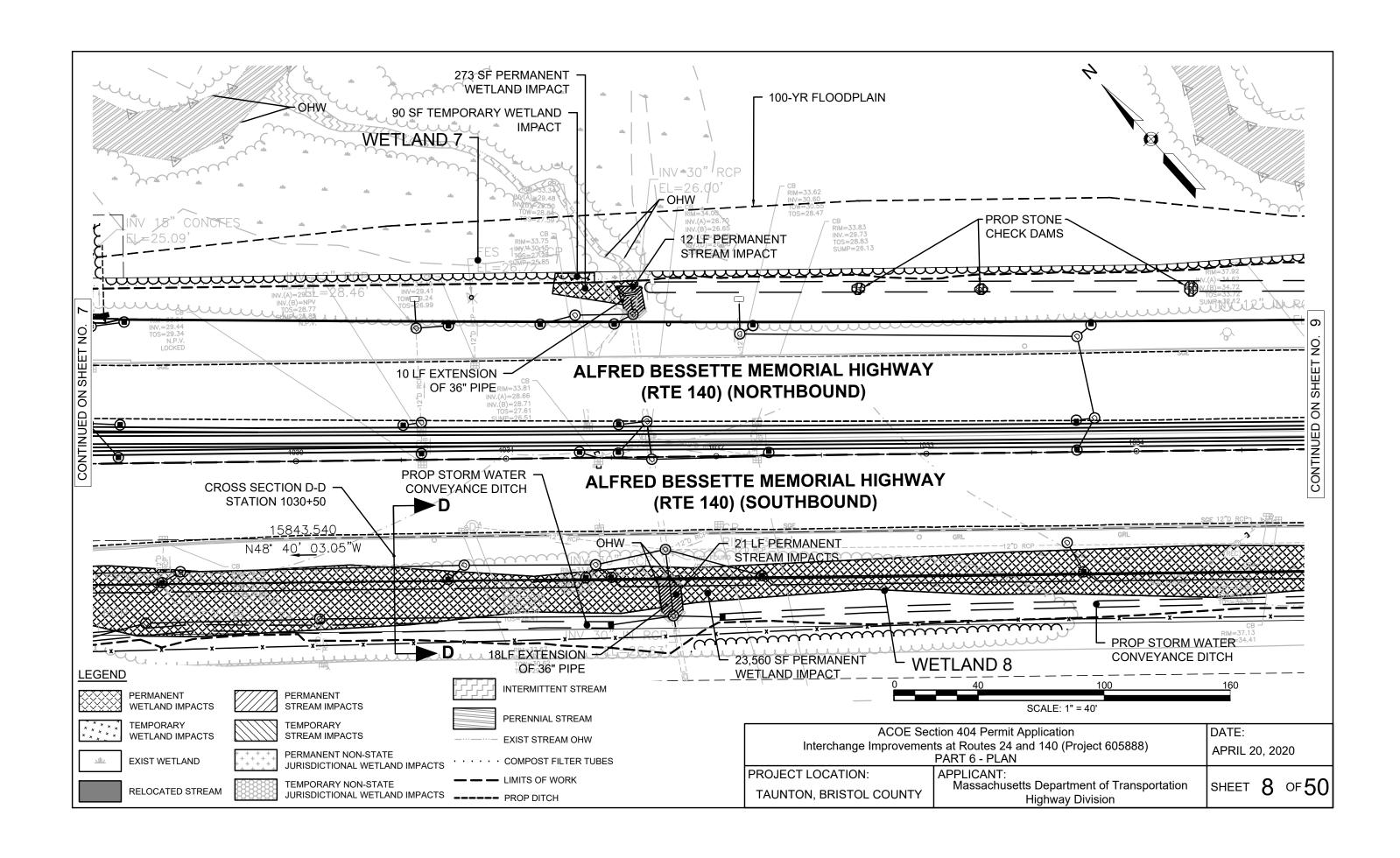


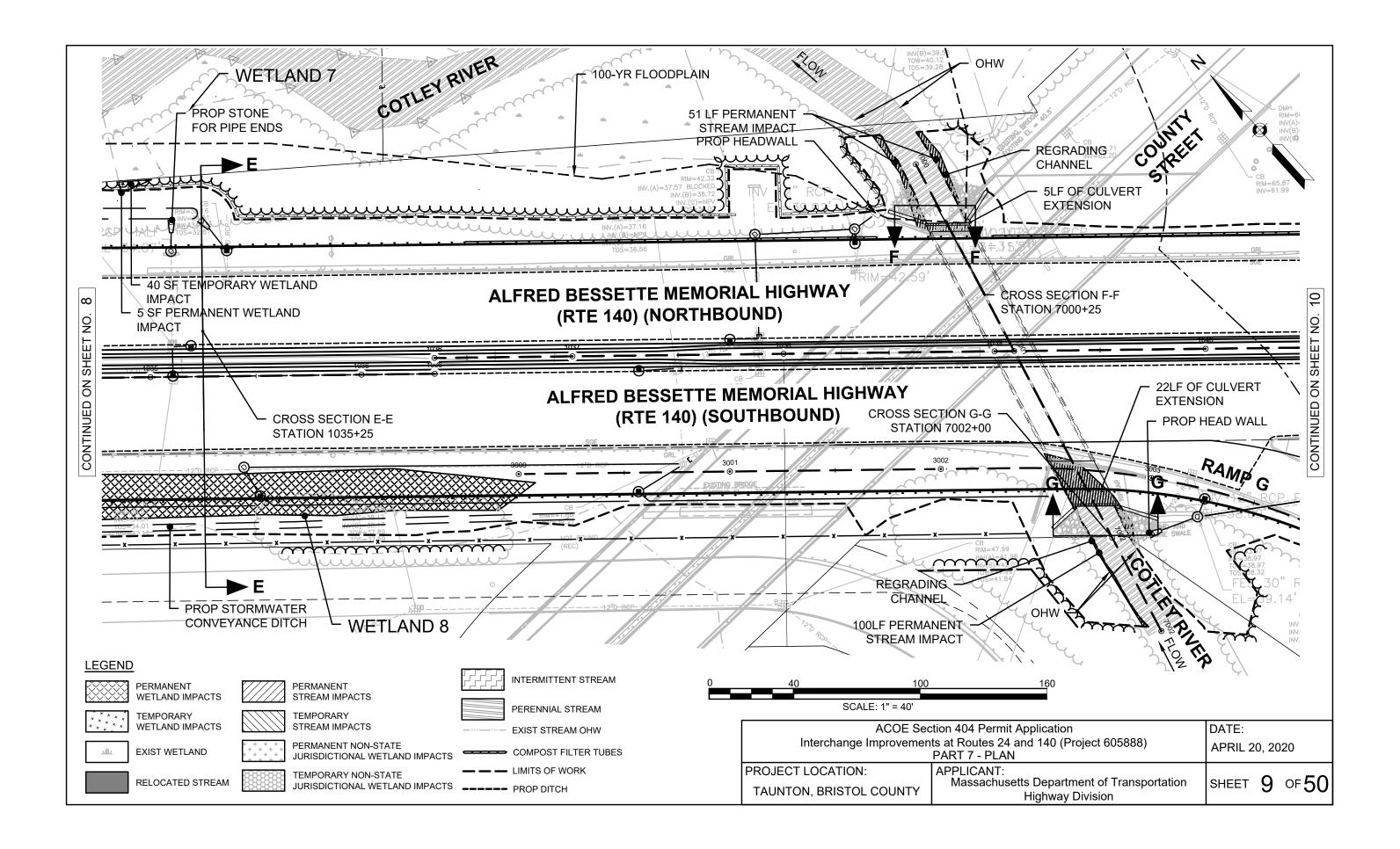


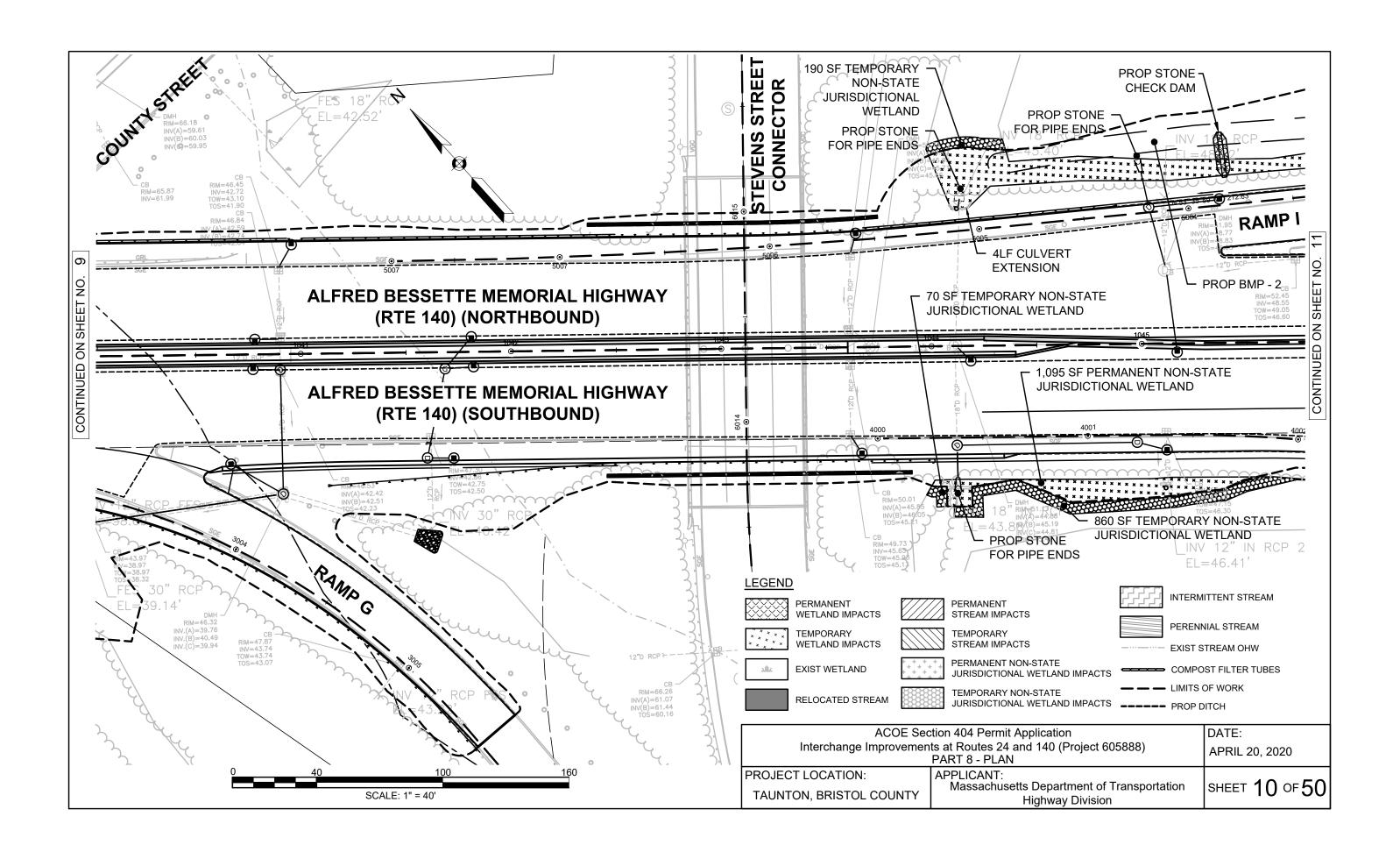


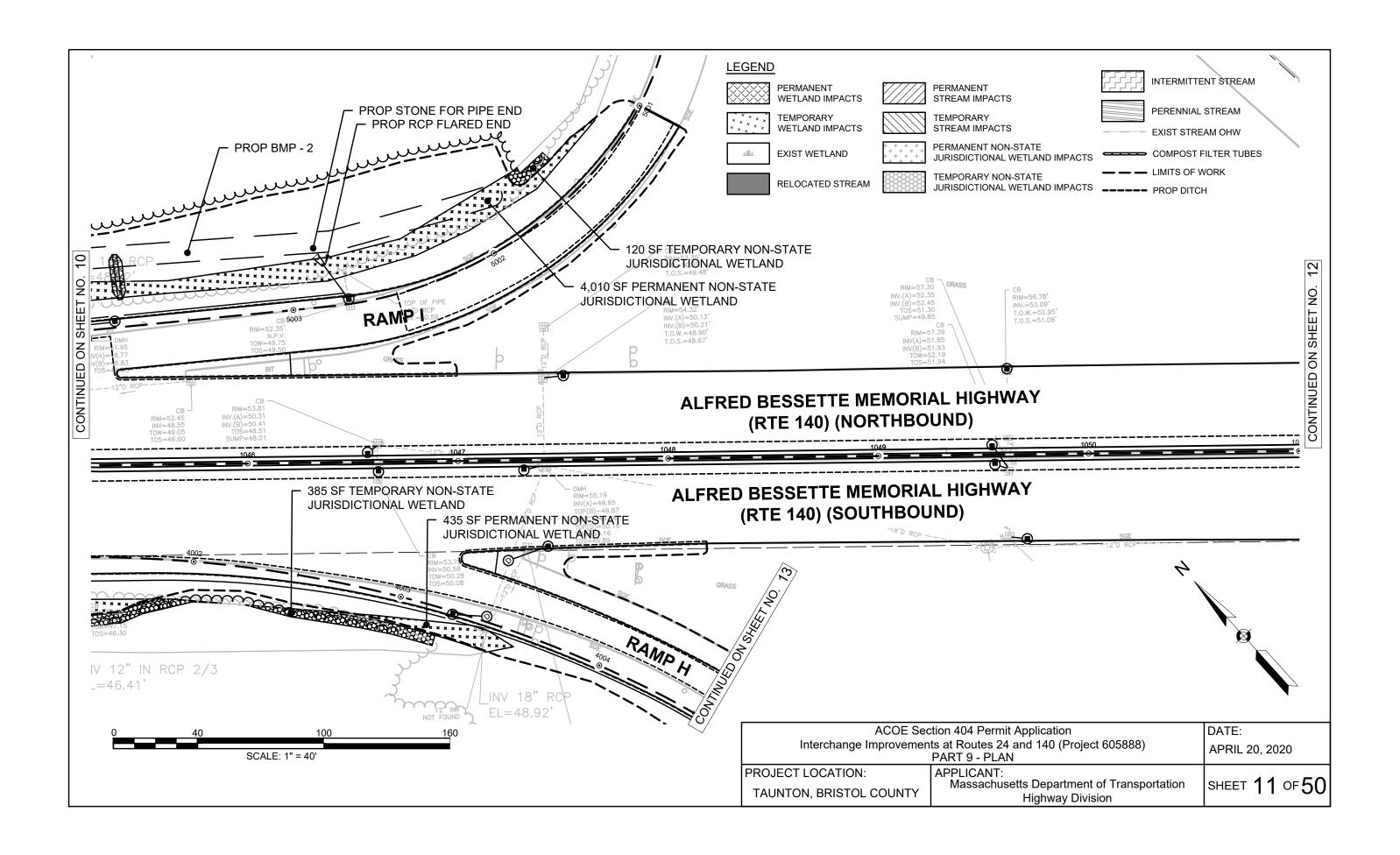


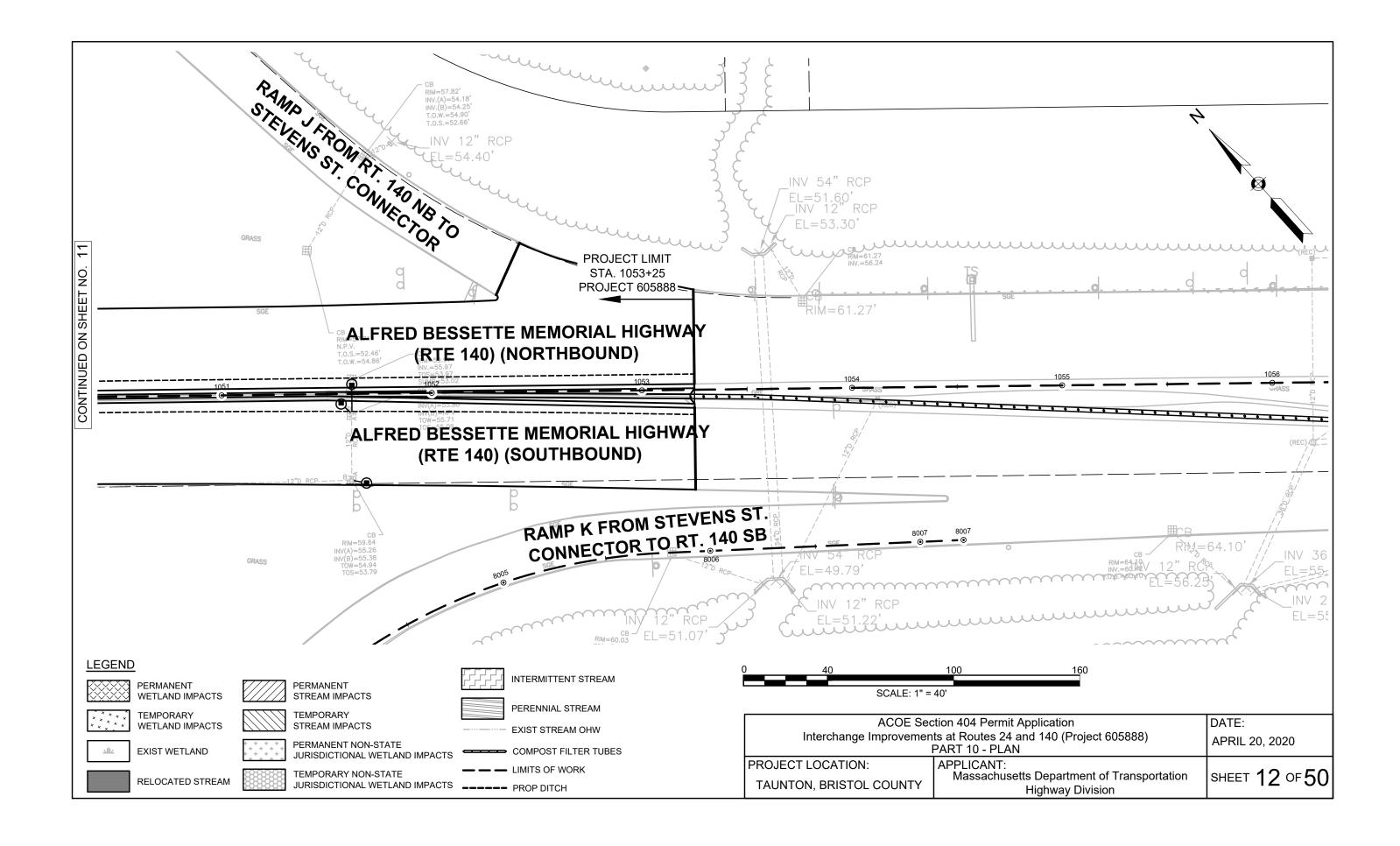


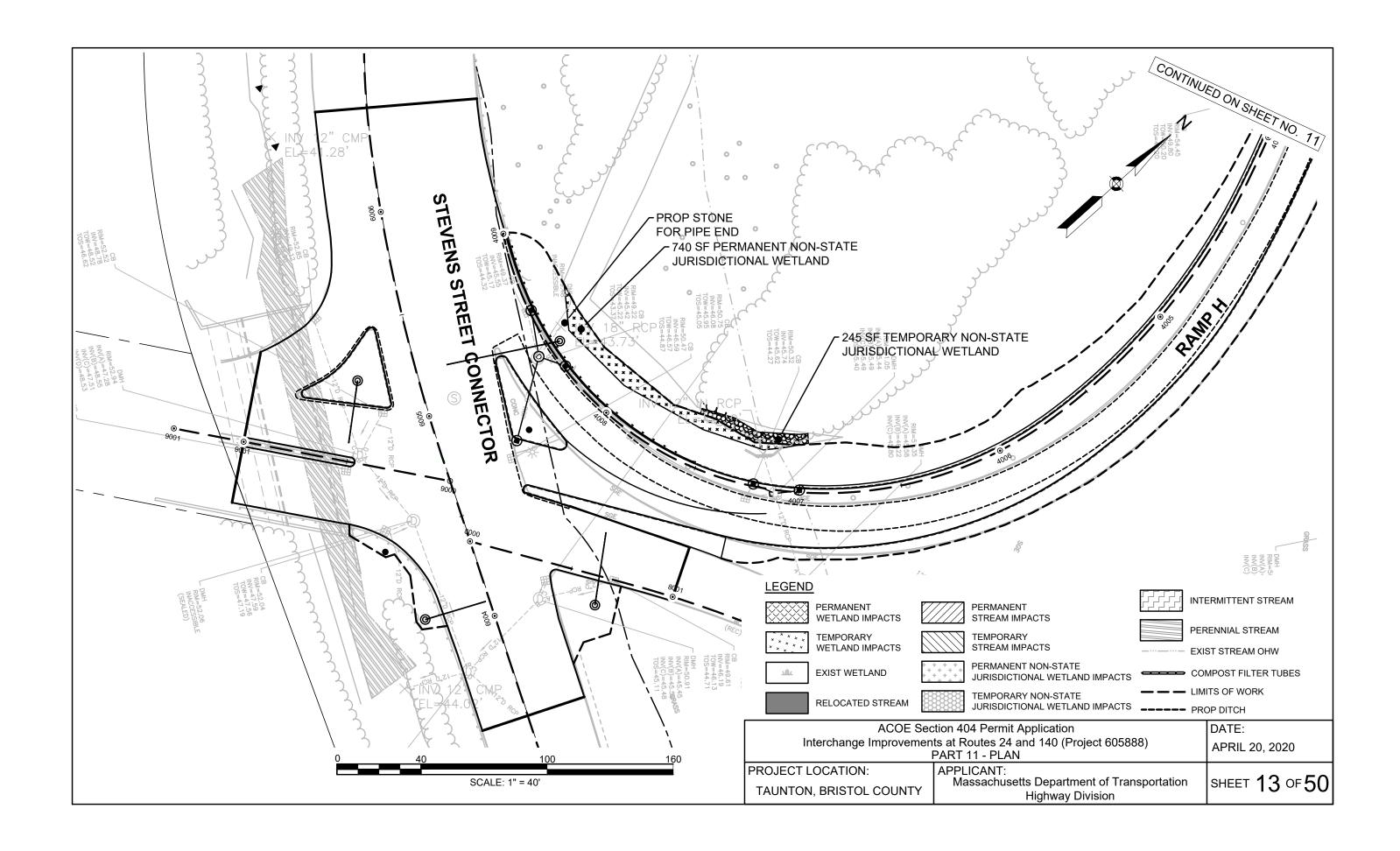


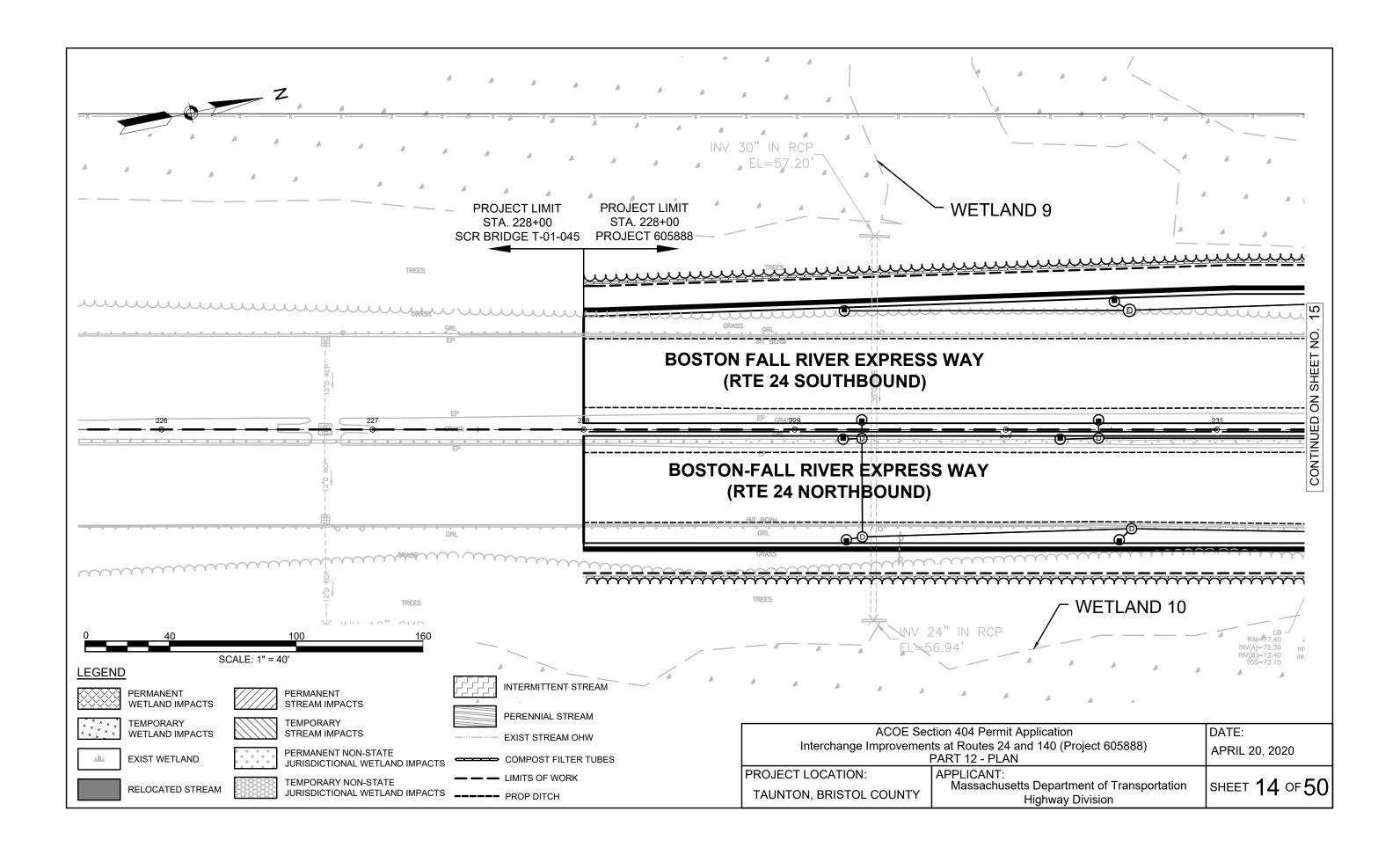


