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July 22, 2011

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
NOTICE OF PROJECT CHANGE

PROJECT NAME : I-95/I-93 (Route 128) Transportation Improvement Project
PROJECT MUNICIPALITY : Wellesley, Newton, Needham, Dedham, Westwood,
Canton, and Randolph
PROJECT WATERSHED : Charles, Neponset, and Blue Hill Rivers
EEA NUMBER : 5072
PROJECT PROPONENT : Massachusetts Department of Transportation (MassDOT)
DATE NOTICED IN MONITOR : June 22, 2011

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62I) and Section 11.10 of the MEPA regulations (301 CMR 11.00), I hereby determine that this Notice of Project Change (NPC) **does not require** further MEPA review.

Project Description

Since the 2002 NPC, the design for the project has advanced for the final portions of the Route 128 Transportation Improvement Project. The proposed NPC is primarily for the northern section of the project which is the result of more detailed analyses and designs conducted since the FEIR and the 2002 NPC. The Highland Avenue/Kendrick Street interchange designs have been modified to reduce wetland impacts and project costs, as well as to improve the interchange operations. The Route 9 interchange work has been expanded to include the entire interchange, compared to just the southern quadrants in the previous filings. MassDOT will now replace the existing Route 128 Bridge over Route 9. Construction continues on other sections of the roadway. The purpose of the Route 128 Transportation Improvement Project is to add a fourth 3.66-meter (12-foot) travel lane and a 3.05-meter (10-foot) shoulder in each direction within the highway median area between Route 9 and Route 24. The project will restore a functional breakdown lane in each direction of the I-95/I-93 corridor.

At the time of the 2002 NPC, the overall project was separated into three stages for design, permitting, and construction implementation purposes. The project has been phased into one Roadway Contract and five Bridge Contracts. Stage 3 includes Bridge V: Needham/Wellesley. The Bridge V portion of the project is the primary focus of this NPC and includes the following roadway improvements:

- Construction of an additional general purpose travel lane and shoulder in each direction along a 3.25-mile section of I-95/Route 128 from south of Kendrick Street in Needham to (and including) the Route 9 interchange in Wellesley.
- Addition of a new interchange on I-95/Route 128 at Kendrick Street, including the modification of the Kendrick Street Bridge over I-95 in Needham and the construction of a new bridge to carry the proposed northbound I-95 on-ramp from Kendrick Street over the proposed northbound collector/distributor road.
- Addition of collector/distributor roadways between the Highland Avenue and the Kendrick Street interchanges, which will improve safety by increasing storage lengths for exiting and entering traffic.
- Reconstruction of the Highland Avenue Interchange in Needham including replacing the Highland Avenue Bridge over I-95/Route 128 in Needham.
- Demolition of the abandoned MBTA Newton Upper Falls Branch Bridge over I-95/Route 128 and the construction of replacement foundations.
- Widening of the I-95/Route 128 bridges over Central Avenue.
- Addition of an auxiliary lane between the Highland Avenue and Route 9 interchanges and modifications to the I-95/Route 9 interchange with the replacement of the Route 128 Bridge over Route 9. The addition of auxiliary lanes and modifications to the Route 9 interchange will improve safety on the I-95/Route 128 mainline by eliminating weaving movements due to the current Route 9 interchange cloverleaf configuration and the close proximity of the two interchanges which are approximately 0.6 miles apart.
- Implementation of Transportation System Management (TSM)/Transportation Demand Management (TDM) measures will also be included. Funding will be provided for employer-based Transportation Management Organizations in the project area and for implementation of an improved incident management program.
- Construction of four noise barriers is proposed. MassDOT's noise policy requires neighborhoods that would receive noise barriers to accept them by a 67 percent weighted vote during continued public involvement. This decision will occur later in the final design. There are three noise barriers proposed southbound on I-95/Route 128: 1) along the Route 9 on-ramp to Route 128 at St. Mary Street to Sherman Street; 2) from Daley Street to Crawford Street; and 3) from Highland Avenue over Kendrick Street along David and Hunting Roads past Cheney Street; and one northbound on I-95/Route 128 from south of Carter Street between Reservoir Avenue and the eastbound Route 9 off-ramp.

MassDOT noted that there were other minor changes to other portions of the project. These minor changes included the relocation of the Poplar Street noise barrier in the Bridge III section to avoid blocking a business's sign. Another change is the lowering of the I-95 profile at the MBTA Needham Branch Commuter Rail Bridge over I-95 in the design of the Bridge IV section. There were no wetland impacts with these minor changes. A change is also being made in the construction methods at the Route 128 Bridge over the Charles River, where steel cofferdams for pier work were determined to be infeasible. For the I-95/I-93 Interchange Project in Canton, an auxiliary lane less than a mile long is proposed in each direction in the Roadway I contract, and no wetland impacts have been identified for this change..

