CATEGORICAL EXCLUSION (CE) DETERMINATION CHECKLIST

Section 1 Project Information

City/Town Maynard/Acton

MassDOT Highway Project Number 604531

MassDOT Highway District 3

Federal-Aid Number _____

Route or Road Name Assabet River Rail Trail.

Project Manager or Preparer John Schoenfeld

Section 2 Project Description and Purpose

Purpose and Need

The Massachusetts Department of Transportation (MassDOT) Highway Division proposes the construction of an approximately 3.4 mile long rail trail on a former rail line through Maynard and Acton from the Stow line to the Acton commuter rail station on Maple Street. The purpose of this project is to provide a connection from the heavily used trail already constructed in Marlborough and Hudson.

Existing Conditions

The existing location is an abandoned railroad right-of-way that extends from the Stow/Maynard town line, through wooded sections before reaching downtown Maynard, then turning north through mostly wooded sections to the Maynard/Acton town line, then continuing north through Acton until crossing Mill Pond before reaching its terminus at the South Acton MBTA Commuter Rail station. Existing land use adjacent to the railroad ROW is varied, from rural residential to downtown commercial areas. The abandoned ROW itself is overgrown in places, with rails and ties removed in some areas and still in place in others.

Proposed Improvements

The proposed trail will consist of a 12-foot paved surface, with two-foot wide grass or paved Shoulders (depending upon location). There will be nine locations where the trail crosses existing roadways and vehicle traffic – signage, pavement marking and treatments, and traffic control measures will be provided based upon conditions at each crossing.

In general, new storm drainage structures are not being proposed. Existing drainage patterns

are being maintained and runoff from the trail is to be directed to existing grass swales. There are existing cross culverts at various locations along the project which will be cleaned and maintained.

The Assabet River Rail Trail is intended to be used by a variety of users. Bicyclists, roller bladers, joggers, and walkers have traditionally used rail trails. This area will also be attractive to wheelchairs and baby carriages, as it directly serves a populated area. This portion of the ARRT will be used by people enjoying the physical recreation, but also by residents accessing the Assabet River National Wildlife Refuge and Ice House Landing. Of equal importance is the ability to use this trail to commute to work. The ARRT provides a vital connection to the MBTA and also connects some of the major employers and employment locations in the region with residential areas – Clock Tower Place in Maynard with Monster.com and EDS, the State Police Crime Lab, Intel, and others. The timing of commuter use will generally not conflict with primary times for recreational use.

The Maynard portion of the ARRT begins at the Stow/Maynard town line and ends at the Maynard/Acton line. The southerly limit of the Maynard portion abuts the River and the northern limit is within a residential neighborhood. The central segments are through the downtown area.

The Trail starts at the Stow line, at Track Road and the west gate to the Assabet River National Wildlife Refuge (ARNWR), former Fort Devens Annex, now owned by the U.S. Fish and Wildlife Service. There is an 18-foot wide cleared gravel base, which has over the years been used as a private trucking road. There is a stream crossing of “Thanksgiving Pond,” and the structure appears to be in good condition. The existing concrete culvert at Thanksgiving Pond will need to be analyzed for emergency vehicle traffic and have railings designed.

There is a parking lot proposed to be constructed adjacent to the DPW facilities, which is located approximately in the middle from Track Road to Great Road, providing parking for approximately 5 cars.

The ARRT proceeds approximately 2,800 feet along the RR ROW where it connects to Winter Street. A former railroad bridge crossing of the stream is no longer in place, so the trail will utilize the northwesterly limit of the Winter Street ROW. The ARRT will proceed 500 feet along Winter Street to where it intersects Great Road (Route 117). The abutting section along Winter Street will need to have a railing and potentially some slope work.