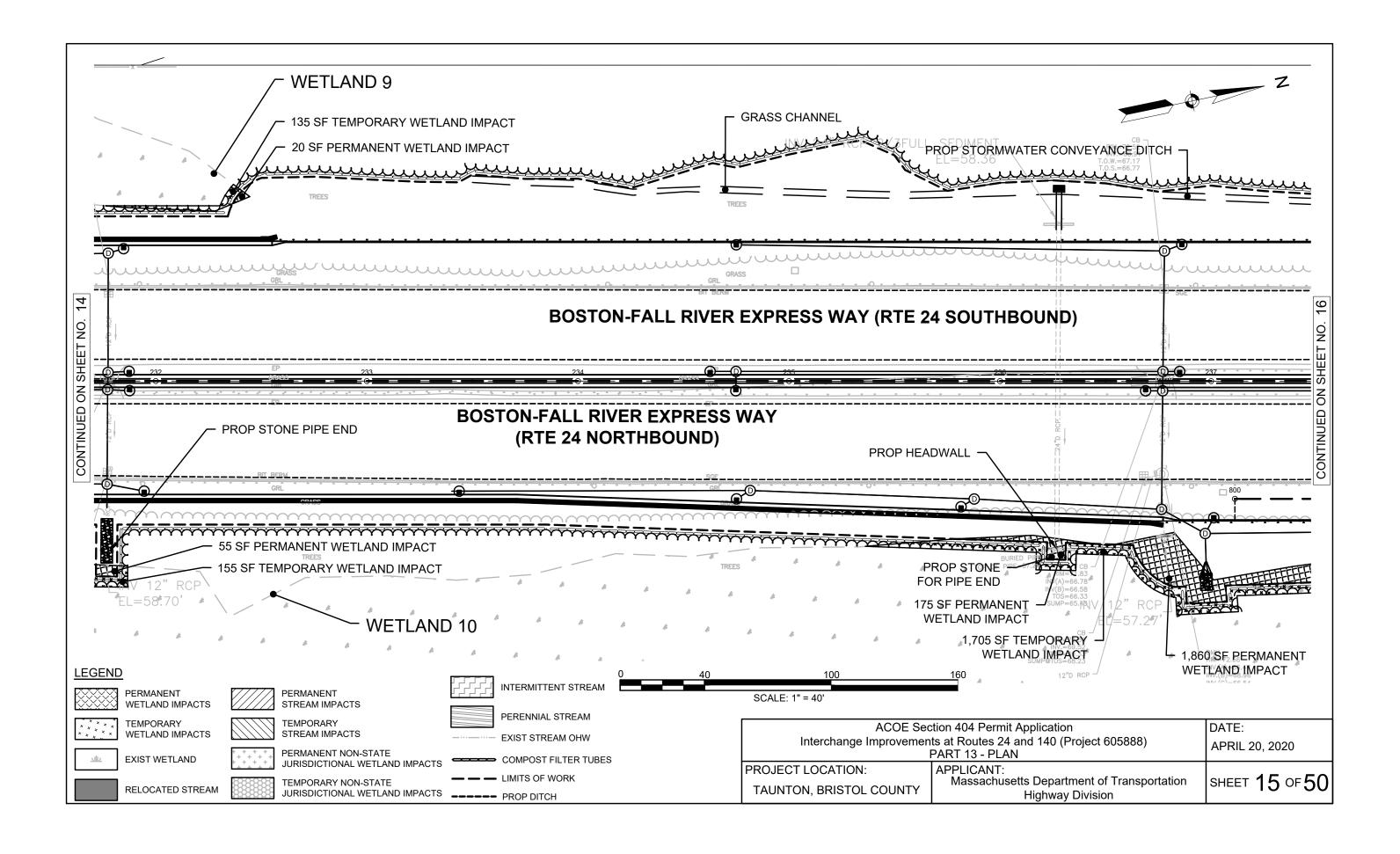


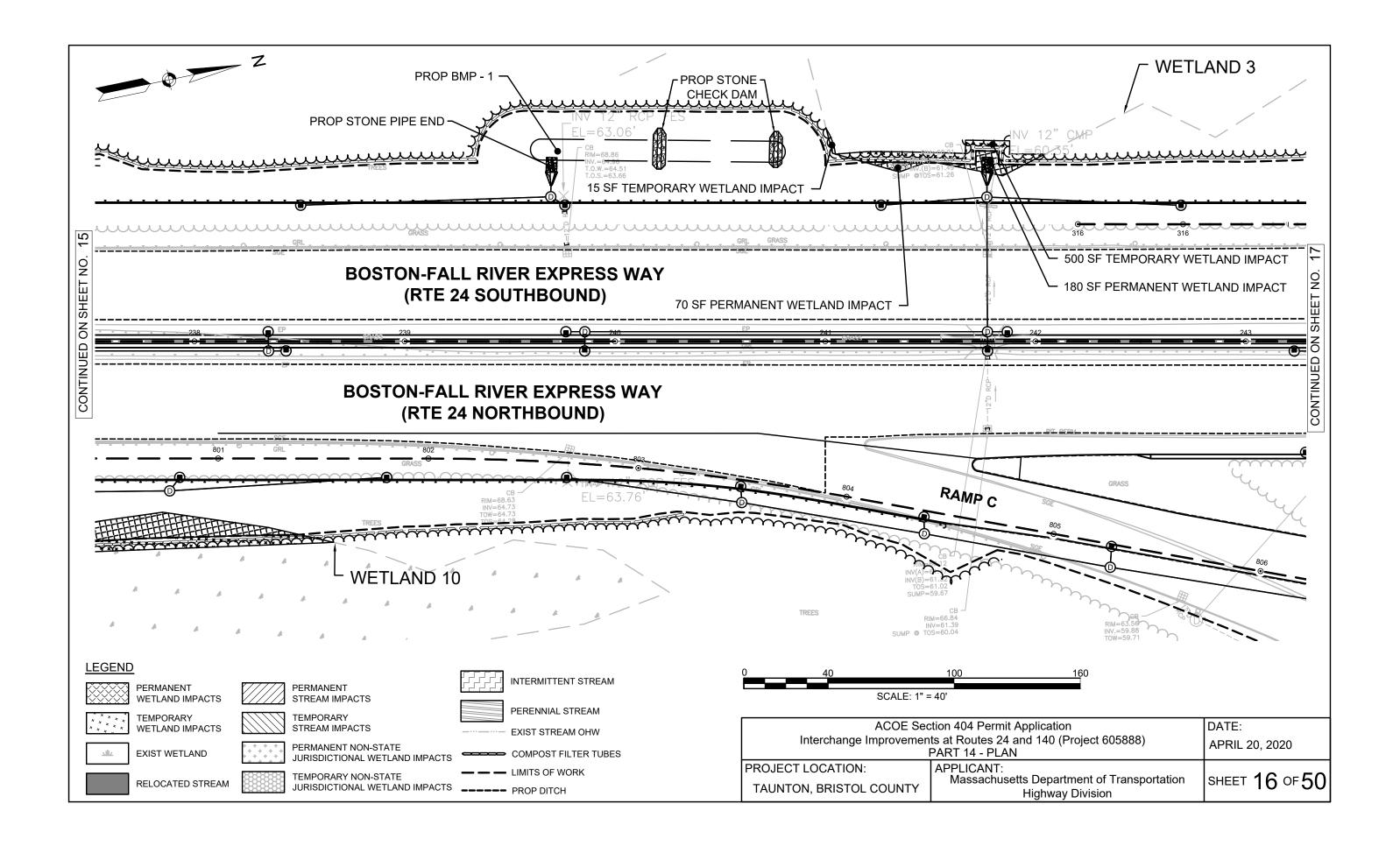


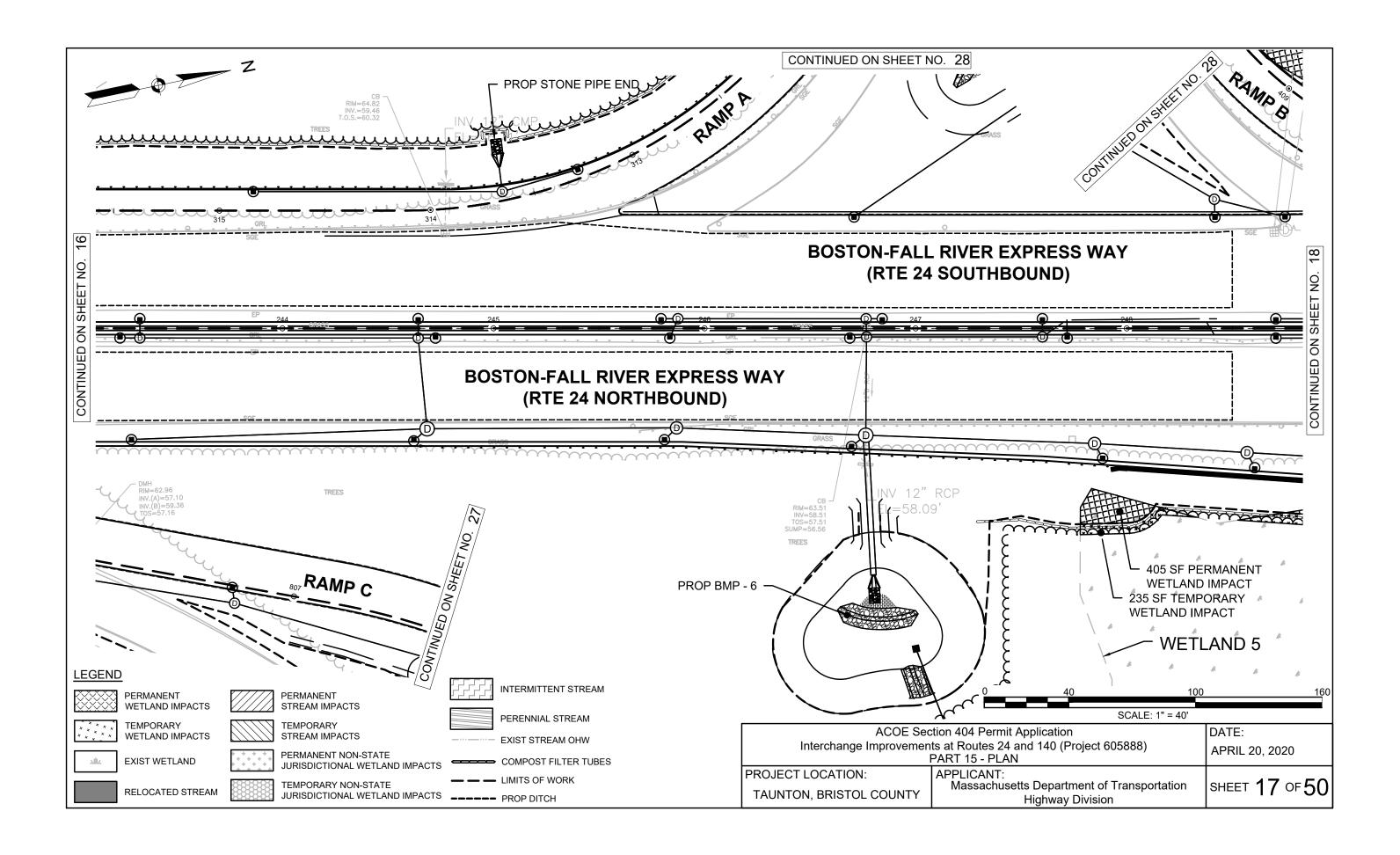


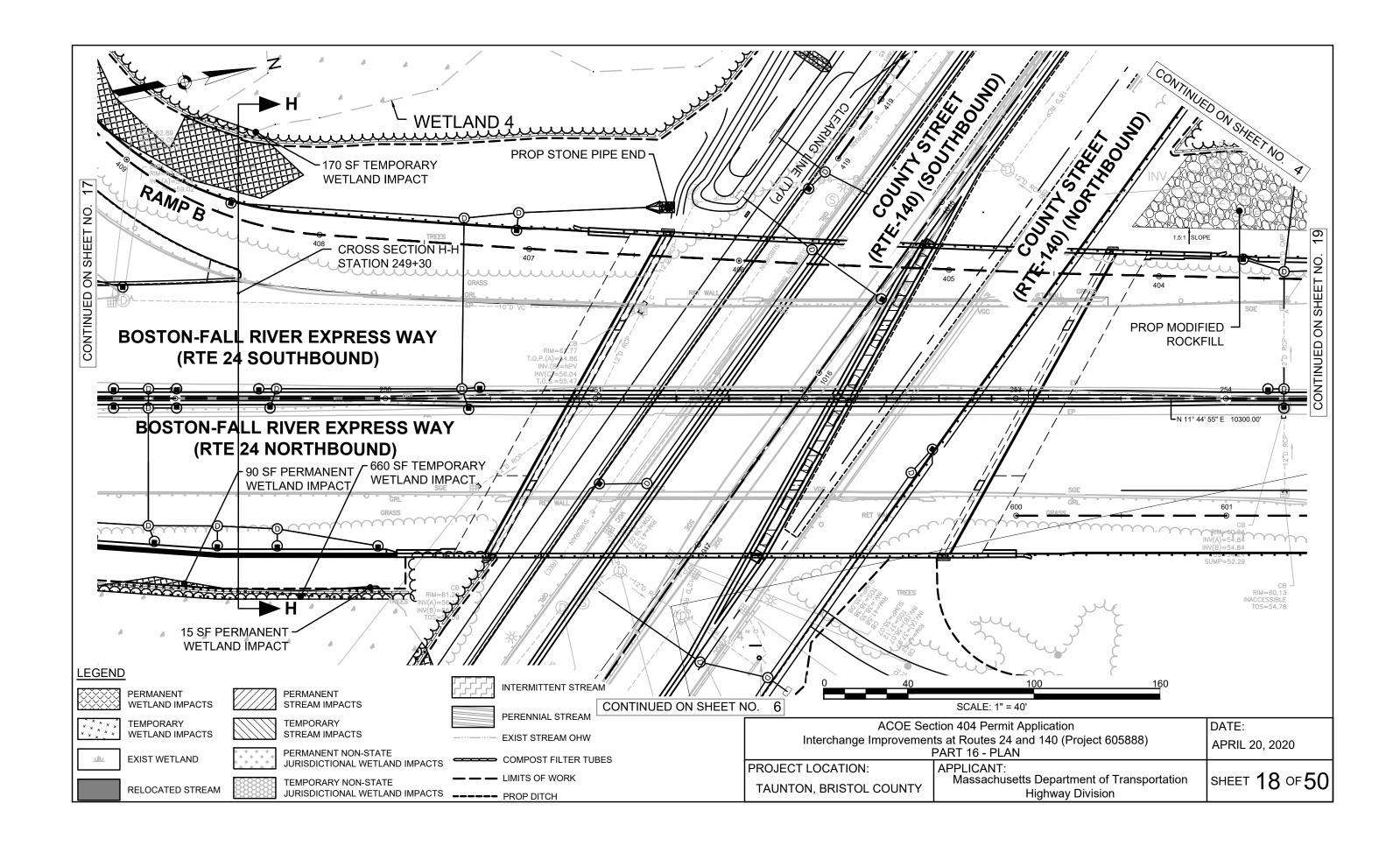


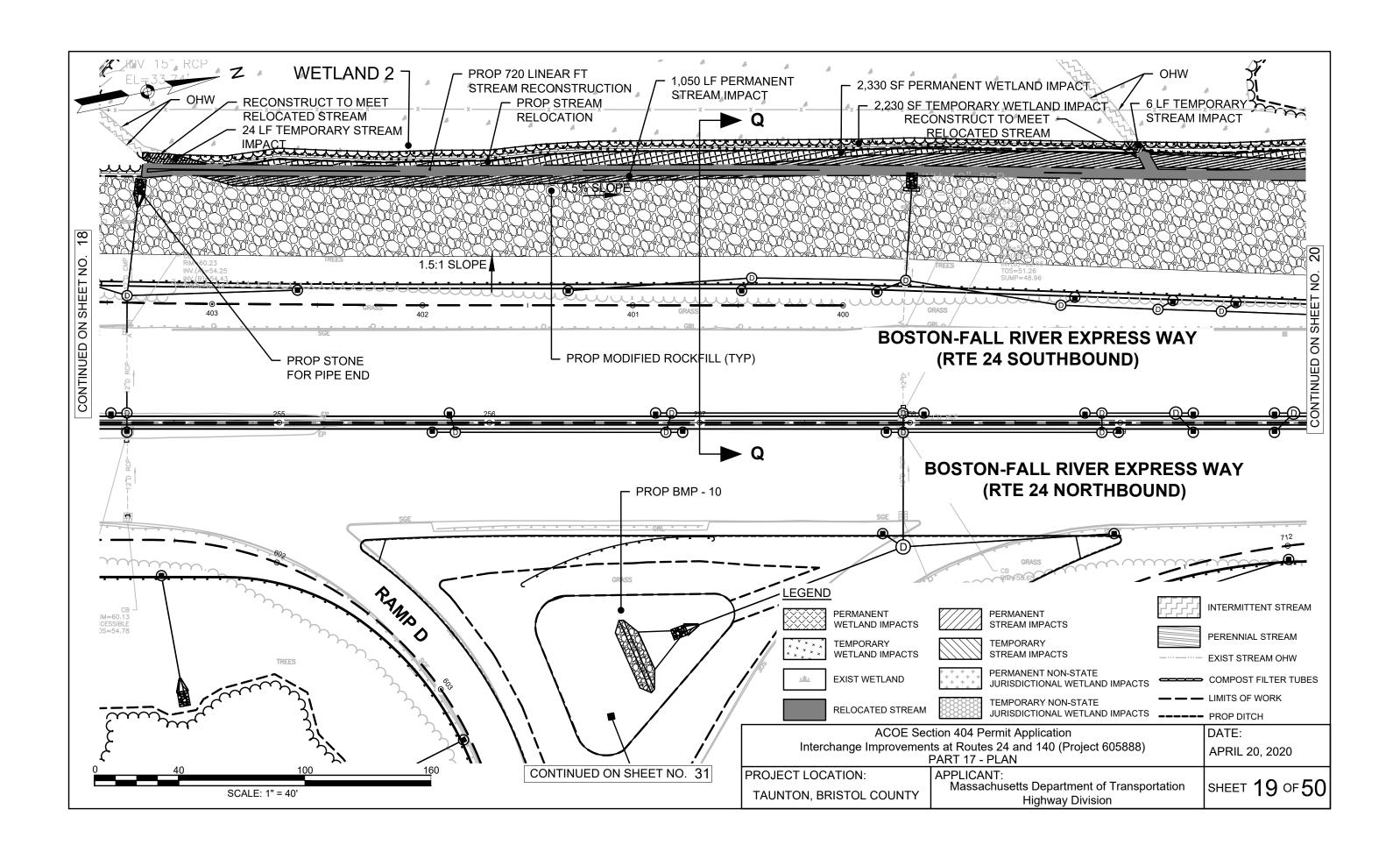


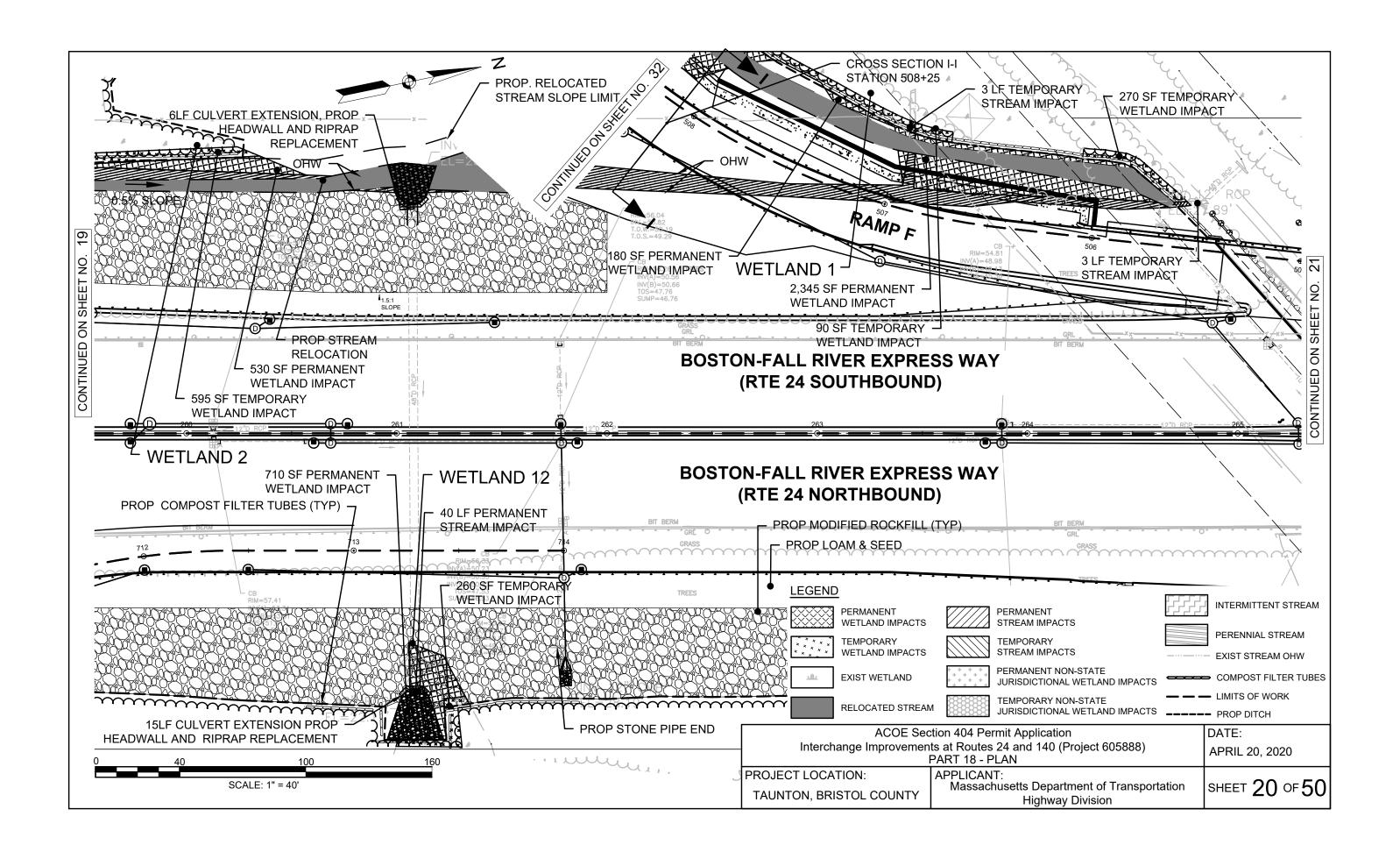