Previous MEPA Review

The project originally consisted of the widening of 13.7 miles of the existing six-lane Interstate Route-95/I-93 (State Route 128) between Route 24 in Randolph and Route 9 in Wellesley. Parts of the project are located within the Fowl Meadow and Ponkapoag Bog Area of Critical Environmental Concern (ACEC). The widening to eight lanes included modifications to some interchanges and bridges. Six bridges over Route 128 would need to be relocated and replaced to allow for two additional lanes in the median. Several bridges would be widened by closing off the openings between separate bridge spans. A section of Route 128 in Needham, the Highland Avenue interchange, was proposed for relocation to provide for the construction of an industrial access road at Kendrick Street. All twelve interchanges between Route 24 and Route 9 were reviewed, and MassDOT determined that only minor modifications would be made to ramp geometries and access.

The project was initiated by MassDOT in 1984 and was scoped for a mandatory EIR. The alternatives considered for improving Route 128 included: a No-Build Alternative; a Transportation Systems Management (TSM)/Transportation Demand Management (TDM) Alternative; variations of a High-Occupancy Vehicle (HOV) Lane Alternative; and variations of a general-purpose Single-Occupancy Vehicle (SOV) Lane/Add-a-Lane Alternative. In addition, several design options for the Highland Avenue interchange were considered: such as no interchange redesign; a redesign of the Highland Avenue interchange only; and an interchange redesign which included frontage roads and new access ramps to Kendrick Street and the New England Industrial Center, as well as Highland Avenue. A local street modification (the construction of a connecting roadway between Reservoir Street and Charles/Wexford Streets in Needham) was also evaluated at the Highland Avenue interchange.

MassDOT's Preferred Alternative was the Added General-Purpose Lane alternative. This alternative consisted of the addition of a 12-foot travel lane and a 10-foot shoulder within the median area in each direction of the 13.7-mile corridor. It included the necessary bridge widening and replacements to accommodate the proposed widening. The Preferred Alternative

incorporates a fully redesigned interchange at Highland Avenue and Kendrick Street, which includes additional collector/ distributor roadways and a diamond interchange at Kendrick Street. It includes funding for TSM/TDM measures as part of MassDOT's Congestion Management Plan. MassDOT provided funding for employer-based Transportation Management Organizations in the project area and for the implementation of an incident management program to speed up the detection and clearing away of accidents and vehicle breakdowns. In a Certificate issued on April 29, 1999, the Final Environmental Impact Report (FEIR) was determined to be adequate.

In January of 2002, MassDOT submitted an NPC to address design changes to the project. The 2002 NPC provided details on the project design changes since the FEIR, and it was primarily concerned with the southern portions of the project from Route 24 north to Route 1. The NPC described design changes to certain bridges based on more detailed analyses; the addition of auxiliary lanes near the I-95 interchange in Canton/Dedham and between Route 135 and Great Plain Avenue in Dedham/Needham; and the modification of a double lane off-ramp merging onto I-95 South. The NPC also described the proposed construction phasing with logical termini to facilitate construction funding, traffic management, construction staging and permitting. On April 8, 2002, the Secretary issued a Certificate on the NPC stating that the project did not require further MEPA review.

Permits and Jurisdiction

The project required a mandatory EIR pursuant to Sections 11.03 (1)(a)(2), 11.03(3)(a)(1)(a), and 11.03(3)(a)(2) of the MEPA Regulations because it would create ten or more acres of impervious area, alter one or more acres of Bordering Vegetated Wetlands (BVW), and require a variance in accordance with the Wetlands Protection Act. The project required a Section 401 Water Quality Certificate and a Variance in accordance with the Wetlands Protection Act from the Massachusetts Department of Environmental Protection (MassDEP). Additionally, it might need a Superseding Order of Conditions from MassDEP if a local Order is appealed. The project must comply with the National Pollutant Discharge Elimination System (NPDES) General Permit from the United States Environmental Protection Agency (EPA) for stormwater discharges from a construction site. A Section 404 Programmatic General Permit was required from the U.S. Army Corps of Engineers. The project must obtain Orders of Conditions from the local conservation commissions. A Construction Dewatering Permit and a Notice of Construction & Demolition may also be required from MassDEP. MassDOT has executed a Memorandum of Agreement with the Massachusetts Historical Commission (MHC). In accordance with the Massachusetts Endangered Species Act (MESA), a Collection Permit from the Natural Heritage and Endangered Species Program (NHESP) will be required to handle state-listed species in the project area. MassDOT may be required to prepare a blast design plan pursuant to the Board of Fire Protection Regulations (577 CMR 13.09) for the proposed construction of roads.

