

November 2, 2022

Ms. Amy Hahn
Town of Deerfield
Land Use and Building Administrative Assistant
8 Conway Street
South Deerfield, MA 01373

Re: Notice of Intent (NOI)
All States Material Group
901 River Road
Deerfield, MA 01373
Map 21 Lot 1 and Map 7 Lot 14
Wetland Consultant Peer Review-Supplemental Review

Dear Ms. Hahn and Commissioners:

Per request of the Deerfield Conservation Commission, Stockman Associates LLC has performed a wetland consultant peer review of the revised Notice of Intent (NOI) materials submitted by Kleinfelder on behalf of their client, All States Materials Group, for the improvement of an existing gravel haul road including widening the road, replacing an existing stream crossing, and constructing a pad site to be utilized for a parking area. The project is located at 901 River Road in Deerfield, MA (Map 21 Lot 1 and Map 7 Lot 14). As requested by the Deerfield Conservation Commission, the third-party review excludes the review of the updated Stormwater Report prepared by Kleinfelder. It is our understanding that the Deerfield Conservation Commission is seeking a separate peer review by a licensed professional engineer to evaluate the Stormwater Report and other engineering components.

Materials Reviewed

- Updated NOI WPA Form 3 and other supporting site plans and documents within the October 26, 2022 submittal prepared by Kleinfelder.
- Revised NOI Plan Set "ASMG Haul Road Replacement 901 Rover Road Deerfield, MA 01342" prepared by Kleinfelder dated 10/25/2022 (21 Sheets)
- "Notice of Intent, Peer Review Response" letter prepared by Kleinfelder dated October 26, 2022

Review Comments

Resource Area Boundary Delineation Flagging Review

- 1) The revised site plans have been updated to depict the location and labels of delineation flags for Bordering Vegetated Wetlands (BVW), Inland Bank and MAHWL.

- 2) The “*Notice of Intent, Peer Review Response*” letter states that the new portions of Stream S6 and S1 will be replicated as closely as possible to the existing conditions using natural substrate. A single Typical Channel Restoration Section has been provided on Sheet C-502. However, there are substantial differences in the described characteristics of intermittent Stream S6 and perennial Stream S1 provided in the narrative by Kleinfelder.
 - a. The Commission should consider requiring additional information regarding the detailed construction of the two replacement stream reaches including, but not limited to, proposed contours for both streams, clear depiction of proposed boundaries of Inland Bank and Land Under Waterways, location of proposed cascades and pool and other features as needed to address elevation changes and stream stability, and a clear depiction of proposed bankfull width. As stated in the August 18, 2002 peer review letter, the Commission and the applicant are encouraged to review the MassDEP guideline “*Data Required for Proposed Bank (Inland) and Land Under Water Bodies and Waterways/Land Under Water Restoration Areas*”
- 3) The Typical Channel Restoration Section states a stream bottom width varying between 5-FT to 8-FT and 3-FT maximum width of streambank. A clearly defined bankfull width for each replacement stream has not been provided. Based on the shaded areas indicated on Sheet C-130 the proposed width of Stream S1 is approximately 6-FT and the proposed width of Stream S6 is approximately 4-FT. Both proposed widths are narrower than unaltered depicted reaches and the bankfull width calculations provided by Kleinfelder.

The revised NOI narrative (page 6) does not address the potential impact to stream stability and water carrying capacity associated with the proposed widths of the replacement stream portions. A clear demonstration of compliance with 310 CMR 10.54 (4) and 10.56 (4) should be provided. The revised narrative focuses on regulatory compliance associated with the proposed culvert replacement but should also include an assessment of compliance for the proposed replacement stream reaches.