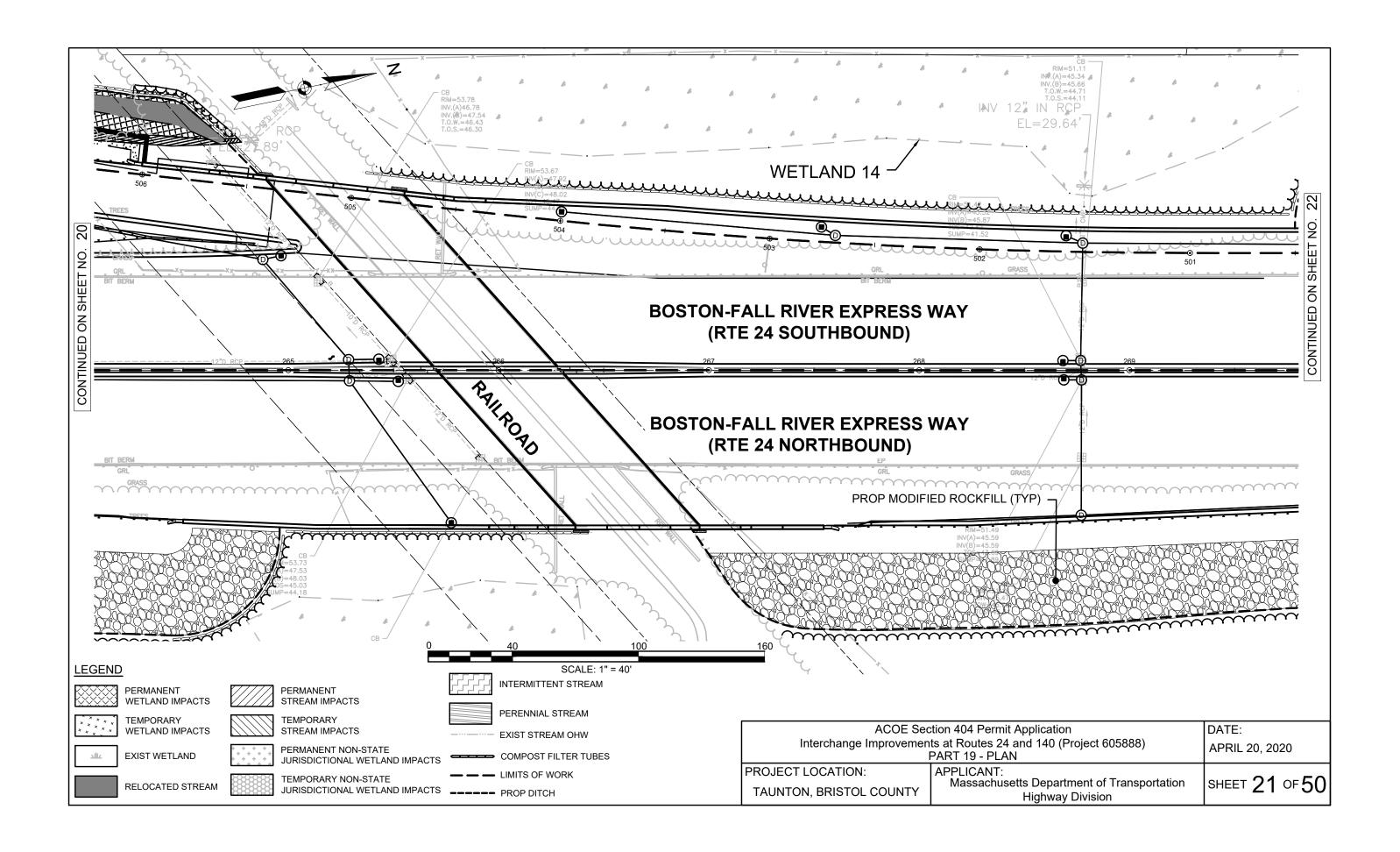


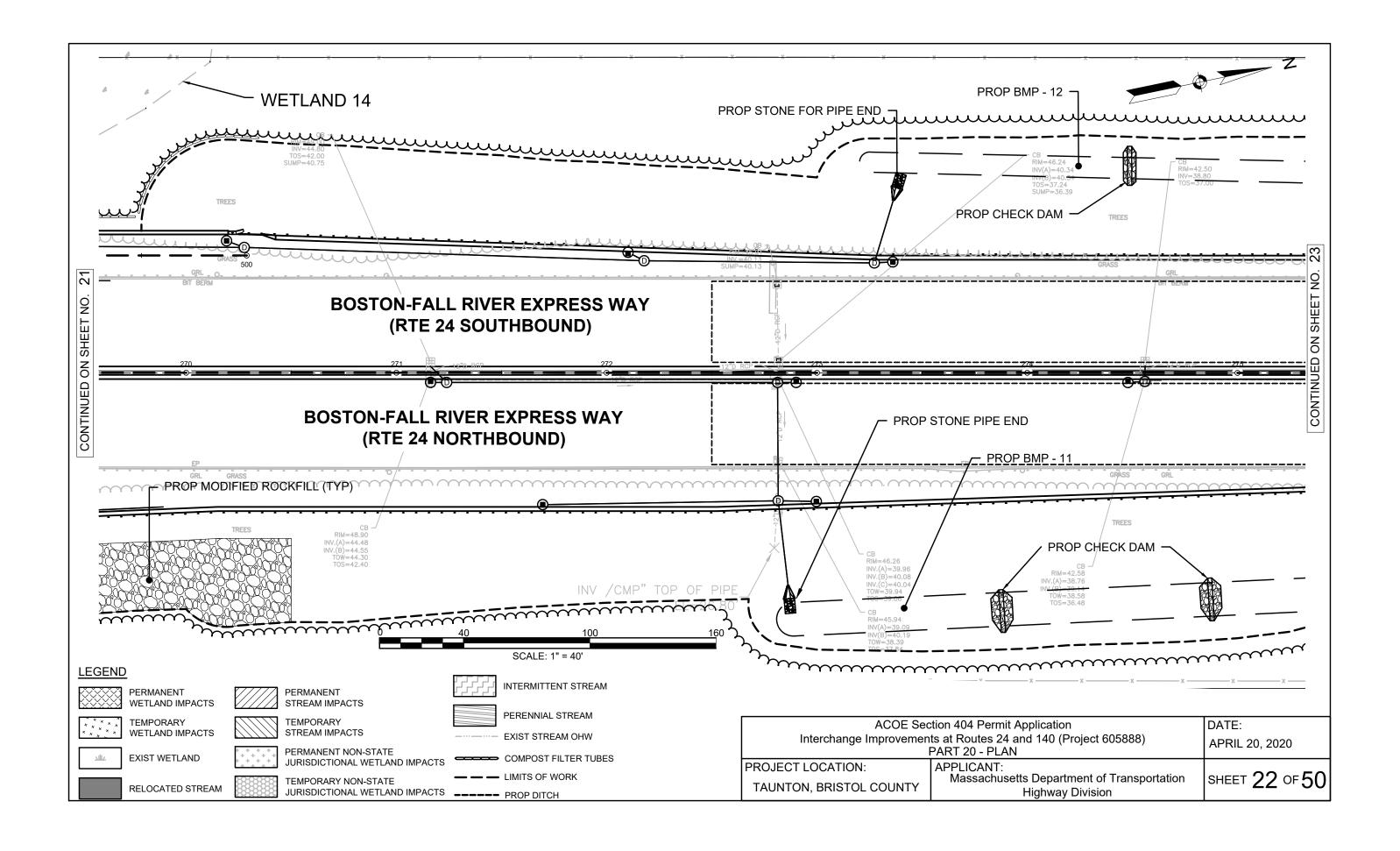


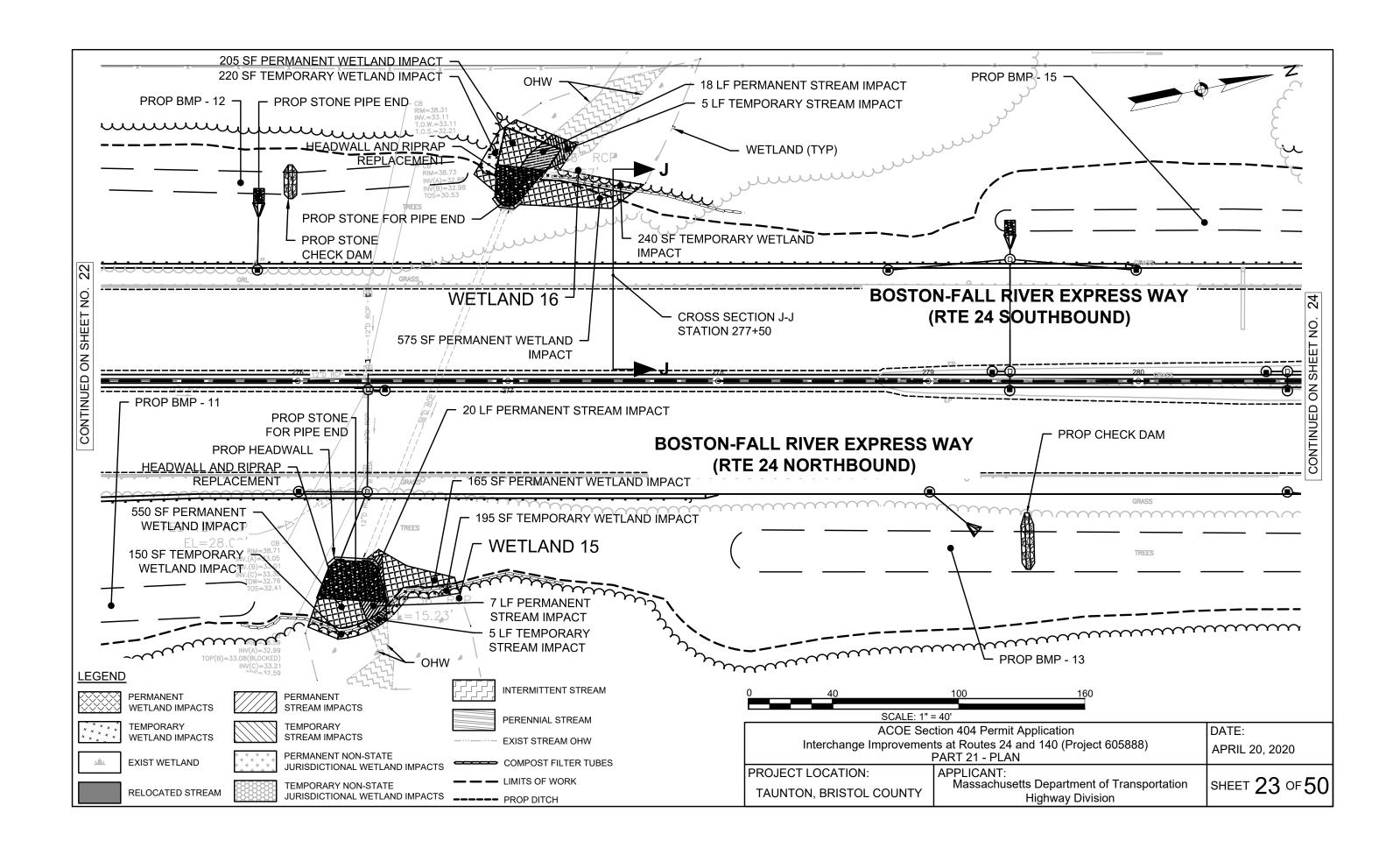


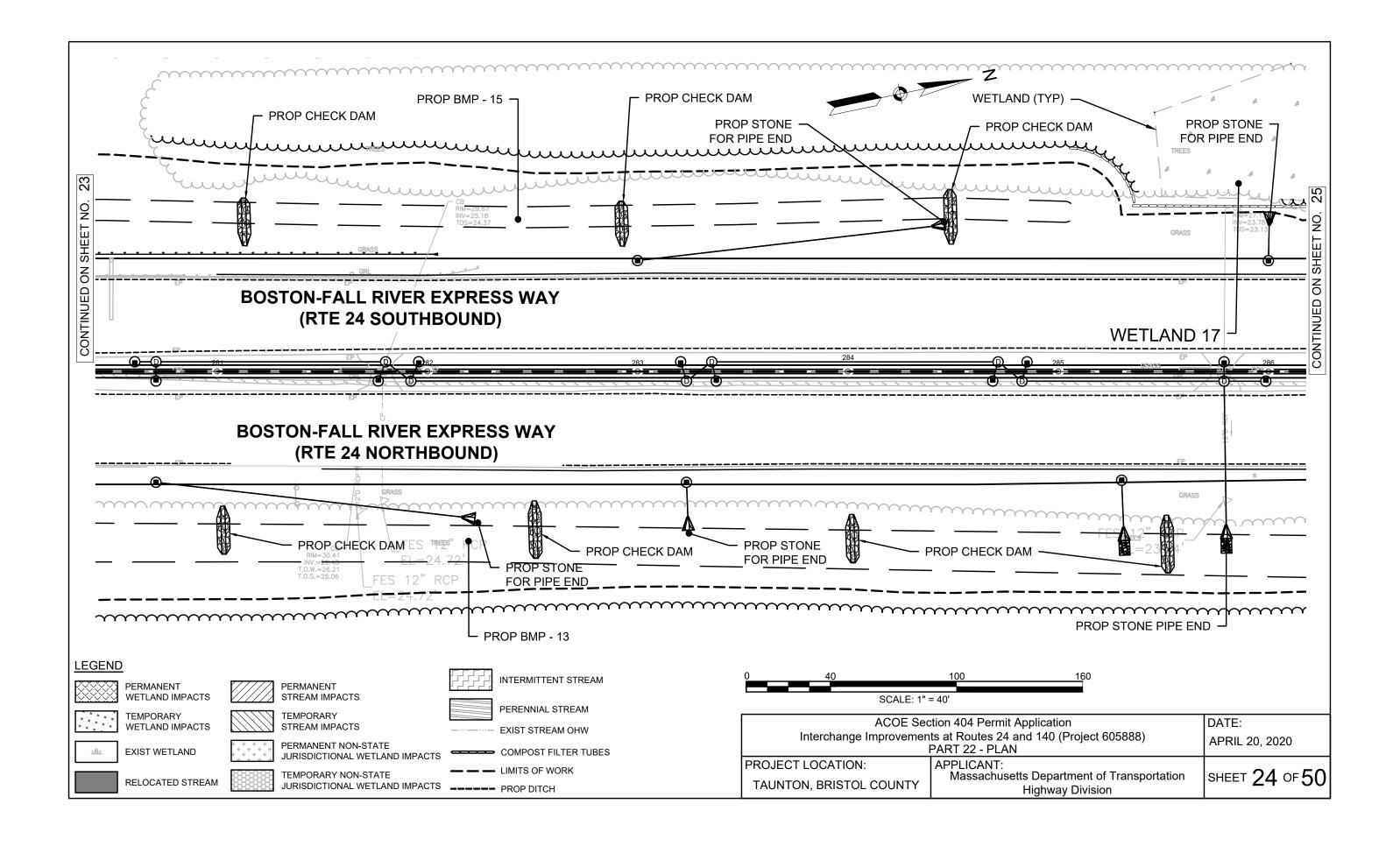


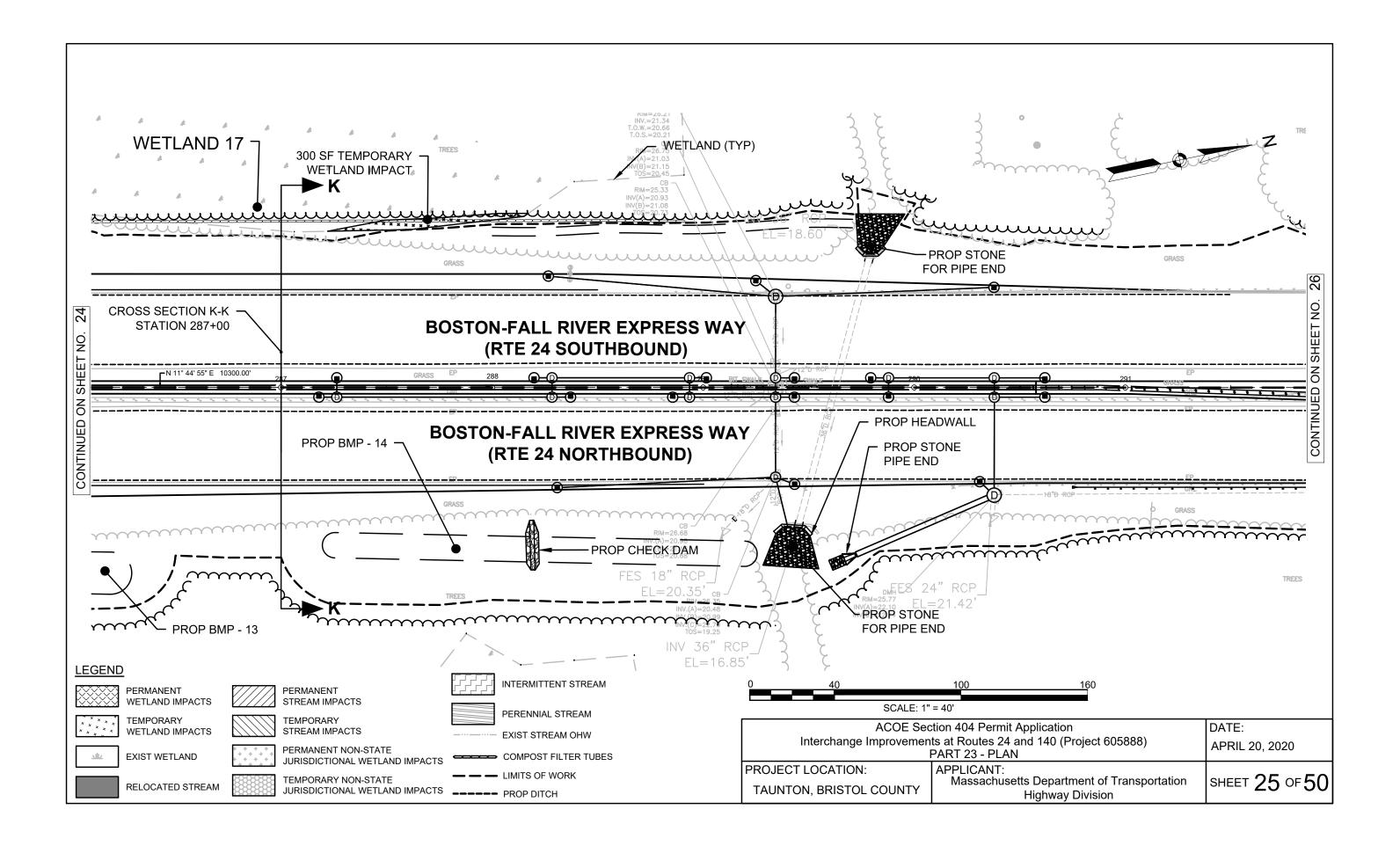


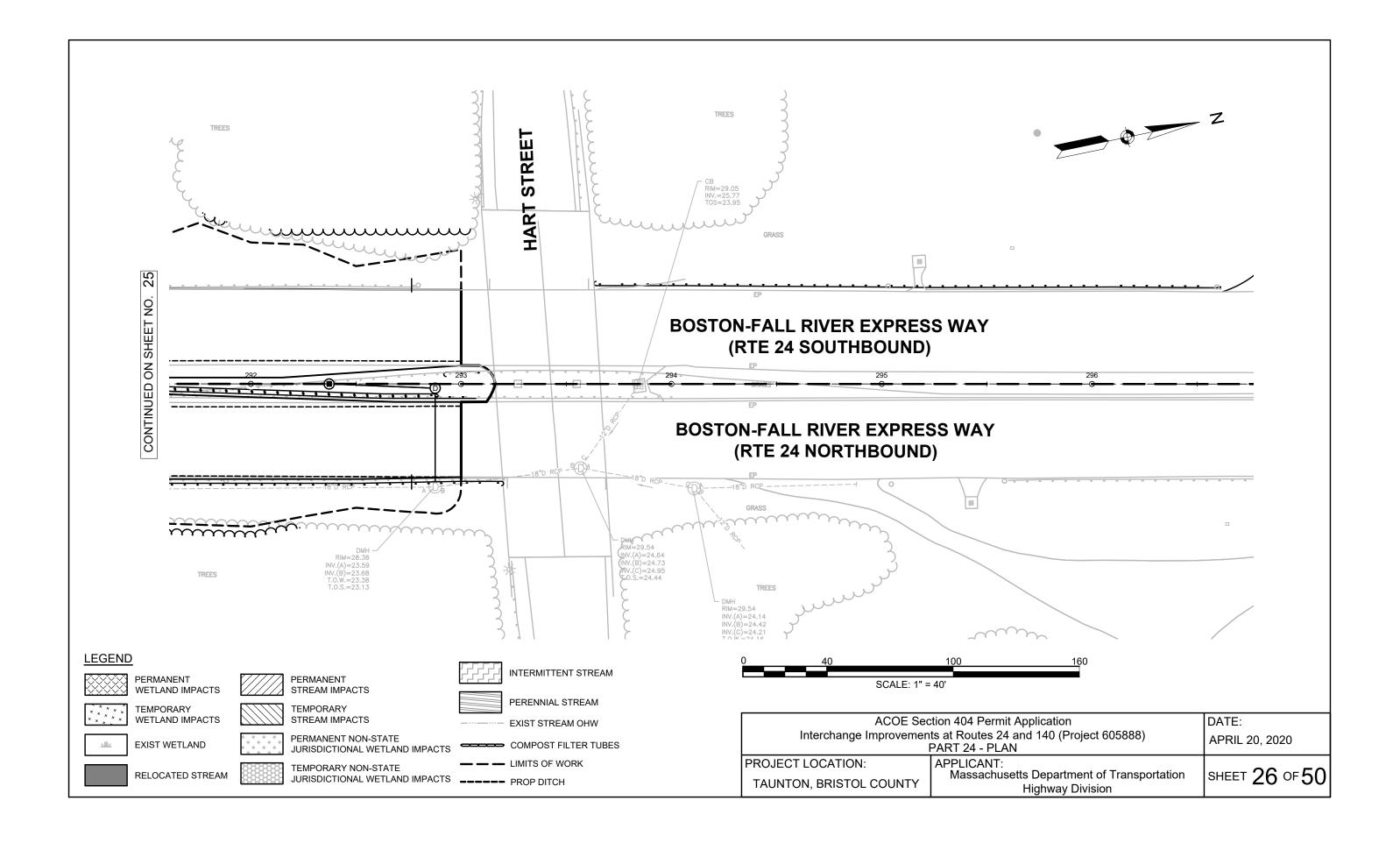


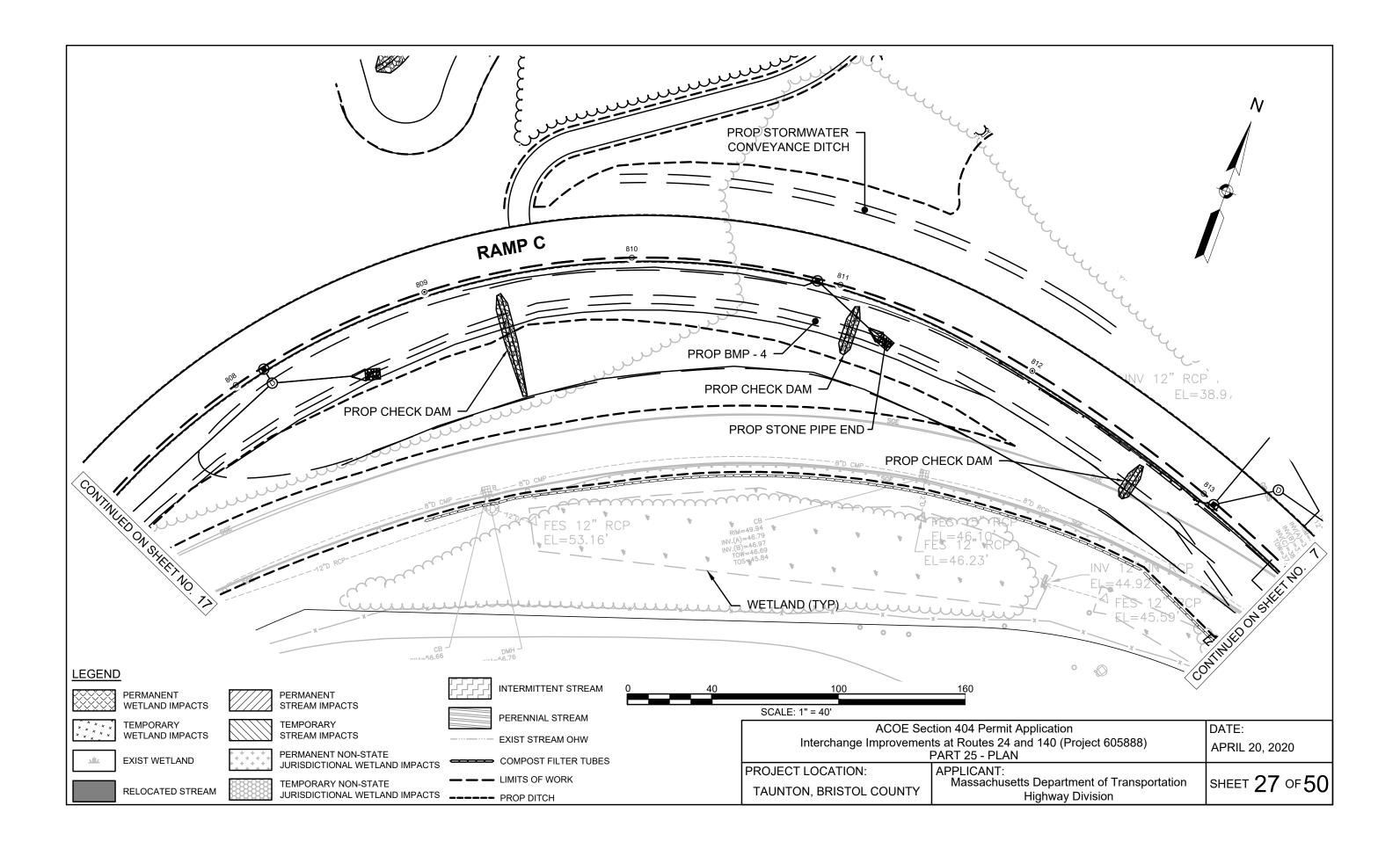