Because the project is being constructed with Commonwealth funds, MEPA jurisdiction is broad and extends to all aspects of the project that are likely, directly or indirectly, to cause Damage to the Environment, as defined in the MEPA regulations.

This project change as described in the NPC will require a Section 401 Water Quality Certificate from MassDEP. A Section 404 Programmatic General Permit may be required from the U.S. Army Corps of Engineers. The project will also require new Orders of Conditions from the local conservation commissions where work will take place. The NPC will require a NPDES General Permit for stormwater discharges from a construction site, if one has not already been obtained that includes this work area.

Review of the NPC

Project Details

MassDOT is keeping the I-95 mainline on its existing alignment through the Kendrick Street/Highland Avenue area, which requires configuration changes to the proposed Kendrick Street interchange and restricting certain movements at that location. Changes for the Bridge V Phase include the following items:

- Providing a substantial reduction (approximately 2 acres) in wetland impacts, I-95 will be maintained on its existing alignment through the Kendrick Street/Highland Avenue area, compared with being realigned into the median as previously proposed. The additional lane widening will be toward the median.
- The Kendrick Street Interchange diamond proposed in the FEIR (providing all movements) was found to provide failing levels of service. Two traffic movements have been eliminated: the left turn from the I-95 northbound ramp to Kendrick Street westbound and the left turn from Kendrick Street eastbound to I-95 northbound.
- More detailed design of the Kendrick Street Interchange revealed that a 5 to 6-foot high retaining wall and a 2:1 embankment would be required to avoid a residential structure at 249 Kendrick Street. Since this change would make the property dysfunctional and was cost prohibitive, MassDOT has completed the taking of the property.
- Collector/distributor roads have been proposed along both directions of I-95 (Route 128) through this area. The collector/distributor roads will provide access to the reconstructed full cloverleaf interchange at Highland Avenue and the new diamond interchange at Kendrick Street.
- The MBTA and Bay Colony Railroad agreed that MassDOT could remove the existing railroad bridge as part of Bridge V section and MassDOT must construct new pier foundations for a future bridge, avoiding excavation in the median when the new railroad

bridge is built.

- Bridge N-04-022, which carries I-95 over Central Avenue in Needham, will be substantially widened under the current proposal.
- A 12-foot auxiliary lane and an increased shoulder width (from 6 to 10 feet) will be added in each direction between the Route 9 and the Highland Avenue interchanges to the outside of the existing shoulders. To minimize side slope impacts, retaining walls will be constructed.
- The I-95 Bridges over Route 9 will be replaced and the Route 9 interchange has been redesigned. The I-95 alignment will be shifted to the east, retaining but improving the existing reverse curve alignment. The north and southbound barrels will be combined into a single structure increasing the clearance over Route 9 to 15.0 feet. The current cloverleaf configuration at the interchange will be changed to a partial cloverleaf. Two on-ramps will be eliminated (Route 9 westbound to Route 128 southbound and Route 9 eastbound to Route 128 northbound) and replaced by two signalized intersections with some minor widening of Route 9 to accommodate the additional turning lanes. The other interchange ramps will have minor alignment changes to improve geometry and safety.

Wetlands Impacts

According to the NPC, MassDOT has estimated that the total project will impact the following wetland resource areas: approximately 29,239 sf/0.67 acres of Bordering Vegetated Wetlands (BVW); 1,273 linear feet of Inland Bank; and 36,964 sf of Land Under Water (LUW). At the Route 128 Bridge over the Charles River, permanent impacts to LUW will be slightly reduced by an unknown amount for the revised riprap placement. There will be approximately 31,043 sf of temporary LUW impacts at the Route 128 Bridge. Permit amendments are being obtained for this change. By maintaining the existing Route 128 alignment through the Kendrick Street/Highland Avenue area, MassDOT can substantially reduce approximately two acres of impacts to BVW. The changes at the Route 9 Interchange will result in wetland resource area impacts to a stream within the cloverleaf of approximately 3,076 sf of BVW, along with approximately 124 feet of bank and 582 sf of LUW.

Wetland impacts are being avoided where practicable, and have decreased significantly from those presented in the FEIR. Since the FEIR, wetland impacts have been reduced by more than two acres over the entire length of the project. The initial wetland resource area impacts were estimated prior to Orders of Resource Area Determinations being obtained from the local conservation commissions. Since the FEIR, the Towns of Needham and Wellesley Conservation Commissions have ruled on the jurisdiction of resource areas and have found some areas to be non-jurisdictional, further reducing wetland impacts.