The Trail then has a pedestrian crossing of Great Road (Route 117), and then connects to the RR ROW at Mill and Pine Streets. Great Road (Route 117) has moderate traffic volumes (10,000 ADT), with a crest hill located to the east of the proposed rail trail crossing. There is adequate site distance in both directions along Great Road. This trail crossing would be at grade, with appropriate signs, markings and advance warnings. Traffic and future non-vehicular volumes on Great Road (Route 117) were reviewed to determine if a pedestrian signal is warranted (see Traffic Analysis section below). The ARRT will then follow the RR ROW to Sudbury Street at Main Street (Route 62). The RR ROW widens to approximately 50 feet where it parallels High Street. Access and parking can be provided along High Street. This segment is approximately 1,500 feet in length.

The Trail then crosses Sudbury Street and proceeds along the northerly edge of the Clocktower Place parking lot. The RR ROW is privately owned and has been developed as

parking for Clocktower Place, so the trail will follow Main Street as part of a wdier sidewalk configuration. The ARRT then crosses Main Street (Route 62) at an modified pedestrian crosswalk at Railroad Street, to become a trail crossing. Railroad Street was reconstructed during the summer of 2000. A corridor was maintained for the ARRT to proceed along Railroad Street. The trail then will cross Florida Road, continue through the parking lot to Tobin Park.

The existing bridge at Tobin Park will be replaced with a wider structure across the Assabet River.

The trail will then proceed through the Maynard Municipal Parking Lot first on the east side then on the west side to Summer Street at Maple Street.

The trail will follow the former RR ROW through Maynard to Acton, mostly in wooded areas.

In Acton the trail crosses in front of the Wedgewood Property, and then across a wetland by way of a boardwalk structure. The location, make-up and construction methods for the boardwalk were first presented to the Acton Conservation Commission on May 2, 2001, and have been reconsidered with the Town as the design was further developed. The proposed boardwalk over the wetlands will be approximately 200 feet long with a 14-foot wide deck. The deck will be approximately 5 feet above the wetland surface. The deck will be designed for pedestrian loads.

To minimize permanent and temporary impacts to the wetlands under the boardwalk, the use of helical screw anchors in lieu of timber piling will be considered. The use of these anchors may allow for lighter equipment for installation, therefore minimizing temporary wetland impacts from construction equipment.

The Pratts Brook culvert is a small granite block structure in Acton that will be reviewed and a railing system designed. There is a flood gauge at this point and the water levels in relation to the trail (and boardwalk) will have to be reviewed, as well.

The existing timber trestle crossing of Mill Pond in Acton is approximately 75 feet long. There are four timber bents in the water forming the substructure support system. Existing abutments are large granite block sections. It is proposed to span the entire crossing with a new pre-fabricated structure. The existing timber bents will be left in place to avoid impacts to the river in trying to remove them. The new span will support H-10 maintenance/emergency vehicle design load, or pedestrian loading only with bollards on both sides to restrict vehicles from crossing the new span. The new deck will be approximately 15 feet wide.

After Mill Pond the Trail will meander through a newly acquired farm parcel to meet Maple Street across from the South Acton MBTA Commuter Rail Station at Maple Street.

Permitting Status

The project does trigger review pursuant to the Massachusetts Environmental Policy Act (MEPA) regulations by MassDOT Highway Division Environmental Services.

A Notice of Intent (NOI) is expected to be required as there is work proposed within any regulated resource areas or associated buffer zones. The Massachusetts Programmatic Agreement for Section 404 of the Clean Water Act Programmatic General Permit (PGP) will be filed.

The project does not lie within the Massachusetts designated coastal zone, and therefore no review from the Massachusetts Coastal Zone Management Office is required. The Coast Guard Section 9 Bridge Permit and the Army Corps Section 10 of the Rivers and Harbors act are not applicable to this project because the project will not impact a navigable waterway.

Coordination has been initiated with the National Heritage and Endangered Species Program (NHESP).