- 4) The “*Notice of Intent, Peer Review Response*” letter states that the new portions of Stream S6 and S1 will be replicated as closely as possible to the existing conditions using natural substrate. However, the Typical Channel Restoration Section calls out the use of riprap and natural stream bed materials. The applicant should clarify whether riprap is being proposed. If so, please discuss why riprap was proposed rather than natural boulders and stones.
- 5) The “*Notice of Intent, Peer Review Response*” letter prepared by Kleinfelder dated October 26, 2022 states that shortening the proposed culvert is not feasibly due to the requirements for the haul road to comply with MSHA requirements.

The existing culverts extend approximately 22-LF downstream beyond the existing road. The proposed culvert has a total length of approximately 133-LF. The proposed culvert extends approximately 50-LF downstream beyond the proposed road, impacting open stream channel. Please provide additional information regarding the requirements under MSHA as it relates to the proposed downstream length of the proposed culvert.

- 6) The “*Notice of Intent, Peer Review Response*” letter prepared by Kleinfelder dated October 26, 2022 states that the energy dissipator proposed at the replacement culvert outlet has been removed from the project design and natural substrate will be used. An

Energy Dissipator detail is still provided on Sheet C-502. A detail illustrating the proposed natural substrate (substrate type, size, placement) has not been provided.

- 7) Per the requirements of 310 10.53(8), the applicant should provide information on the potential for erosion and head cutting.
- 8) The narrative states that the proposed 60-inch replacement culvert will be embedded. A cross-section detailing the embedment of the culvert and substrate should be provided. The depth of the embedded culvert has not been stated in the revised NOI narrative.

Bordering Vegetated Wetland

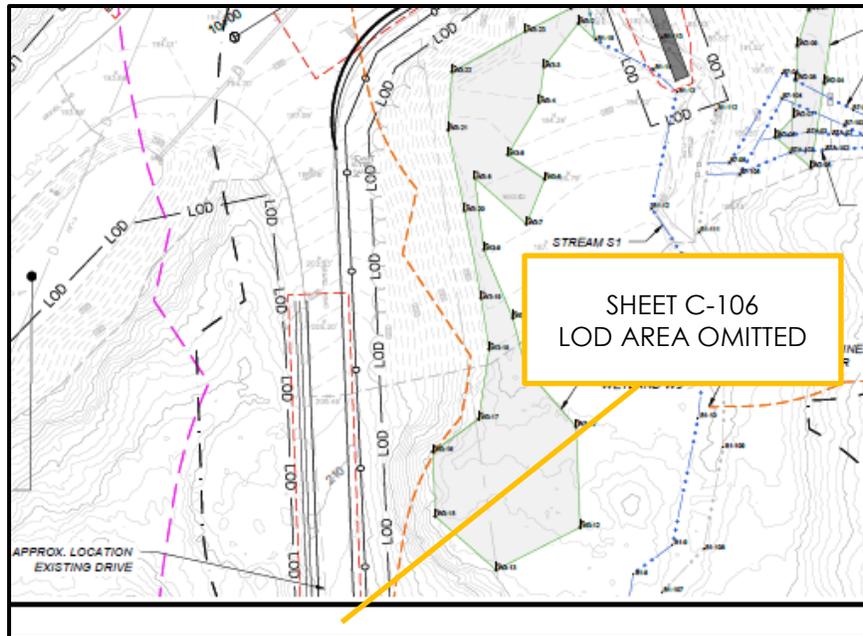
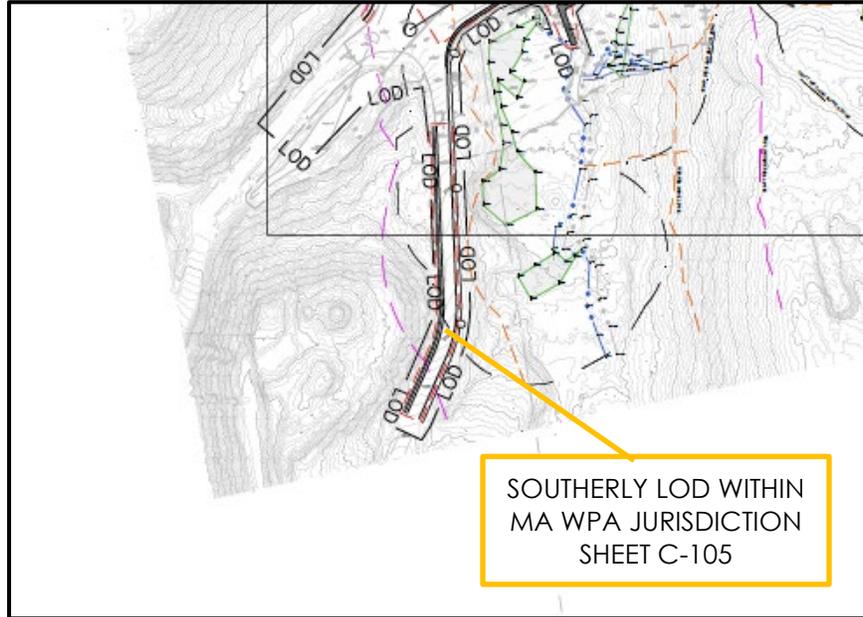
- 9) As previously stated, BVW W3 currently borders on Stream S1. The applicant should address how the connect between BVW W3 and Stream S1 will be maintained with the proposed stream realignment/replacement.