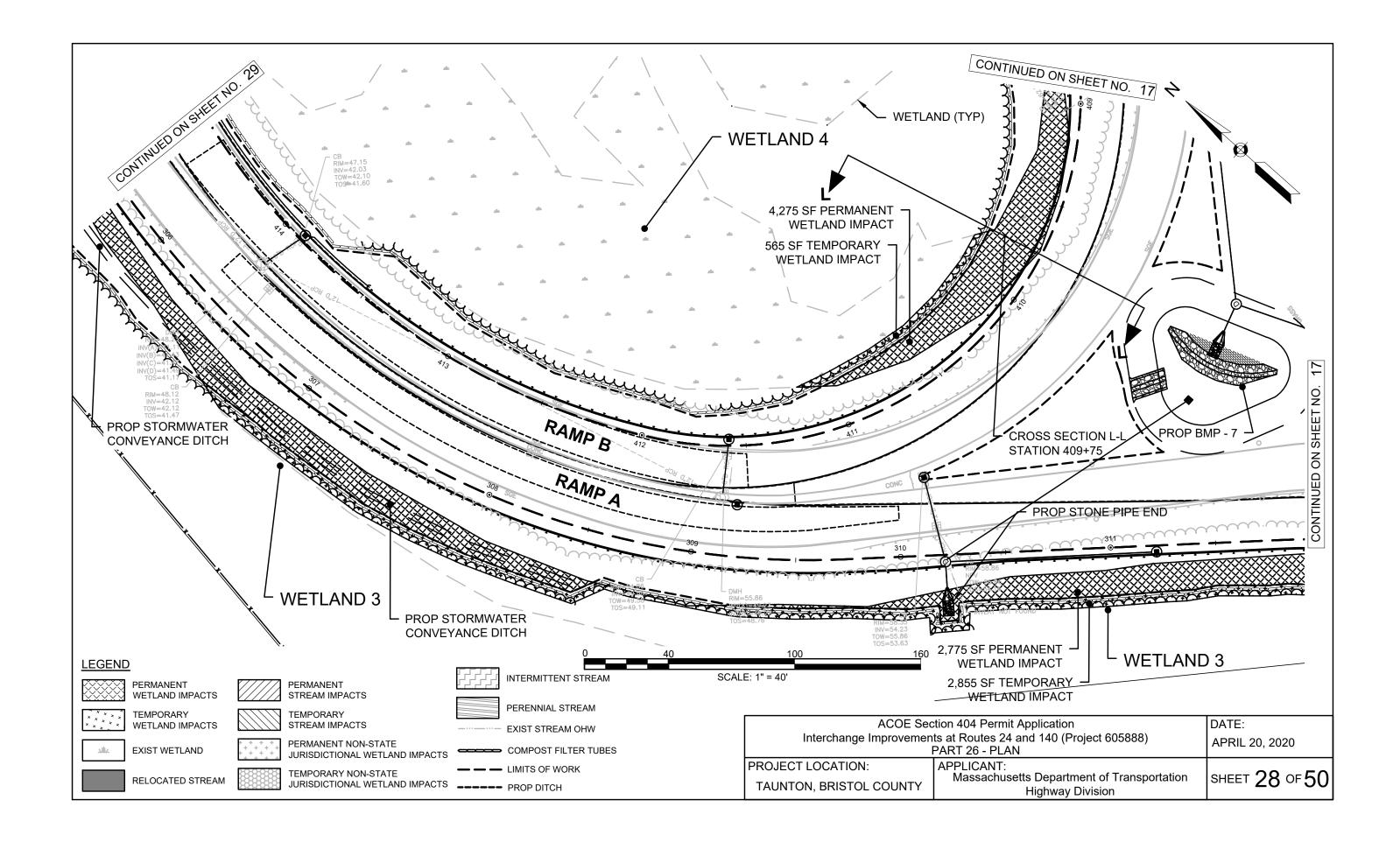


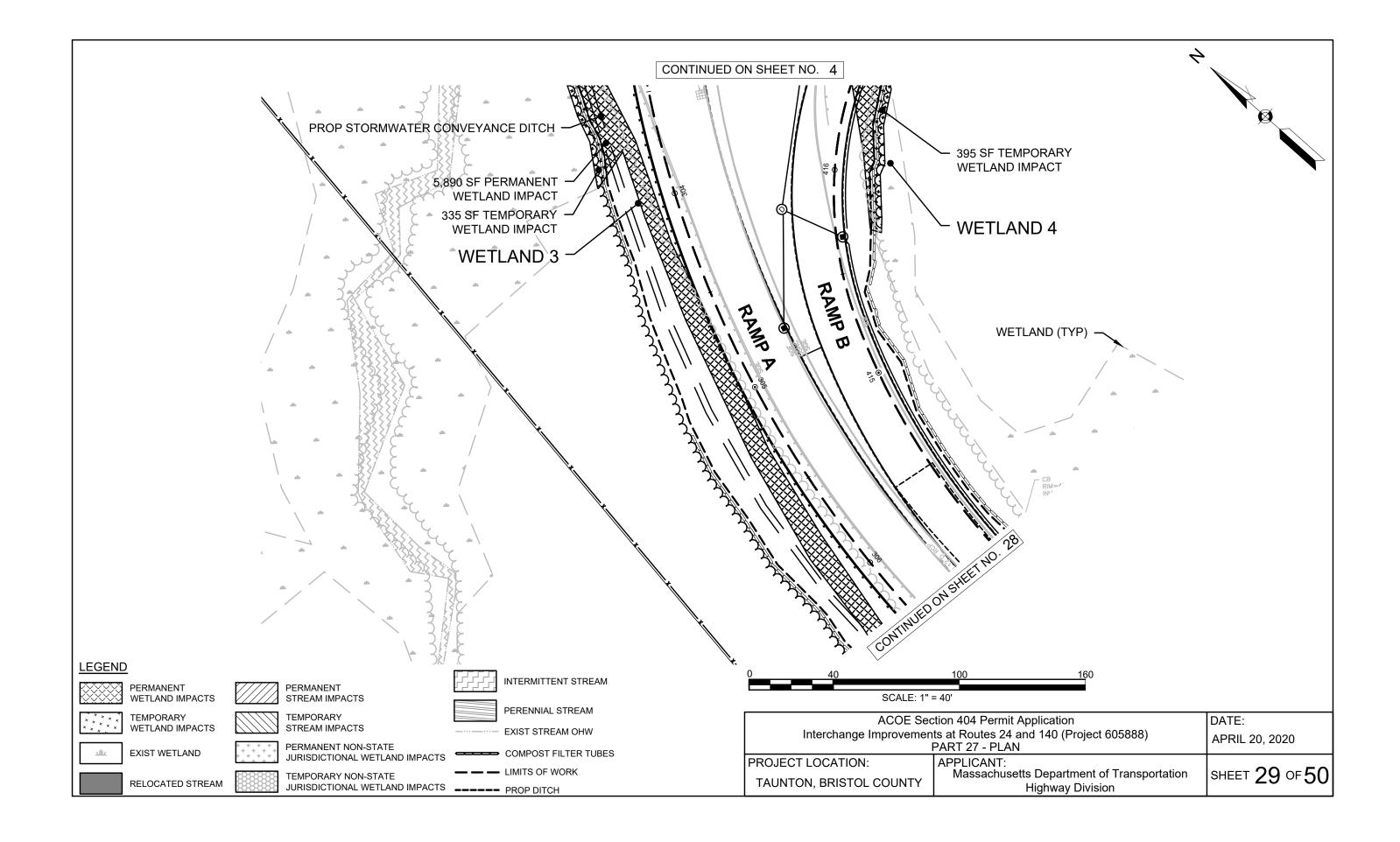


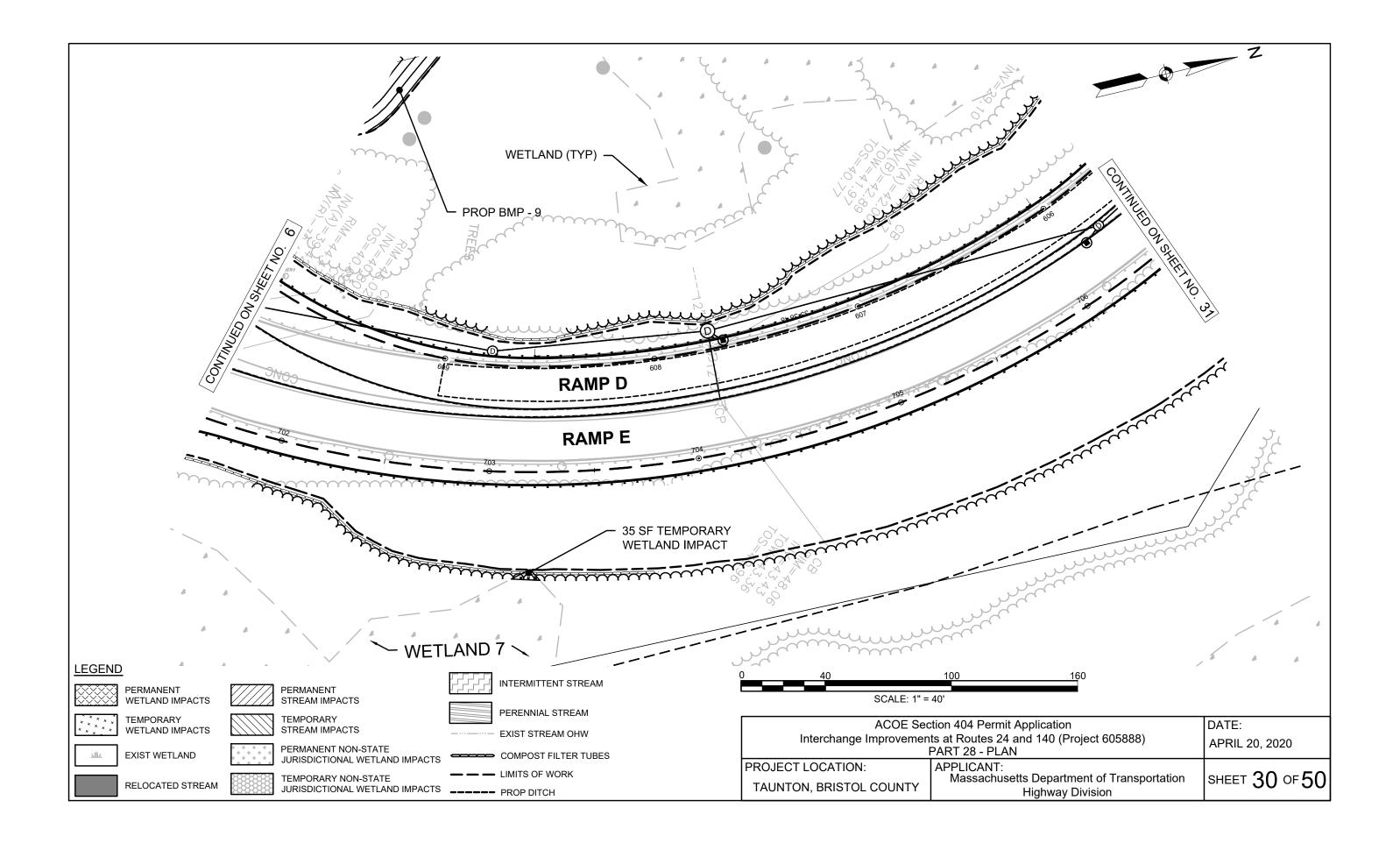


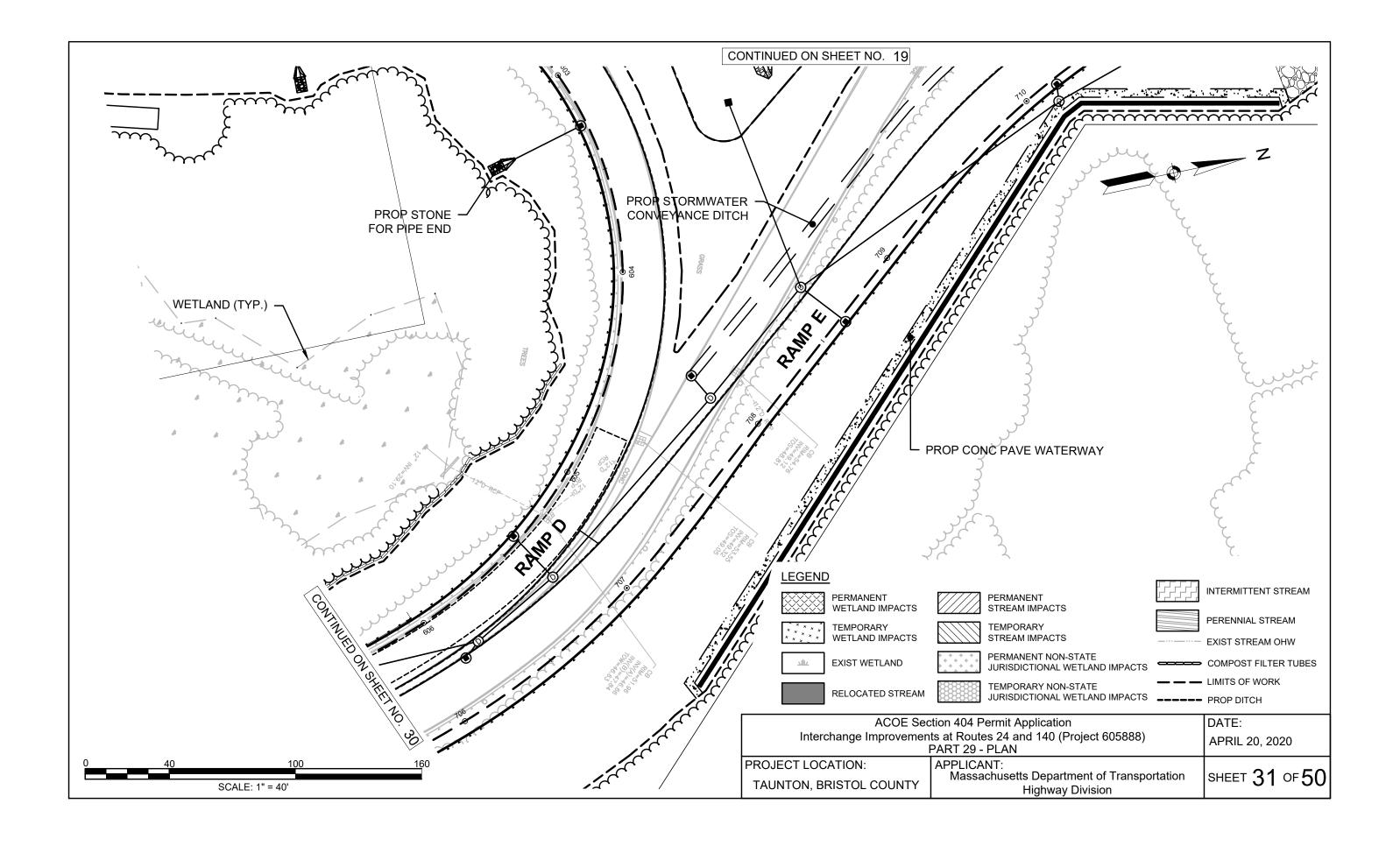


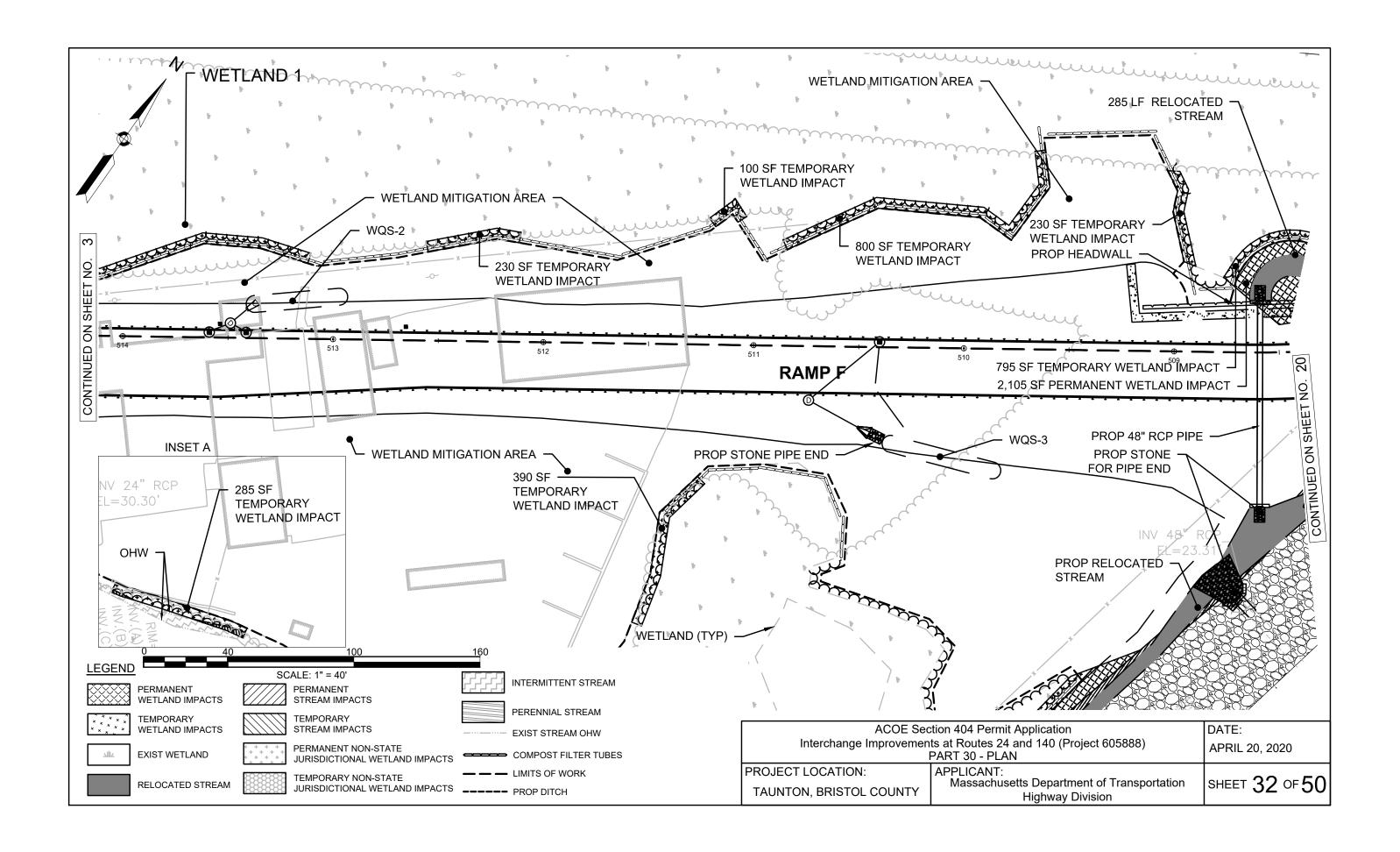




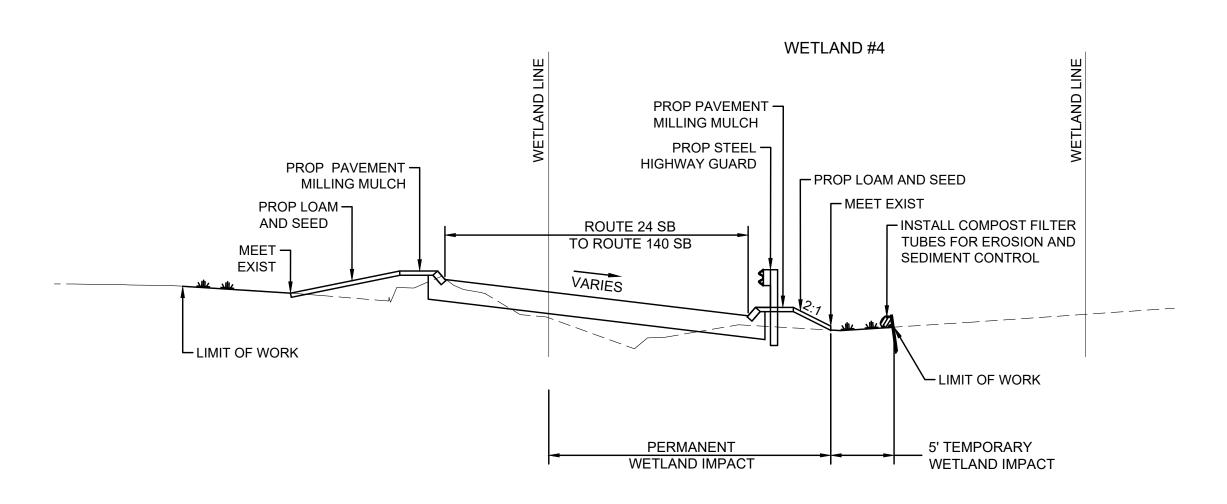










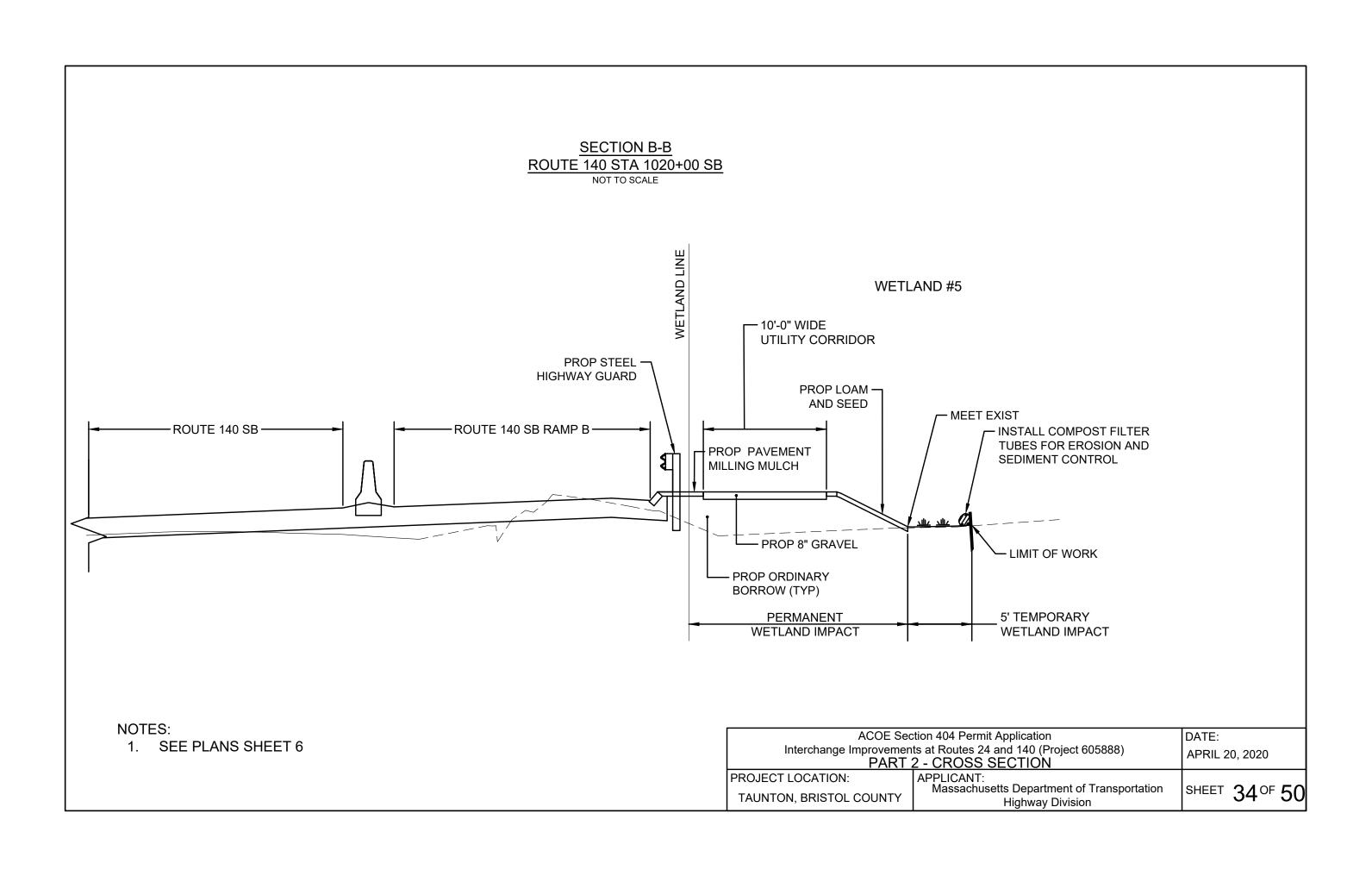