The Massachusetts Historical Commission has been contacted in regards to any impacts the project may have relating to the National Historic Preservation Act. The project will be reviewed by MassDOT Highway Division Environmental Services Cultural Resources Unit (CRU) to identify potential impacts to historical, cultural, and archeological resources. It is anticipated that this project will have no adverse effect to any resources within vicinity of the project area.

Starting with **Section 3**, answer the questions by checking Yes or No.
After each of the following sections there will be instructions that direct the preparer to either stop completing the checklist or continue to the next section of the checklist. All supporting documentation should be attached to the checklist. The preparer should refer to MassDOT Highway Division's (formerly MassHighway's) Categorical Exclusion Checklist Detailed Instructions for further information and guidance on completing this checklist.

Section 3 Automatic Categorical Exclusion	**YES**	**NO**
1. Is the Project an Automatic CE?	☐	☒

If Yes, the remainder of checklist does not have to be completed and the checklist should be included in the project file. If No, the preparer should complete **Section 4** below. A list of projects that qualify as an Automatic CE is provided in the Categorical Exclusion Detailed Instructions.

Section 4 Categorical Exclusion		
2. Does the project induce significant impacts to planned growth or land use for the area?	☐	☒
3. Does the project require the relocation of significant numbers of people?	☐	☒
4. Does the project have a significant impact on any natural, cultural, recreational, historic or other resource?	☐	☒

	Yes	No
5. Does the project involve significant air, noise or water quality impacts?	☐	☒
6. Does the project have a significant impact on travel patterns?	☐	☒
7. Does the project involve substantial controversy on environmental grounds?	☐	☒
8. Does the project have significant impact on properties protected by Section 4(f) of the DOT Act, or Section 106 of the National Historic Preservation Act?	☐	☒
9. Is the project inconsistent with any federal or state requirement or administrative determination relating to the environmental aspects of the action?	☐	☒
10. Is the project inconsistent with the Massachusetts Coastal Zone Management Plan as determined by the Massachusetts Office of Coastal Zone Management?	☐	☒

If the answer for any of the questions within **Section 4** is Yes then the project does not qualify as a CE and an EA or EIS is required. If the answer for all of the questions within Section 4 is No, the preparer should complete **Section 5** below.

Section 5 Programmatic Categorical Exclusion

11. Does the project involve the permanent acquisition of more than minor amounts of right-of-way?	☐	☒
12. If the action involves the sale, transfer, or lease of state-owned land, does the intended future use of such land result in any substantial environmental impact?	☐	☒
13. Does the project have a determination of adverse effect by the State Historic Preservation Officer?	☐	☒
14. Does the project have a disproportionately high and adverse impact on minority or low-income populations?	☐	☒
15. Is the project a Type I action requiring a noise assessment?	☐	☒
16. Does the project require the use of properties protected by Section 4(f) of the DOT Act necessitating the preparation of an Individual Section 4(f) Evaluation?	☐	☒

17.	Does the project require the use of properties protected by Section 6(f) of the Land and Water Conservation Act?	☐	☒
		Yes	**No**
18.	Does the project require an Army Corps of Engineers Individual Section 404 permit?	☐	☒
19.	Does the project require a U.S. Coast Guard construction permit?	☐	☒
20.	Within the project area, does the project result in an average of greater than one-half acre of permanent wetland impact per linear mile?	☐	☒
21.	Does the project affect federally listed threatened or endangered species or critical habitat?	☐	☒
22.	Does the project adversely affect a regulatory floodway or the base floodplain (100-year flood) elevations of a watercourse or waterbody?	☐	☒
23.	Does the project involve construction in, across, or adjacent to a river designated as a component in the Natural System of Wild and Scenic Rivers?	☐	☒
24.	Does the project affect prime or unique farmland?	☐	☒
25.	Does the project involve work within or adjacent to a known Superfund site?	☐	☒
26.	Does the action involve any changes in access control?	☐	☒
27.	If the project involves the use of a temporary road, detour or ramp closure, will any of the following conditions occur?	☐	☒

- Provisions have not been made for access by local traffic;
- Through-traffic dependent business will be adversely affected;
- The detour or ramp closure will interfere with a local special event or festival;
- The temporary road, detour or ramp closure will substantially change the environmental consequences of the action;
- There is a substantial controversy associated with the temporary road, detour, or ramp closure.

