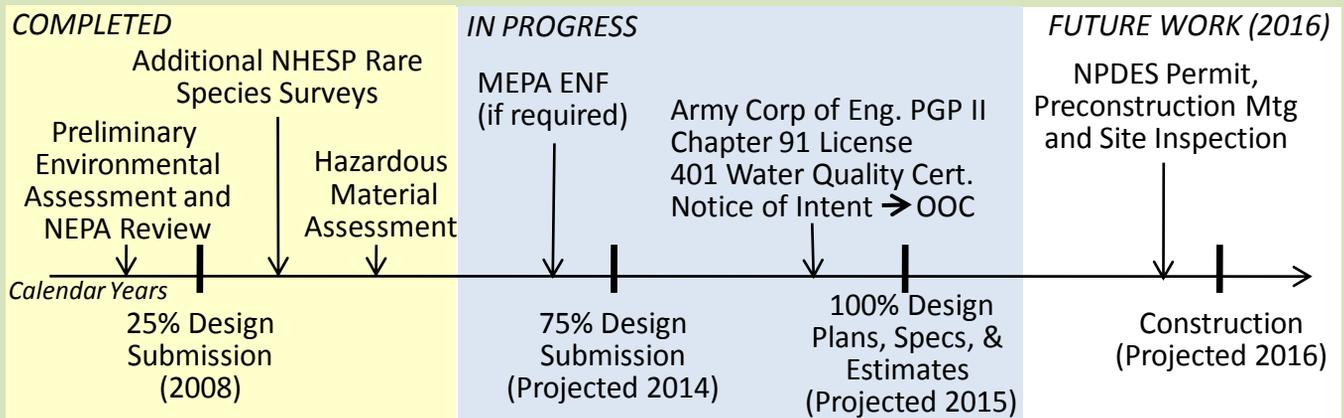


### 3. The BFRT Environmental Assessment and Review

Produced by the Bruce Freeman Rail Trail Advisory Committee (BFRTAC), Town of Concord

#### Phase 2C Environmental Assessment and Permitting Timeline



**Eight reports of environmental work already completed** can be found on the BFRTAC website:

- Bruce Freeman Rail Trail Environmental and Engineering Assessment
- Bruce Freeman Rail Trail Natural Resources Technical Memorandum (including two bird surveys and preliminary wildlife habitat evaluations)
- Rare Plant Survey and Dragonfly Survey
- Blue Spotted Salamander Survey and Wood Turtle Survey
- ASTM Phase I Environmental Site Assessment for the BFRT in Acton and Concord (hazardous material assessment)
- Federal – National Environmental Policy Act (NEPA) Review

**Six additional environmental evaluations will be submitted for review and permitting:**

- Federal – Army Corp of Engineers PGP II
- State – Chapter 91 License for the bridge over the Assabet River
- State – 401 Water Quality Certification
- State – MA Environmental Policy Act (MEPA) Environmental Notification Form (ENF), if required
- Federal – National Pollutant Discharge Elimination System (NPDES) Permit
- State/Local – Wetlands Protection Act & Concord Wetlands Bylaw - Notice of Intent (NOI)

#### Rare Species Plant and Animal Survey Results

PLANTS <i>September 2007 and June 2008</i>	Resupinate Bladderwort	Not observed
	Engelmann's Umbrella Sedge	Not observed
	Climbing Fern	Not observed
	Podgrass	Not observed
DRAGONFLIES <i>July and August 2008</i>	Umber shadowdragon	Not observed
	Zebra Clubtail	Not observed
	Arrow Clubtail	A few adults observed, but low availability of preferred larval substrate; no nymphs or exuviae (exoskeleton)
SALAMANDERS <i>Spring 2008</i>	Blue-spotted salamander	Not observed <i>Two vernal pools surveyed</i>
TURTLES <i>Spring 2009</i>	Wood Turtle	Not observed

# 3. The BFRT Environmental Assessment and Review (continued)

Produced by the Bruce Freeman Rail Trail Advisory Committee (BFRTAC), Town of Concord

## Bird Survey Results

“Breeding bird surveys conducted in June 2007 revealed a total of 49 species using habitat within the vicinity of the right-of-way (ROW)...An additional bird survey was conducted in early October...2007 to evaluate how fall migrants and overwintering species may utilize habitats adjacent or within the ROW. Six new species were added to the list, mostly migrants or winter residents.”...

-- Bruce Freeman Rail Trail Natural Resources Technical Memorandum, pgs 8 - 11

## Additional Information on Contaminated Soil Practices

The trail is designed in accordance with the MA DEP *Best Management Practices for Controlling Exposure to Soil during the Development of Rail Trails*.

The proposed trail surface and shoulders are set above grade to minimize soil excavation.

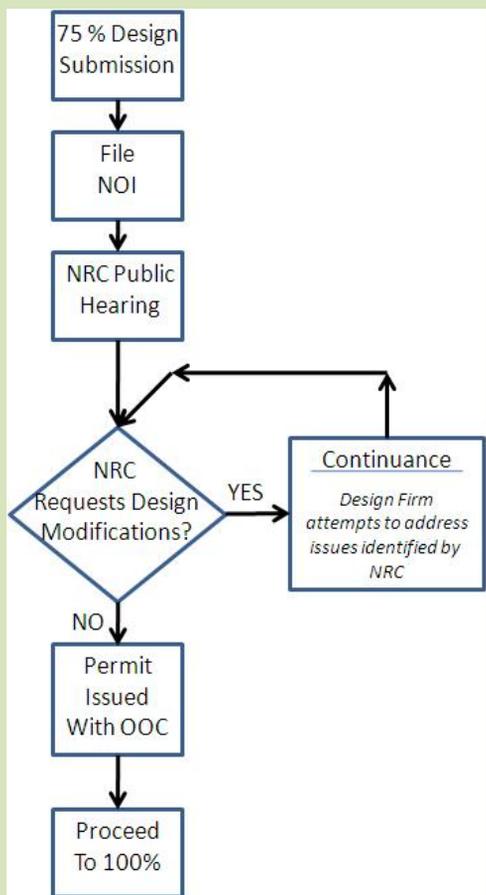
The trail surface base and surface course will generally be constructed over the former track centerline effectively capping the area directly beneath the railroad ties and rails.

-- Bruce Freeman Rail Trail 25% Design Report, pg 36

## Our Local Environmental Oversight

Concord’s Natural Resource Commission (NRC)

Notice of Intent (NOI) through Order of Conditions (OOC)



**The BFRT 75% Design Submission includes submitting a Notice of Intent to the NRC.** The NRC then schedules a public hearing for the project.

At the hearing, the NRC reviews the design with the applicant, and possibly requests modifications. A continuance (continuation of the hearing to another date) may be granted to give time for the applicant to evaluate / address the modification request.

**When the permit is granted, the NRC issues an Order of Conditions (OOC).**

**There are 19 standard conditions** for any project permitted within a wetland resource area. An example of a standard condition is:

“Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.” -- MassDEP WPA Form 5 – Order of Conditions

In addition, **the NRC typically imposes special conditions** for projects. Examples of special conditions are:

- A required pre-construction conference between applicant, general contractor and NRC staff
- Invasive species removal and native species replanting
- Erosion and sedimentation control barriers