



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
WESTERN REGIONAL OFFICE

436 DWIGHT STREET, SPRINGFIELD, MA 01103 413-784-1100

CHARLES D. BAKER
Governor

KATHLEEN A. THEOHARIDES
Secretary

KARYN E. POLITO
Lieutenant Governor

MARTIN SUUBERG
Commissioner

DATE: February 9, 2021

Municipality LEVERETT
(city/town)

RE: NOTIFICATION OF WETLANDS PROTECTION ACT FILE NUMBER

The Department of Environmental Protection has received a Notice of Intent filed in accordance with the Wetlands Protection Act (M.G.L. c. 131, §40):

Applicant:	TOWN OF AMHERST DEPARTMENT OF	Owner:	TOWN OF LEVERETT
Address:	586 SOUTH PLEASANT ST. AMHERST, MA 01002	Address:	9 MONTAGUE ROAD LEVERETT, MA, 01054

LOCUS: CUSHMAN ROAD & TEAWADDLE HILL ROAD

This project has been assigned the following file # : WE 200-0197

A FILE NUMBER ONLY INDICATES THAT THE APPLICATION CONTAINS THE MINIMAL SUBMITTAL REQUIREMENTS AND IS ADMINISTRATIVELY COMPLETE - NOT THAT THE INFORMATION IN THE APPLICATION IS ADEQUATE FOR ISSUANCE OF AN ORDER OF CONDITIONS.

Although a file # is being issued, please note the following:

- [1] Please note that the limited project provisions of 310 CMR 10.53(3)(d) only apply if the contours and vegetation are substantially restored. As for all limited projects, the applicant must still attempt to fully comply with the performance standards for each resource area where work is proposed.
- [2] The commission must wait to close the public hearing until NHESP has issued its determination.
- [3] What vertical datum is the plan based upon? Flood maps and the Flood Insurance Study for the town are based on NGVD29. If the project plans are based on NAVD88, there is a conversion factor that must be used in order to correctly show the flood plain.
- [4] Please note the minor exempt activity available for some of the work, per 310 CMR 10.02(2)(b)2.i., as it may apply to work in Riverfront or buffer zone only. "Installation of underground utilities (e.g., electric, gas, water) within existing paved or unpaved roadways and private roadways/driveways, provided that all work is conducted within the roadway or driveway and that all trenches are closed at the completion of each workday;"
- [5] Cushman Brook is a Cold Water Fishery Resource. Preventing sediment from entering the water and

This information is available in alternate format. Call Donald M. Gomes, ADA Coordinator at 617-556-1057. TDD# 1-866-539-7622 or 1-617-574-6868.

 <http://www.mass.gov/dep>
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TOWN OF AMHERST DEPARTMENT OF
586 SOUTH PLEASANT ST.
AMHERST, MA 01002

maintaining and/or increasing shading of the water column is important to protecting this valuable resource. Coldwater streams and rivers are critical habitat for a variety of fish including rare (American Brook Lamprey, Longnose Sucker, Lake Chub) and recreationally-important (Brook Trout) species.

[6] Directional drilling under Cushman Brook or any stream or BVW typically requires a 401 WQC application be submitted to MassDEP due to the concerns for a potential frac-out.

[7] Guidance on dewatering will be provided to the parties in the file number notification email.

ADDITIONAL REQUIREMENTS:

Before the activity described in the Notice of Intent can commence, you must obtain a Water Quality Certification. Please complete a 401 Water Quality Certification application form (<http://www.mass.gov/eea/agencies/massdep/service/approvals/brp-ww-10-11.html>) and file it with this Regional Office for review.

If you have any questions regarding this letter, please contact: MARK STINSON @ (413)-755-2257

Cc: Leverett Conservation Commission, P.O. BOX 300, Leverett, MA, 01054
Natural Heritage & Endangered Species Program, Div of Fisheries & Wildlife Route 135, North Drive,
Westborough, MA, 01581
Owner: TOWN OF LEVERETT, 9 MONTAGUE ROAD, LEVERETT, MA, 01054