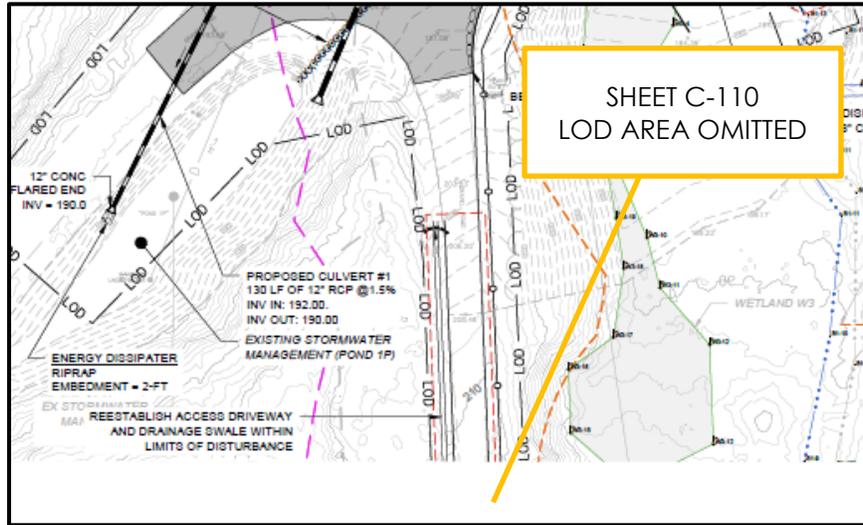
Riverfront Area

- 10) If approving work within the Riverfront Area under limited project status, the Conservation Commission should vote on said finding and include the finding with the final Order of Conditions. The Commission should be aware that under 310 CMR 10.53(3)(e) "*In the Certificate of Compliance, the issuing authority may continue a condition imposed in the Order of Conditions to prohibit further activities under 310 CMR 10.53(3)(e).*"
- 11) The revised narratives state that temporarily impacted Riverfront Area will be allowed to revegetate. Seeding was discussed by Kleinfelder during the October 27, 2022 public hearing. Details should be provided regarding the application of native seed mix and measures to control the introduction and spread of invasive plant species.