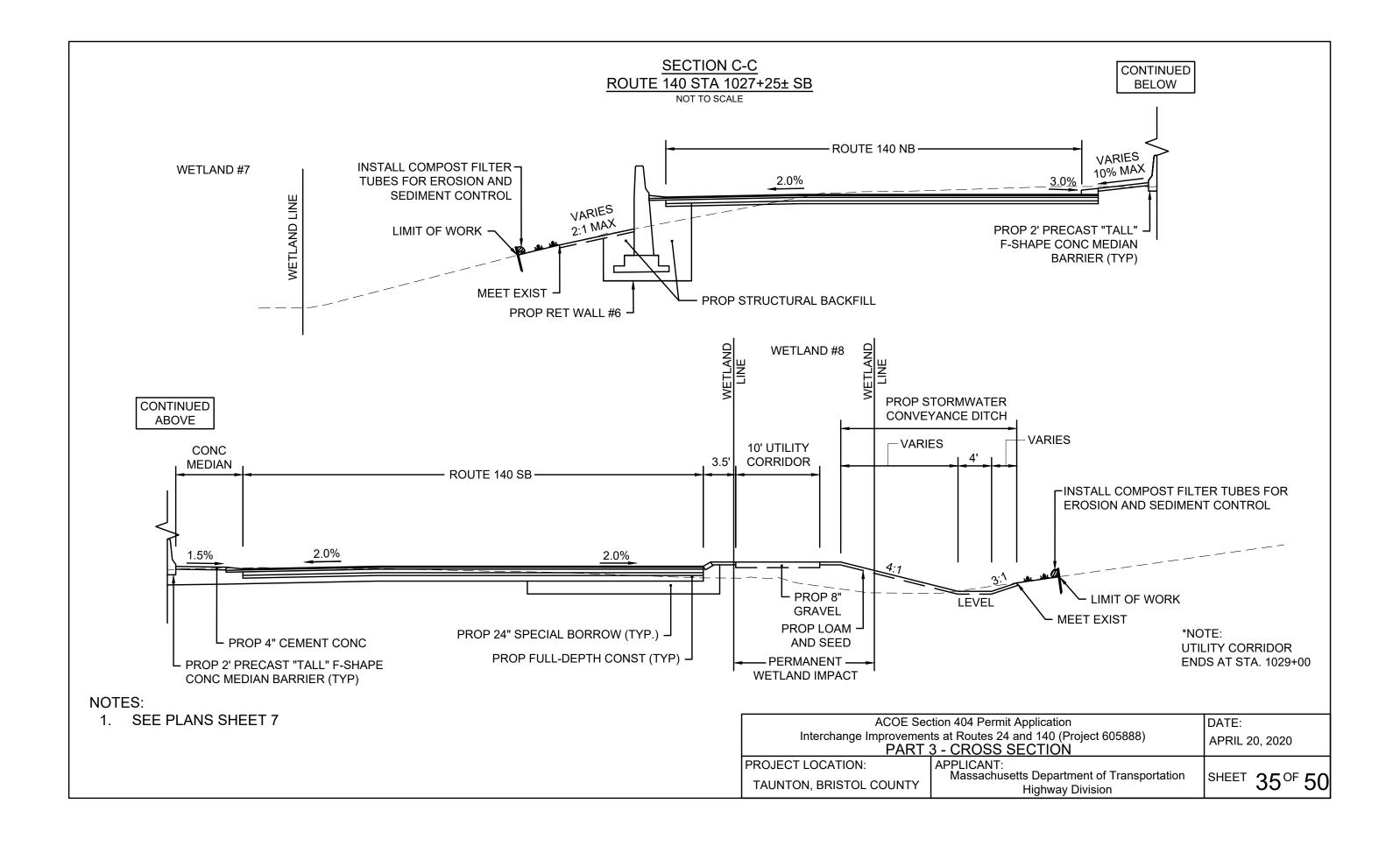
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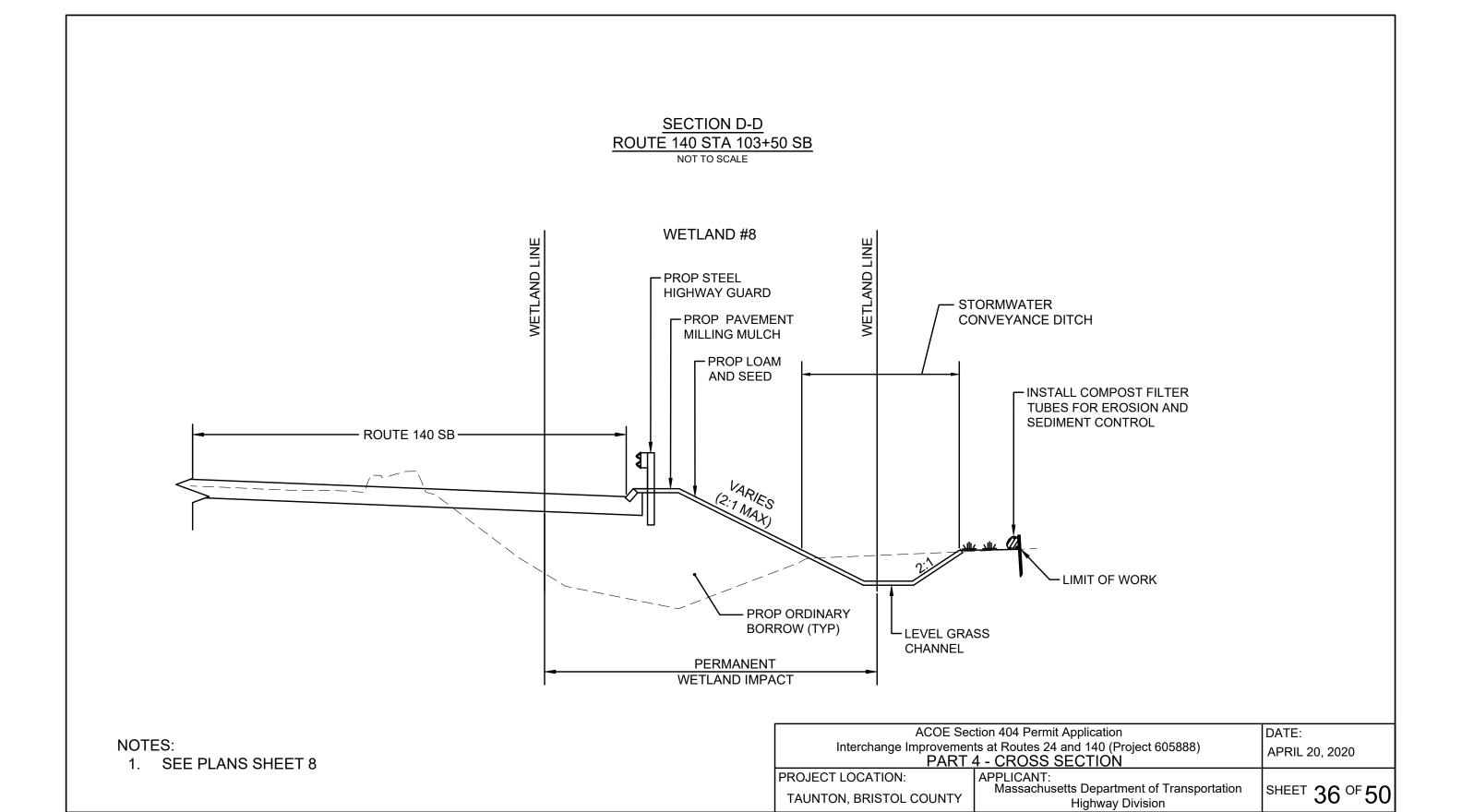
1. SEE PLANS SHEET 4

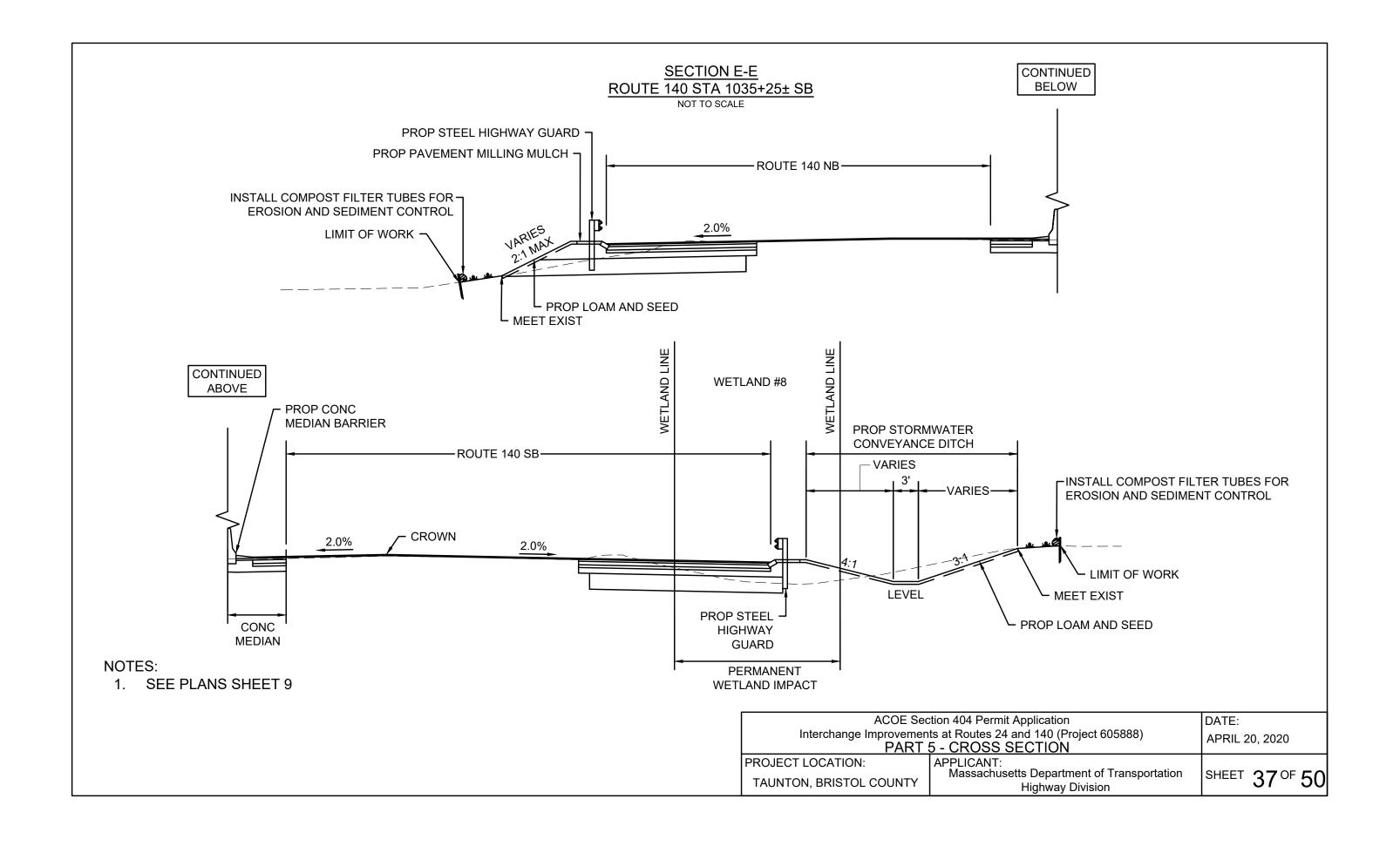
ACOE Sec Interchange Improvemen PART	DATE: APRIL 20, 2020	
PROJECT LOCATION:	APPLICANT:	
TAUNTON, BRISTOL COUNTY	Massachusetts Department of Transportation Highway Division	SHEET 33 OF 50

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ROJECT LOCATION:	APPLICANT:				
TAUNTON, BRISTOL COUNTY	Massachusetts Department of Transportation Highway Division				