MassDOT will provide all the wetland mitigation measures that it has committed to in the FEIR. Some off-site wetland mitigation may be required and several locations being considered

are within the 700-acre Cutler Park Reservation, which borders I-95 from Kendrick Street south to Great Plain Avenue. The Bridge V section is at 25 percent design, and permitting will commence with the completion of the 25 percent design phase. Wetland mitigation will be provided in compliance with MassDEP requirements, and additional off-site wetland mitigation will be assessed as part of the Section 404 review of the project.

Wildlife Habitat

According to MassDOT, the Natural Heritage and Endangered Species Program (NHESP) has identified a small area of the southern portion of the project area as Priority Habitat for two state-listed species. An investigation of the area noted that habitat for both species – Long’s Bulrush and Britton’s Violet – are outside the limits of the proposed construction. On February 22, 2007, the NHESP issued a determination letter regarding the review of the project under the Massachusetts Endangered Species Act (MESA). The NHESP has determined that the project is located within or very near the actual habitat of the Blanding’s Turtle. The Blanding’s Turtle is listed as a “Threatened” species in accordance with MESA. The construction conditions that were proposed to avoid a “take” of the Blanding’s Turtle included encircling the work site with a siltation fence, searching the encircled area and removing turtles found, and instructing construction personnel on the proper turtle handling techniques for removing turtles from the work area. A Collection Permit is required to handle state-listed species, and the biologist engaged to search the exclusion zone must have documented experience working with aquatic freshwater turtles. The NHESP has recommended procedures for the proponent to comply with MESA. With this NPC, the NHESP has determined that the proposed change will not result in changes to its original determination.

Stormwater Impacts

The stormwater management measures and design concepts identified in the FEIR are being maintained and advanced through the design phase in full compliance with current stormwater standards including the Total Maximum Daily Load (TMDL) for pollutants in the Charles River. The increase in impervious area will be offset by the treatment of all new areas of pavement by Best Management Practices, and the treatment of the existing pavement will be improved in many places. The stormwater management system will continue to include detention basins with pre-treatment in swales or sediment forebays to handle paved surface runoff and to provide water quality improvements. Runoff characteristics will be maintained. Post-development peak runoff rates will be less than or equal to pre-development peak runoff rates. The stormwater system design will meet the MassDEP’s Stormwater Management Standards as regulated in the Wetland Protection Act.

Historic Impacts

Bridge N-04-022, which carries I-95 over Central Avenue in Needham, was identified in 2006 on the "List of Nationally and Exceptionally Significant Features of the Federal Interstate Highway System" and is eligible for listing in the National Register of Historic Places. When initially reviewed under Section 106 of the National Historic Preservation Act in 1988, the bridge, constructed in 1953, was found "Conditionally Not Eligible" due to its age. The bridge consists of a pair of parallel, reinforced-concrete rigid frame structures separated by a 24-foot wide open well. MHC has determined that the proposed project will have an unavoidable adverse effect upon the bridge, but that impacts are acceptable provided measures are implemented by MassDOT that include archival documentation. Details of the proposed work are included in the Adverse Effect Finding dated June 23, 2010, which resulted in a signed Memorandum of Agreement with the Massachusetts Historical Commission (MHC).

Noise Impacts

Noise abatement measures will continue to be addressed. The proposed changes do not affect noise conditions adversely, and may have positive effects by improving traffic flow and safety. The additional noise barriers will have a positive impact.

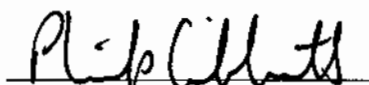
Conclusion

The proposed project change will have insignificant adverse environmental impacts, and actually poses less impact in some instances than conditions described in the FEIR. The NPC presented additional mitigation measures, such as the relocation of the Kendrick Street/Highland Avenue interchanges from the median to reduce wetland impacts by approximately two acres. MassDOT will provide all the mitigation measures that it has made a commitment to in the FEIR, and it will continue to coordinate with the other public agencies concerning mitigation measures.

Based on a review of the information provided by MassDOT, a review of the comment letter, and after consultation with the state agencies, I find that the permitting agencies have sufficient permitting authority to condition this project so that no significant environmental impacts will occur. No further MEPA review is required.

July 22, 2011

Date


Richard K. Sullivan Jr.

Comments received:

MassWildlife/Natural Heritage & Endangered Species Program, 7/11/11

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