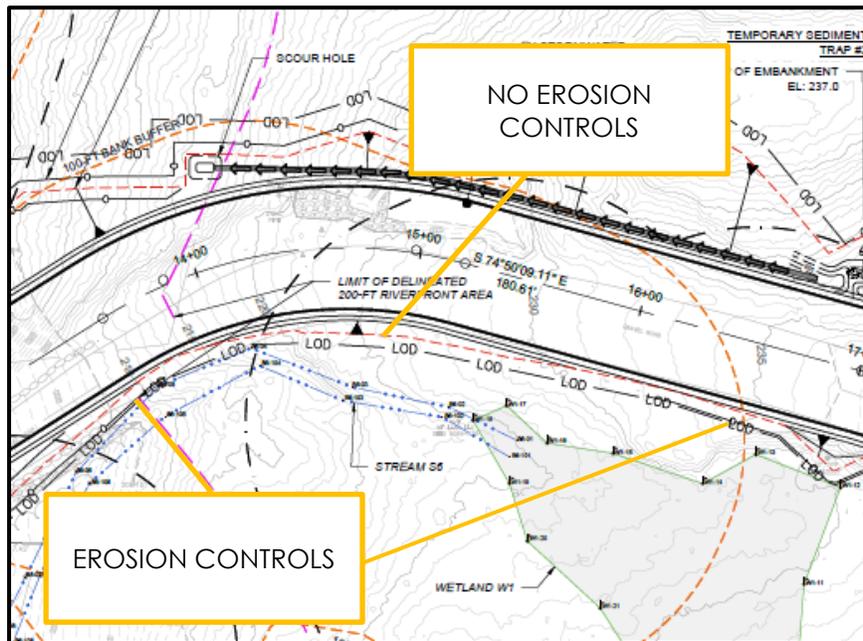
Additional Comments/Recommendations

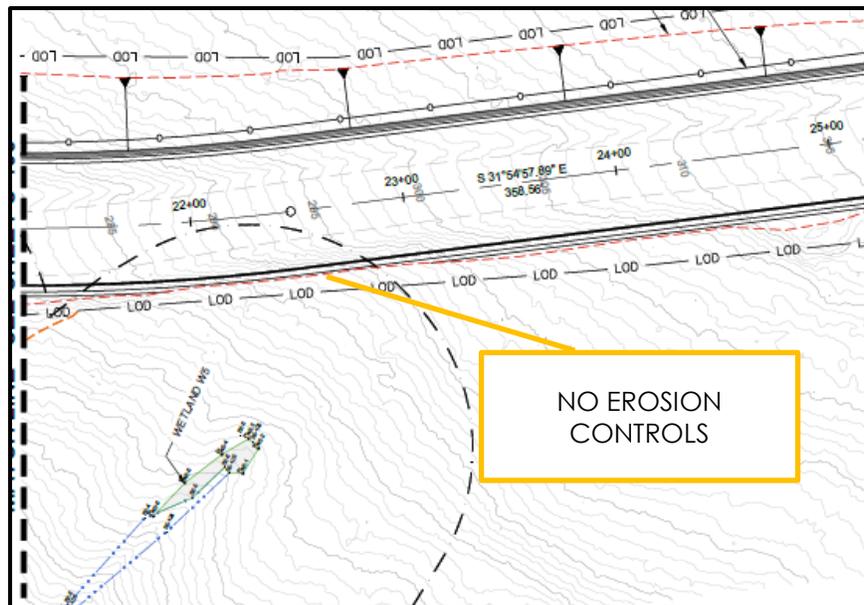
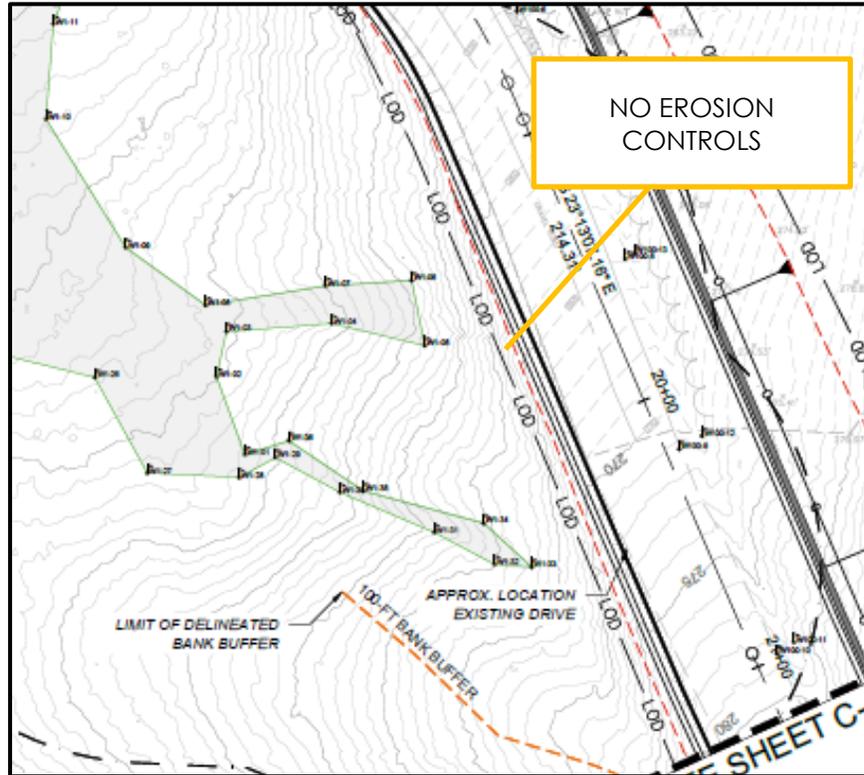
- 1) The Commission should consider further conditioning the stream bypass and culvert installation based on the information provided by Kleinfelder on page 10 of the response letter.
 - a. No work with forecasted rain with 48 hours.
 - b. No work during high flows. Flow must be 34 CFS or less based on the bypass piping calculations provided by the applicant.
 - c. Onsite compliance monitor.
- 2) There is a LOD line shown on sheets C-105 and C-110 extending south along an existing drive. A site plan detailing the LOD and proximal upstream reach of Stream S1 has not been submitted. Sheets C-106 and C-111 omit the area to the south. This area was not reviewed in the field.