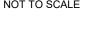


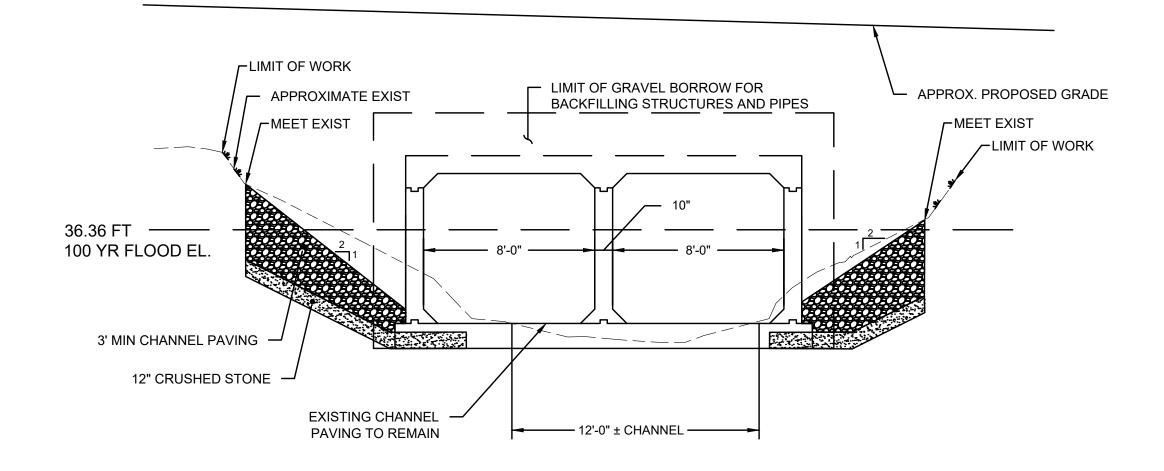






SECTION F-F BRIDGE CULVERT STA 7000+25 NOT TO SCALE



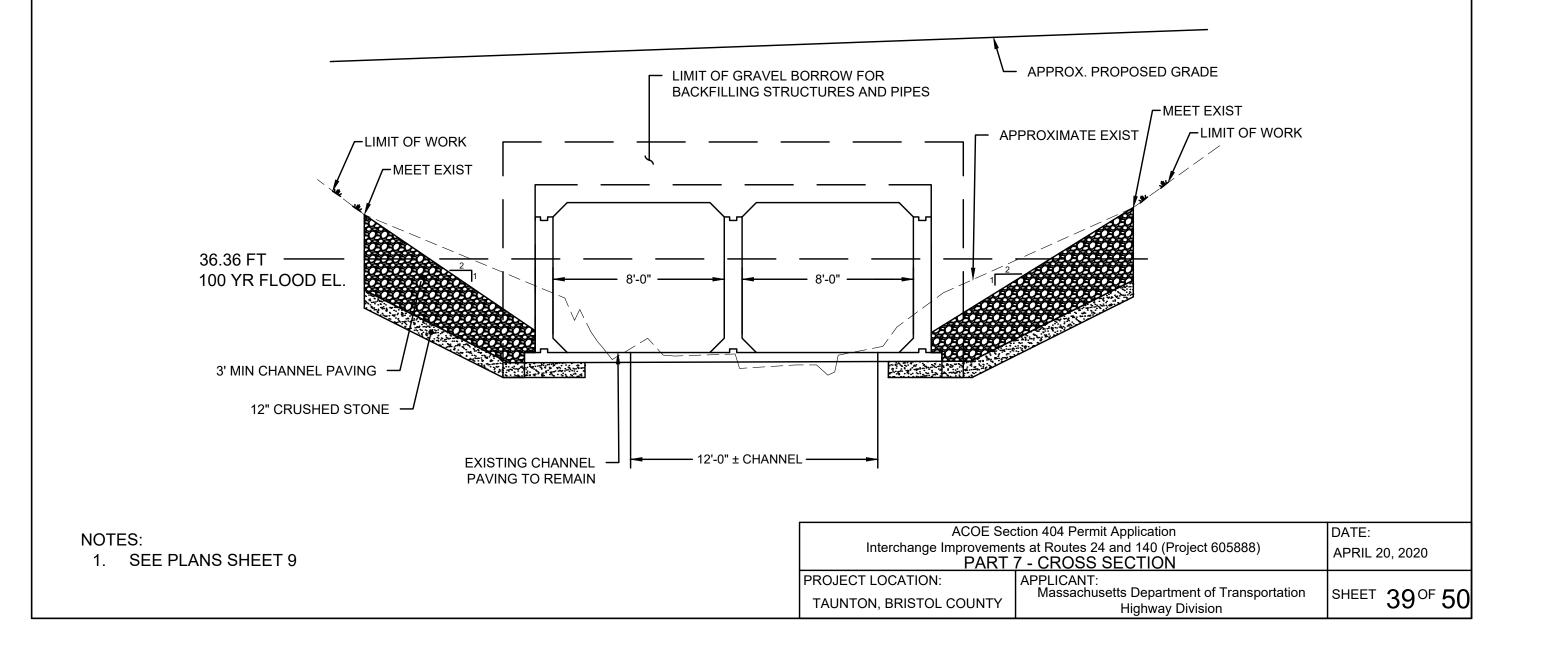


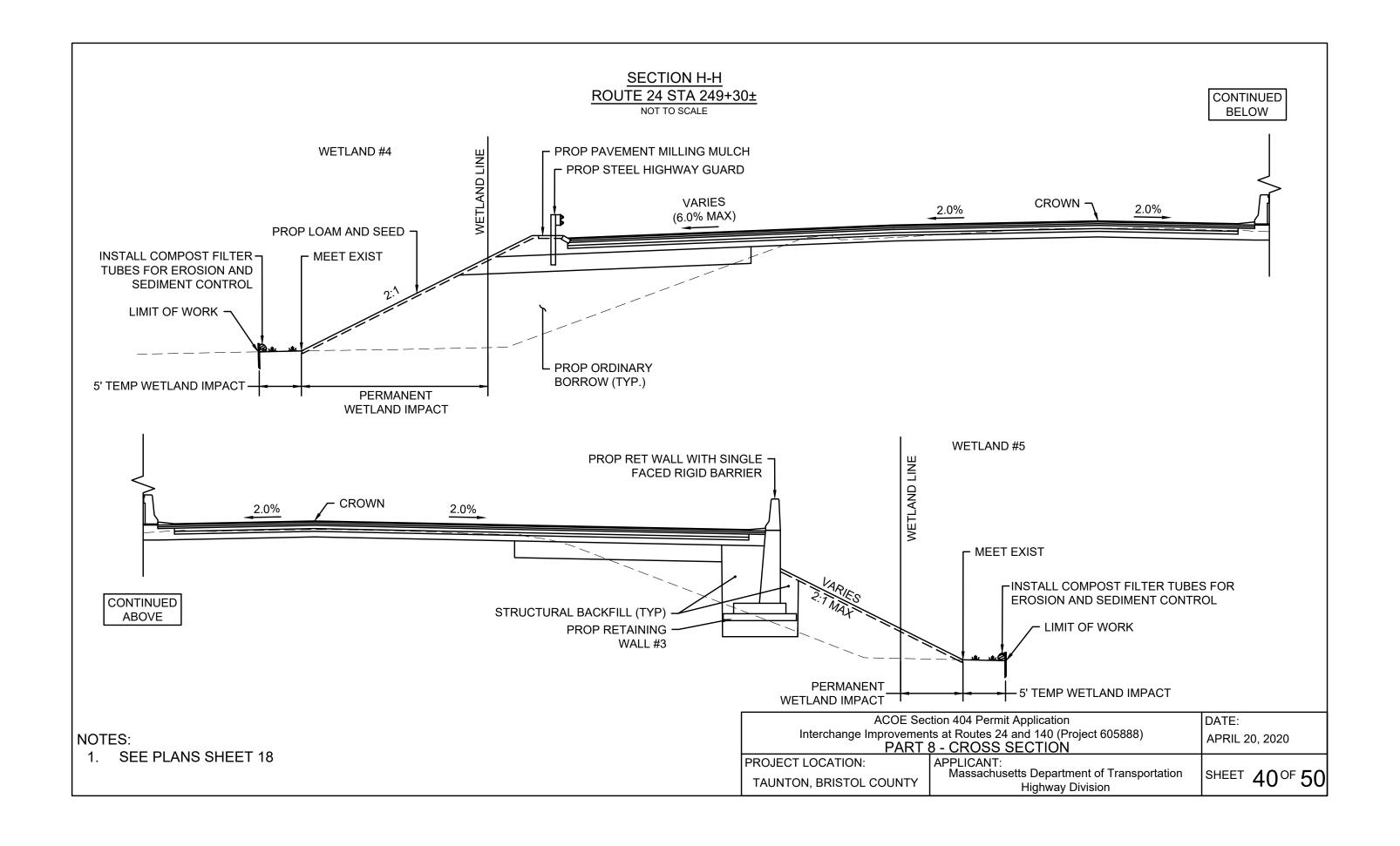
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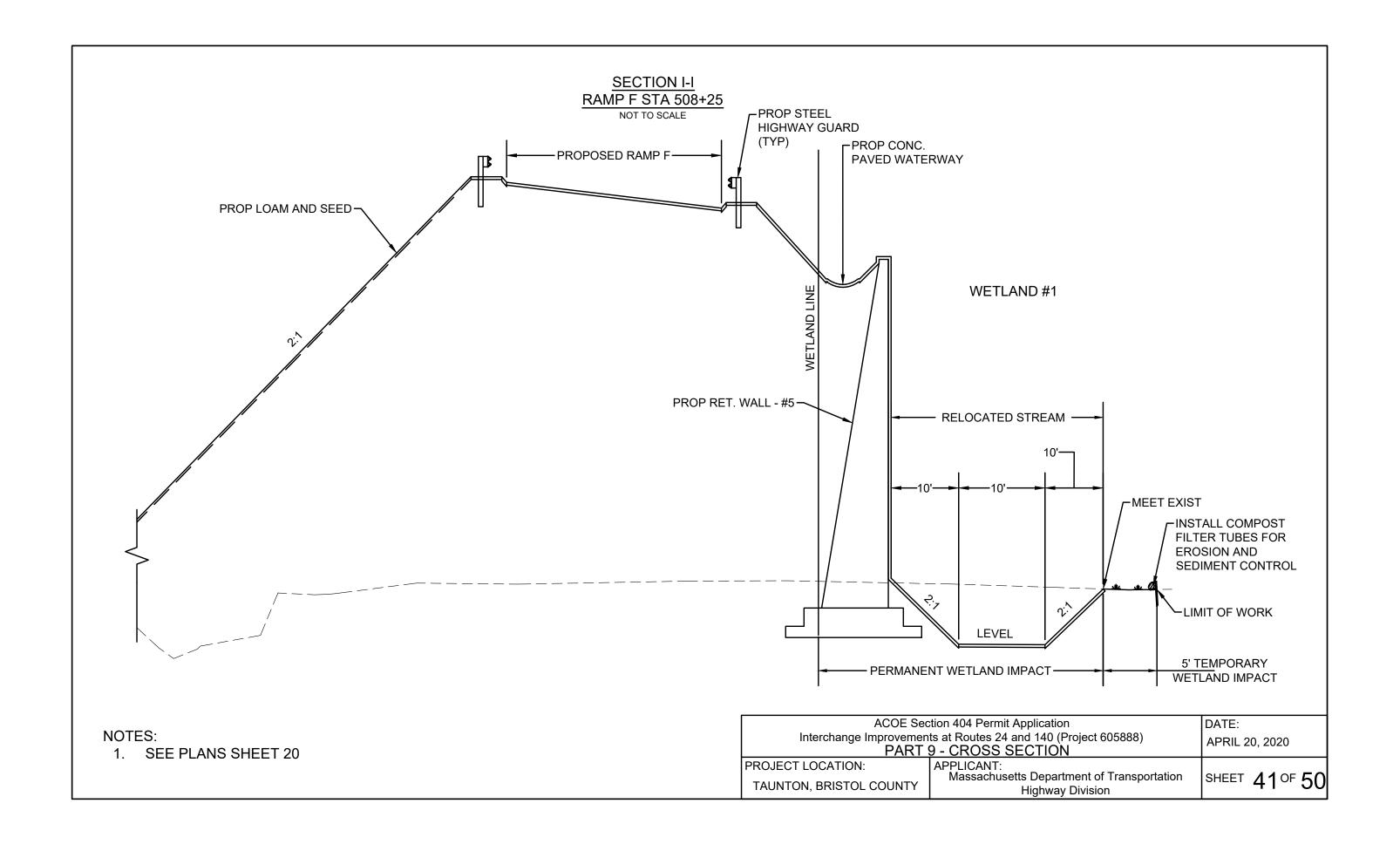
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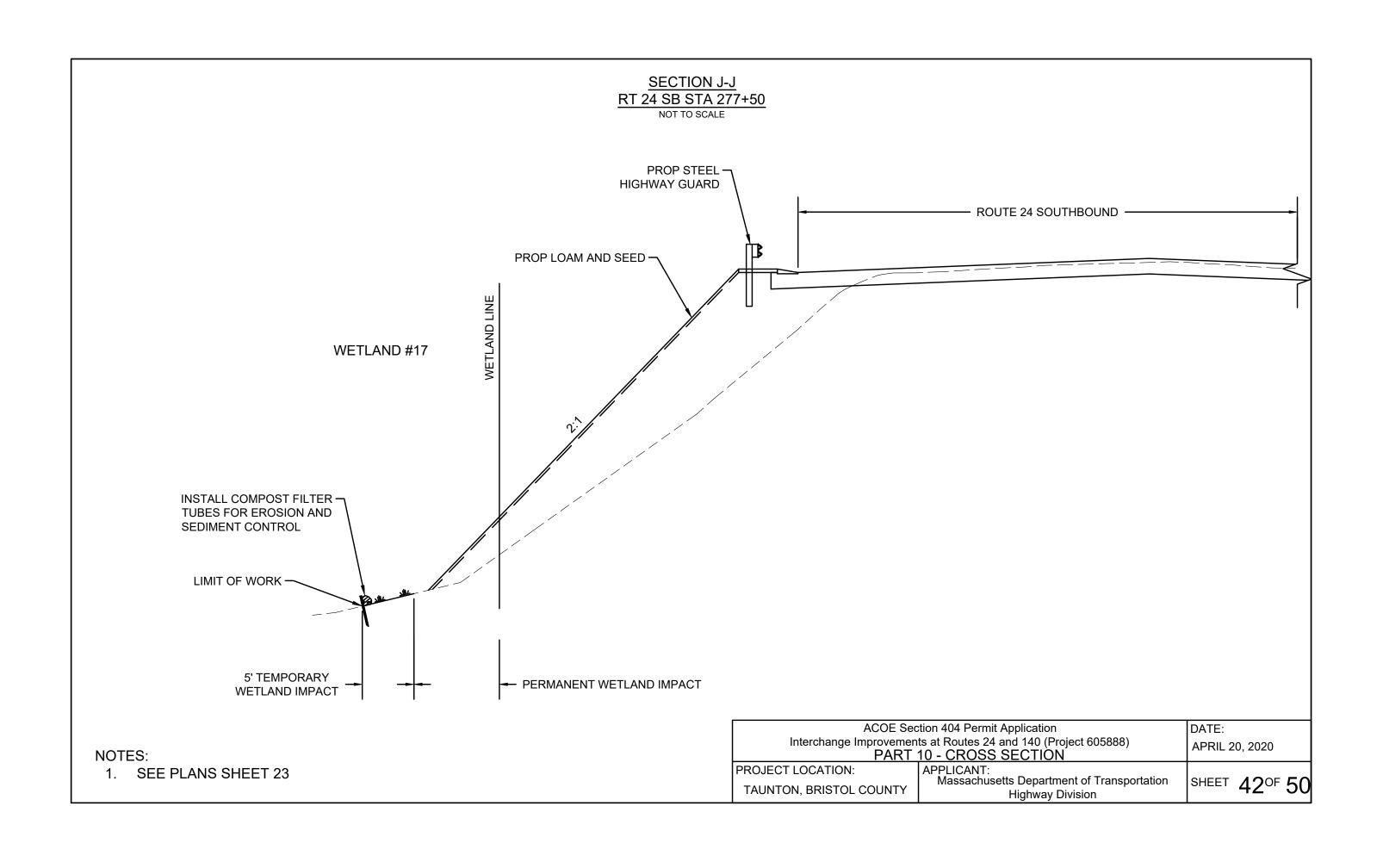
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Interchange Improvements at Routes 24 and 140 (Project 605888) PART 6 - CROSS SECTION		APRIL 20, 2020
PROJECT LOCATION:	APPLICANT:	
TAUNTON, BRISTOL COUNTY	Massachusetts Department of Transportation Highway Division	SHEET 380F 50

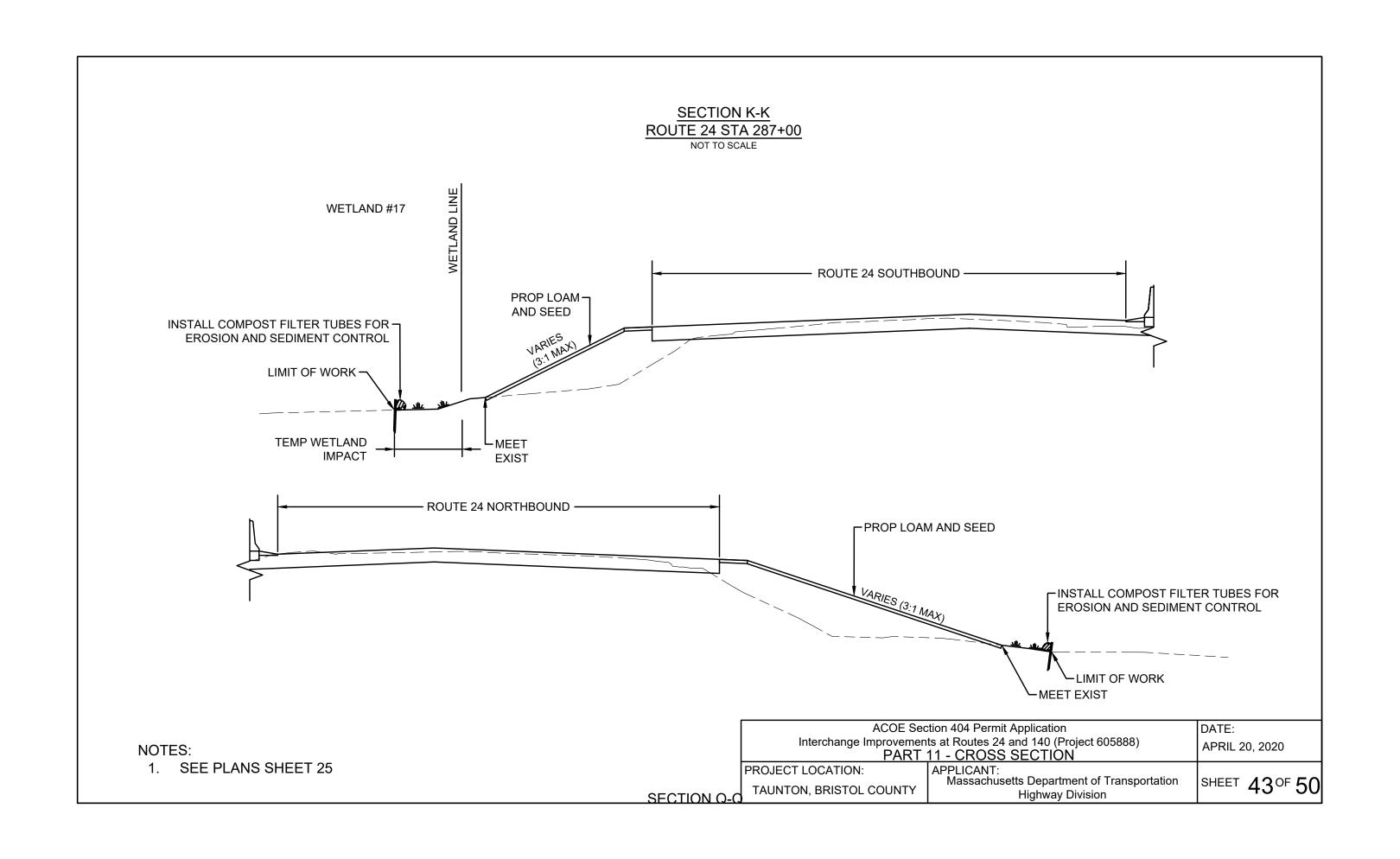
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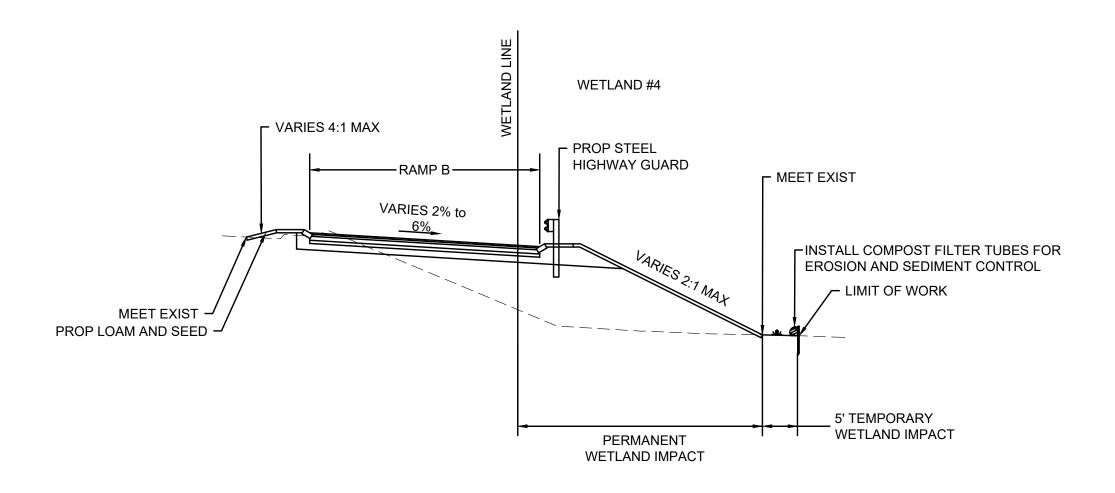