If the answers to all questions in **Section 5** are “No” then the project qualifies as a Programmatic CE. The checklist and all supporting information should be submitted to the MassDOT Highway Division Project Manager.

If the answer for any of the questions in **Section 5** is Yes then the project does not qualify as a Programmatic CE and an Individual CE approval from FHWA is required. The preparer should attach to this checklist all supporting information to clearly establish that there is little or no potential for significant impact. The Individual CE, and supporting information, will be submitted to the FHWA Division Office for approval.

I concur with this categorical exclusion determination:

_____ _____

Director of Environmental Services Date
(or designee)

ROADWAY CONSTRUCTION – ASSABET RIVER RAIL TRAIL
ACTON AND MAYNARD, MASSACHUSETTS

Project Description

Purpose and Need

Existing Conditions

Proposed Improvements

Permitting Status

1. No. The project does not qualify as an automatic Categorical Exclusion, according to 23 CFR 771.117(c) because the scope of this project is beyond the activities listed in the regulations.

2. No. This project does not induce significant impacts to planned growth or land use for the area as described in CFR 771.117(a). The proposed improvements include a new multiuse path along an existing railroad corridor. It does not impact the existing roads around it.

3. No. This project does not require the relocation of people or the taking of buildings.

4. No. This project does not have significant impact on and natural, cultural, recreational, historical, or other resource.

5. No. The project does not involve significant air, noise or water quality impacts. Noise levels may be temporarily increased during construction activities but will return to normal upon completion of the project.

6. No. The project does not have a significant impact on travel patterns. The overall traffic configuration within the project area will stay the same. During staged construction there will be minor traffic delays where the path crosses existing roadways.

7. No. Comments involving substantial controversy on environmental grounds have not been received.

8. No. There is no 4(f) property in the project area.

9. No. This project is not inconsistent with any federal or state requirement or administrative determination relating to the environmental aspects of the action.

10. No. The project limits are outside of the Massachusetts Coastal Zone and therefore the Massachusetts Office of coastal Zone Management has no jurisdiction over this project.

11. No. Takings are required but they do not adversely impact the abutters use of the property and they are minor in extent.

12. No. The project does not require the sale, transfer or lease of state-owned land.

13. No. It is not anticipated that the project will have a determination of Adverse Effect by the State Historic Preservation Officer.

14. No. This project does not have a disproportionately high and adverse impact on minority or low-income populations. According to the MassGIS Environmental Justice Population Data Layer, the project is not located within one of these areas.

15. No. This project is not a Type I action requiring a noise easement.

16. No. The project does not require the use of land from a significant publicly owned park, recreation area, or wildlife or waterfowl refuge, as defined in 49 USC Section 303.

17. No. There are no properties funded with Land and Water Conservation Funds within the project area.

18. No. This project does not require an Army Corps of Engineers Individual Section 404 permit. Wetlands are being impacted in this project but not more than one acre.

19. No. A bridge or causeway is not included within the limits of this project therefore a Coast Guard permit is not required.

20. No. There are not more than one-half acre per linear mile of wetlands impacted in the construction of this project.

21. No. There are no Federally listed species within the project area.

22. No. According to the most recent Flood Insurance Rate Maps for the Towns of Acton and Maynard, the project is not located within a flood zone.

23. No. There is no proposed work adjacent to a Wild or Scenic river.

24. No. There is no farmland impacted by the project.

25. No. The project is not adjacent to a known superfund site.

26. No. There are no proposed changes in access control.

27. No. No temporary roads or detours are proposed.