- 3) The revised site plans should be re-visited to ensure that erosion controls are depicted between all work areas and protected resource areas. For example, compost filter socks are not depicted between portions of the work area and Stream S6, Wetland W1, Stream S5, and Wetland W5.





- 4) A final NOI plan set must be stamped and signed prior to the issuance of an Order of Conditions.
- 5) The final Checklist for Stormwater Report must be stamped and signed prior to the issuance of an Order of Conditions.
- 6) The Commission should consider a requirement that the final site plans of record include a prominent note that the project is subject to the MA WPA and an Order of Conditions issued by the Deerfield Conservation Commission.

- 7) The revised WPA Form 3 does not list the square footage of proposed replacement of Land Under Waterways. Land Under Waterways replacement is being proposed for Stream 1.
- 8) The linear feet of proposed replacement of Bank provided on the revised WPA Form 3 appears inaccurate and should be revisited. Bank replacement is being proposed for Stream 1 and Stream 6.
- 9) Test pits for onsite soils assessment are reportedly scheduled for the week on 10/31. Results have not been submitted or reviewed at this time.
- 10) The Commission should consider that Stockman Associates, ASMG and Kleinfelder conduct a follow-up site visit once identified BVWs have been delineated and revised site plans have been provided.
- 11) The Commission is encouraged to provide this Stockman Associates peer review letter to the licensed professional engineer providing the separate peer review to evaluate the revised Stormwater Report and other engineering components.

Please note that the review of revised and supplemental materials submitted on October 26, 2022, was not included in the original scope of work. The supplemental review was performed at the request of the Deerfield Conservation Commission during their October 27, 2022 public hearing and was limited by the remaining time within the original budget.

I trust that the above comments will assist the Commission in their review of the previously referenced NOI application. Please do not hesitate to contact me with any questions.

Sincerely,



Emily Stockman, M.S., P.W.S.
Senior Scientist/Principal
Stockman Associates LLC