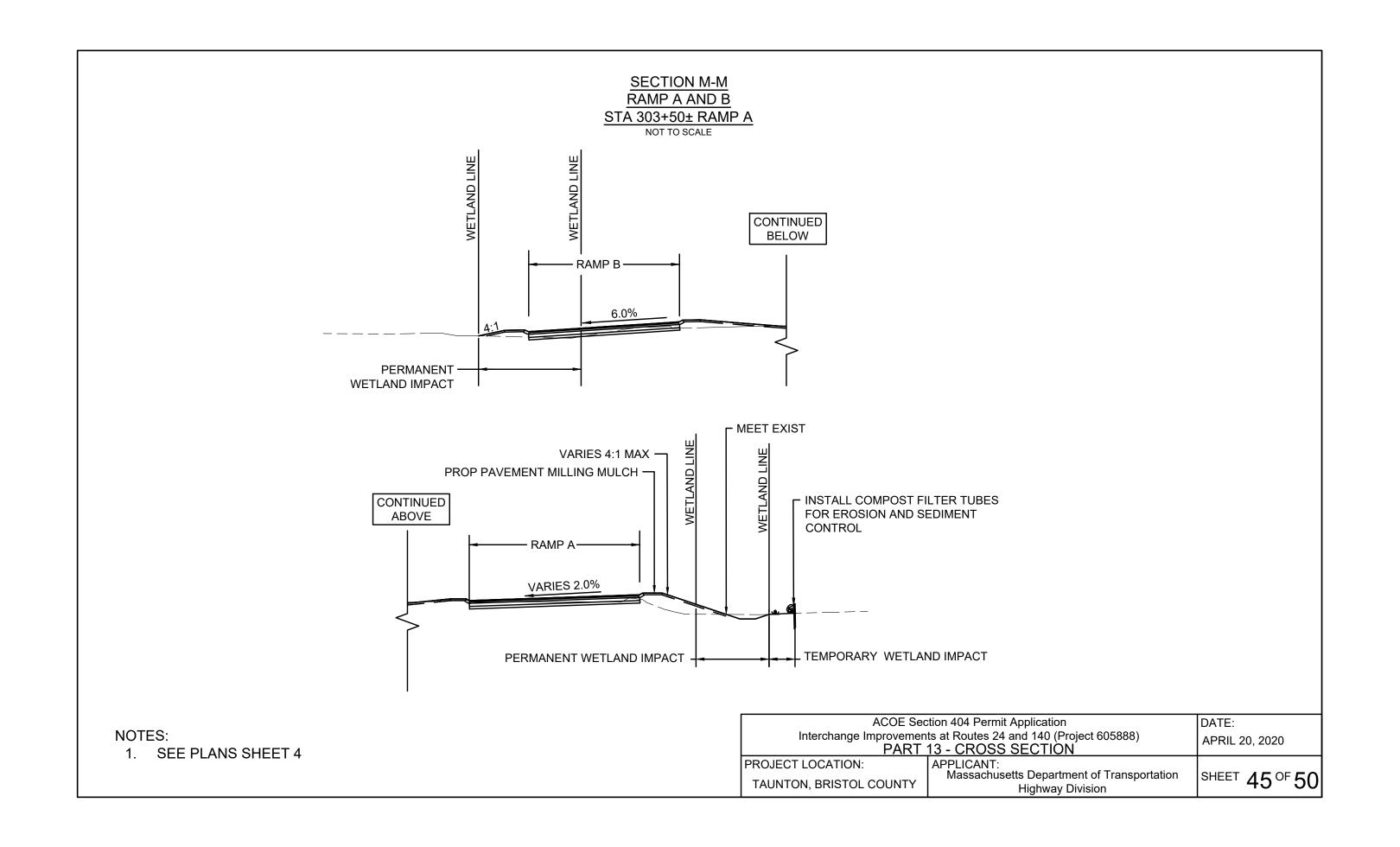


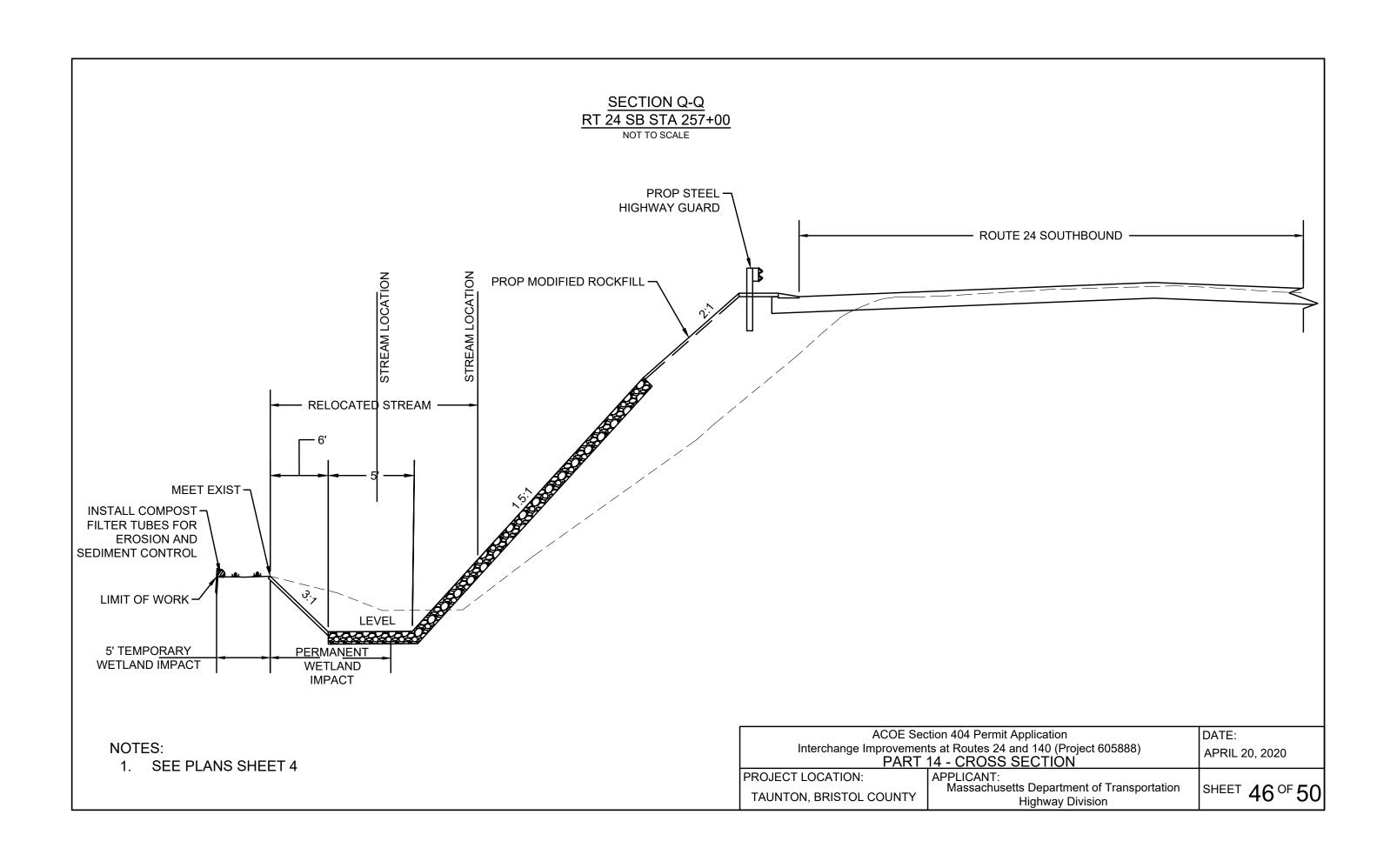


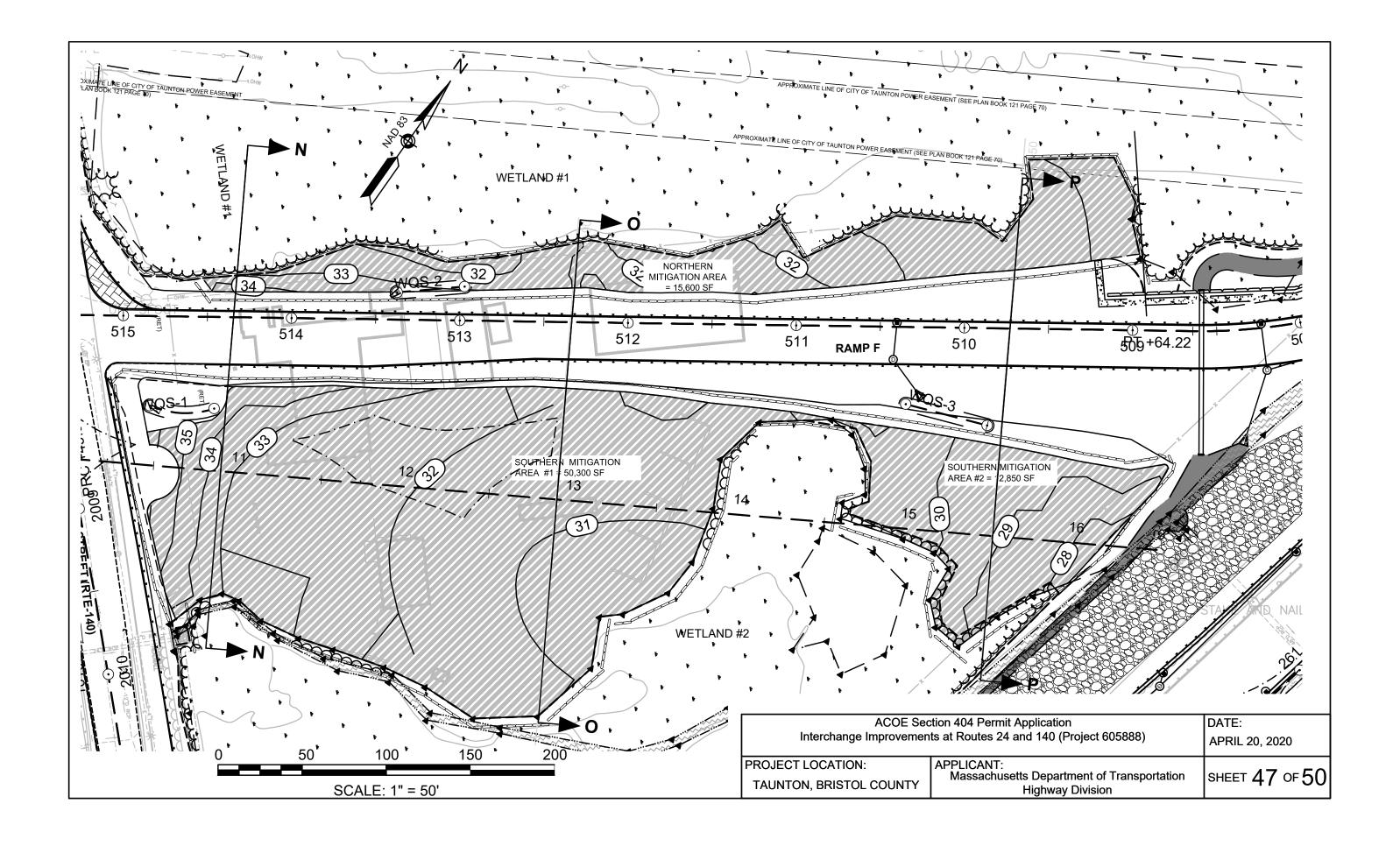
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1. SEE PLANS SHEET 28

ACOE Sec	DATE:	
Interchange Improvemen PART	APRIL 20, 2020	
PROJECT LOCATION:	APPLICANT:	
TAUNTON, BRISTOL COUNTY	Massachusetts Department of Transportation Highway Division	SHEET 44 ^{OF} 50

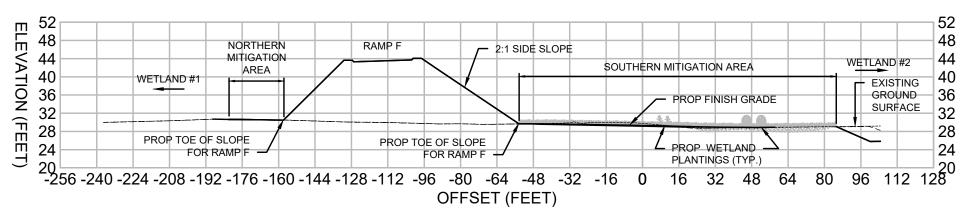




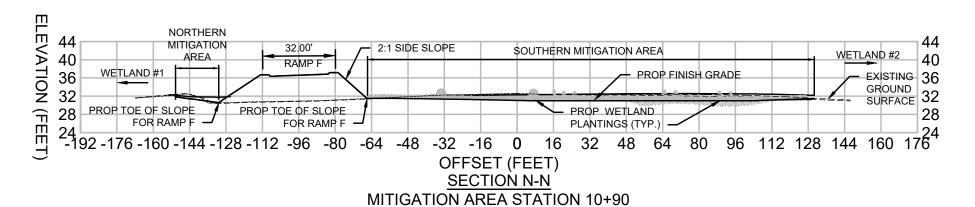


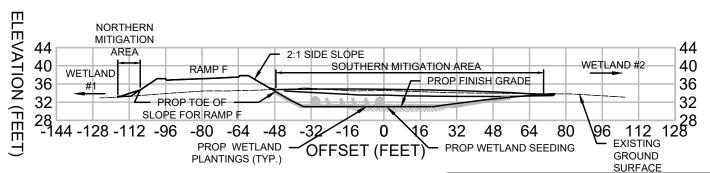
<u>SECTION P-P</u> <u>MITIGATION AREA STATION 15+50</u>

NOT TO SCALE



SECTION O-O MITIGATION AREA STATION 12+90 NOT TO SCALE





NOT TO SCALE

ACOE Sec	ction 404 Permit Application	DATE:
Interchange Improvemen WETLAN	APRIL 20, 2020	
PROJECT LOCATION:	APPLICANT:	
TAUNTON, BRISTOL COUNTY	Massachusetts Department of Transportation Highway Division	SHEET 48°F 50

SEE MASSDOT 755 SPECIFICATIONS

- SHRUB PLANT QUANTITIES BASED ON 5-FOOT ON-CENTER PLANTING SCHEME AND TREE PLANT QUANTITIES ARE BASED ON 16-FOOT ON-CENTER PLANTING SCHEME FOR THE APPROPRIATE MITIGATION AREA. 5-FOOT AND 16-FOOT ON CENTER PLANTING SCHEMES SHALL NOT BE USED FOR ACTUAL LAYOUT OF PLANTS.
- PLANTS SHALL BE LOCATED THROUGHOUT EACH MITIGATION SITE AS DIRECTED BY WETLANDS SPECIALIST SUPERVISING THE WORK BASED ON HYDROLOGIC CONDITIONS, TOPOGRAPHY, SOIL CONDITIONS AND OTHER RELEVANT FEATURES THAT WILL CONTRIBUTE TO THE SURVIVAL OF THE PLANTINGS. SEE WETLAND MITIGATION AREA CONSTRUCTION NOTES ON SHEET122 FOR ADDITIONAL SPECIFICAYIONS

PROPOSED PLANT LIST - WETLAND MITIGATION AREAS

PLANT NAME		AN IZE	•	PLANT QUANTITY*	WETLAND INDICATOR STATUS
Red maple (Acer rubrum)	4	– ft	6	125	FAC
Speckled Alder (Alnus incana)		– ft	3	320	FACW
Sweet pepperbush (Clethra alnifolia)	-	– ft	3	410	FAC
Silky Dogwood (Cornus amomum)	2	– ft	3	240	FACW
Red Osier Dogwood (Cornus sericea)	2	– ft	3	225	FACW
Spicebush (Lindera benzoin)	2	– ft	3	235	FACW
Blackgum (Nyssa sylvatica)	דו	– ft	6	125	FACW
Swamp white oak (Quercus bicolor)	4	– ft	6	100	FACW
Swamp Rose (Rosa palustris)	2	– ft	3	200	FACW
Meadowsweet (Spiraea alba)	2	– ft	3	205	FACW
Steeplebush (Spiraea tomentosa)	2	– ft	3	200	FACW
Highbush Blueberry (Vaccinium corymbosum)	2	ft	3	375	FACW
Northern Arrowwood (Viburnum recognitum)		– ft	3	400	FAC
WETLAND SEED MIX	2,	lb, 500 s.f.	0	31 lbs	VARIED

AREA IDENTIFICATION	PROPOSED AREA AVAILABLE FOR RESTORATION	PROPOSED AREA AVAILABLE FOR REPLICATION/CREATION
AREA A	N/A	15,890 SF
AREA B (NORTH OF RAMP F)	406 SF	12,884 SF
AREA C (SOUTH OF RAMP F)	33,720 SF	14,293 SF
TOTAL	34,126 SF (0.78 ACRES)	43,067 SF (0.99 ACRES)

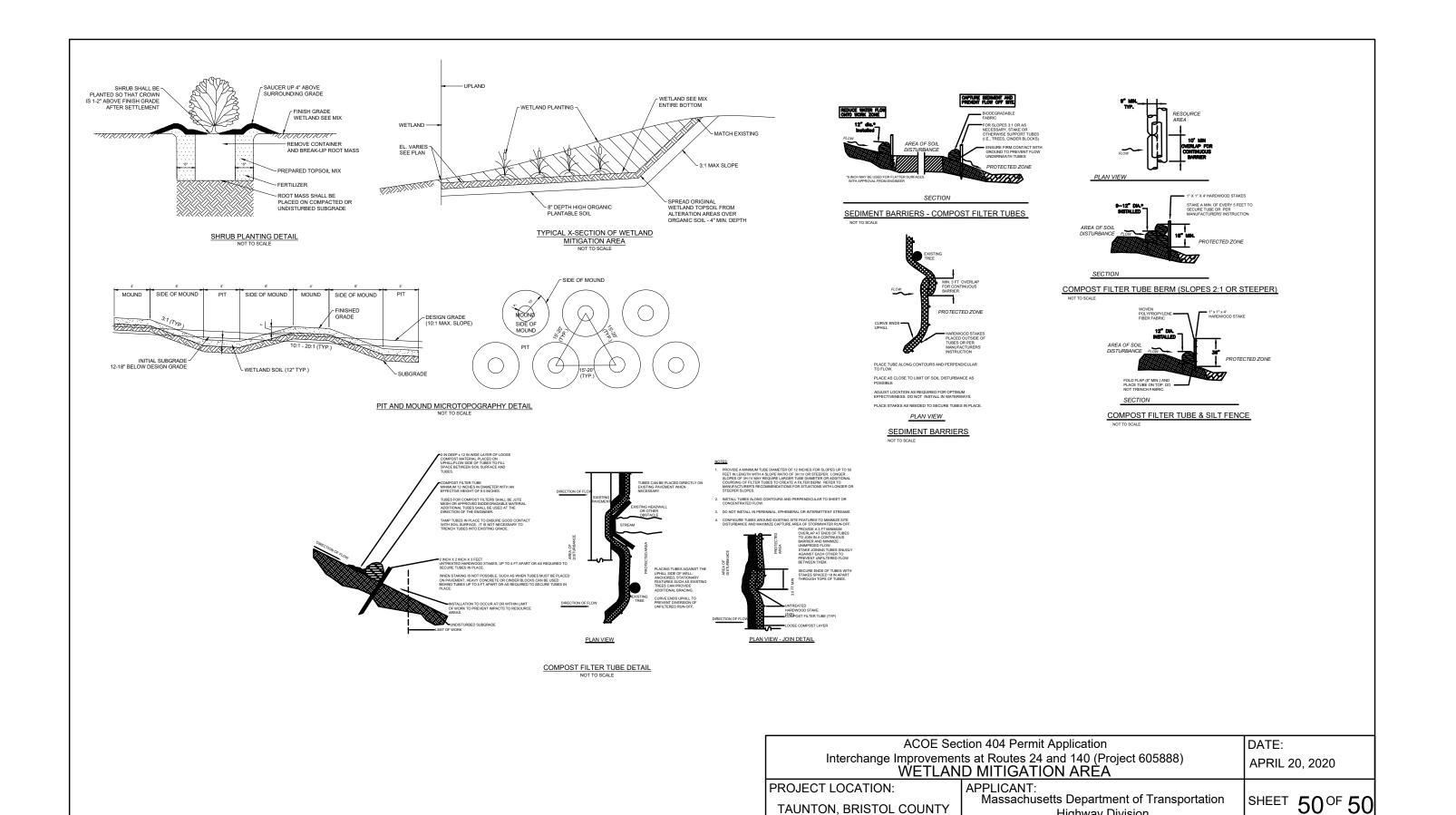
WETLAND REPLICATION AREA SEDIMENTATION AND EROSION CONTROL NOTES

- PRIOR TO STARTING ANY WORK ON THE SITE, THE CONTRACTOR SHALL NOTIFY APPROPRIATE AGENCIES
 AND SHALL INSTALL EROSION & SEDIMENTATION CONTROL MEASURES AS SHOWN ON THE PLANS AND
 AS IDENTIFIED IN ALL APPROVAL DOCUMENTS PERTAINING TO THIS PROJECT.
- PERIODIC INSPECTION AND MAINTENANCE OF ALL SEDIMENT CONTROL STRUCTURES SHALL BE PROVIDED TO INSURE THAT THE INTENDED PURPOSE IS ACCOMPLISHED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL SEDIMENT LEAVING THE LIMIT OF WORK, SEDIMENT CONTROL MEASURES SHALL BE IN WORKING CONDITION AT THE END OF EACH WORKING DAY.
- ALL POINTS OF CONSTRUCTION INGRESS OR EGRESS WILL BE PROTECTED TO PREVENT TRACKING OF MILD ONTO PUBLIC WAYS.
- AFTER ANY SIGNIFICANT RAINFALL, SEDIMENT CONTROL STRUCTURES SHALL BE INSPECTED FOR INTEGRITY. ANY DAMAGED DEVICES SHALL BE CORRECTED IMMEDIATELY.
- 5. ANY SEDIMENT TRACKED ONTO PAVED AREAS SHALL BE SWEPT AT THE END OF EACH WORKING DAY.
- ALL DEBRIS GENERATED DURING SITE PREPARATION ACTIVITIES SHALL BE LEGALLY DISPOSED OF
 OFF-SITE
- 7. AN EROSION CONTROL BARRIER SHALL BE INSTALLED AS SHOWN ON THE PLANS.
- MEANS OF EROSION AND SEDIMENT PROTECTION AS NOTED ON THE DRAWINGS INDICATE THE MINIMUM PROVISIONS NECESSARY, ADDITIONAL MEANS OF PROTECTION SHALL BE PROVIDED BY THE CONTRACTOR AS REQUIRED FOR CONTINUED OR UNFORESEEN EROSION PROBLEMS, AT NO ADDITIONAL EXPENSE TO THE OWNER.

WETLAND REPLICATION AREA PLANTING NOTES AND CONSTRUCTION SEQUENCE:

- EROSION CONTROLS WILL BE INSTALLED ALONG THE EXISTING WETLAND BOUNDARY. THIS WILL ALLOW
 THE SITE CONTRACTOR TO PROPERLY TIE IN PROPOSED CONTOURS AT THE EDGE OF THE EXISTING
 WETLAND.
- 2. UNDER THE DIRECTION OF THE WETLAND SPECIALIST, THE CONTRACTOR SHALL CONDUCT UP TO 5 ADDITIONAL TEST PITS WITHIN THE CREATION AREAS AND UP TO 2 ADDITIONAL TEST PITS WITHIN THE RESTORATION AREAS TO CONFIRM PROPOSED FINAL GRADING ELEVATIONS ARE CONSISTENT WITH ACTUAL SITE CONDITIONS. THE TEST PIT LOCATIONS SHALL BE SURVEY-LOCATED FOR INCLUSION ON AS-BUILT PLANS. UPON THE COMPLETION OF THE TEST PITS, THE SOIL PROFILES SHALL BE DOCUMENTED IN WRITING AND IN PHOTOGRAPHS.
- 3. UNDER THE DIRECTION OF THE WETLAND SPECIALIST, THE CONTRACTOR SHALL PROVIDE ROUGH GRADING (+/- 3 INCHES) WITHIN THE REPLICATION WETLAND. WETLAND MITIGATION GRADING IS SUBJECT TO MODIFICATION BASED ON ACTUAL SITE CONDITIONS. THE WETLAND SPECIALIST WILL INSPECT THE SUB-GRADE OF THE REPLICATION AREA TO ENSURE THAT THE PROPER HYDROLOGY AND MICROTOPOGRAPHY HAS BEEN ESTABLISHED.
- PRIOR TO SOIL ADDITIONS AND/OR PLANTINGS, PROJECT SURVEYORS SHOULD VERIFY THAT GRADES
 HAVE BEEN ACHIEVED AS SHOWN ON THIS DRAWING OR BY SUPERCEDING SITE PLAN AS DIRECTED BY
 THE WET AND SPECIALIST
- 5. PRIOR TO PLANTING, THE MITIGATION AREA SHOULD BE EXCAVATED APPROXIMATELY 1 FOOT BELOW THE FINISHED GRADE OF THE WETLAND MITIGATION AREA. FOLLOWING EXCAVATION OF THE MITIGATION AREA, A SOIL MIXTURE (NATURAL OR MANMADE) CONSISTING OF EQUAL VOLUMES OF ORGANIC (COMPOST) MATERIAL AND MINERAL SOIL MATERIAL SUCH AS A RICH LOAMY SAND (WITH A LOOSE FRIABLE CONSISTENCY) SHALL BE USED TO BRING THE EXCAVATED WETLAND MITIGATION AREA TO FINISHED GRADE. PRIOR TO USE, THE SOIL MIXTURE WILL BE ANALYZED BY A SOIL TESTING LABORATORY FOR TEXTURE AND NUTRIENTS. THE SELECTED CONTRACTOR WILL BE RESPONSIBLE FOR THIS COORDINATION. SEE SPECIAL PROVISION.
- 6. ESTIMATES OF SEASONAL HIGH GROUNDWATER (SHGW) SHALL BE DETERMINED IN THE FIELD AT THE TIME OF REPLICATION GRADING. THE FINISH GRADE OF THE WETLAND MITIGATION AREA SHALL BE SET SO THAT GROUNDWATER IS WITHIN 12" OF THE SURFACE FOR AT LEAST 14 CONSECUTIVE DAYS DURING THE GROWING SEASON.
- PENDING SITE AND WEATHER CONDITIONS ALL PLANTINGS WILL TAKE PLACE IN SPRING (MAY 15-JUNE 15) OR FALL (SEPTEMBER 1 - NOVEMBER 1).
- TREES PLANTED IN THE REPLICATION AREA SHALL BE LOCATED ON AREAS OF HIGHER ELEVATION (I.E., GRADED MOLINDS). TREES SHALL BE LOCATED IN THE FIELD BY THE WETLAND SPECIALIST.
- 4" OF LOAM (WEED-FREE, FINE SANDY LOAM) AND A CONSERVATION/WILDLIFE SEED MIX WILL BE SPREAD THROUGHOUT THE GRADED 3:1 UPLAND SLOPES AND IN ALL OTHER AREAS DISTURBED BY THE CONTRACTOR AS SPECIFIED. LOAM, SEED MIXTURE AND SOURCE SHALL BE APPROVED BY THE WETLAND SPECIALIST.

ACOE Section 404 Permit Application Interchange Improvements at Routes 24 and 140 (Project 605888)		DATE: APRIL 20, 2020
PROJECT LOCATION:	APPLICANT:	
TAUNTON, BRISTOL COUNTY	Massachusetts Department of Transportation Highway Division	SHEET 49 OF 50



Highway Division