DG-MA, Belchertown Sub., 509L2, Case IDs 177580 & 177542 Request for Determination of Applicability

Ware, MA

Town of Ware Conservation Commission April 2022

<u>Prepared for:</u> Massachusetts Electric Company (MECO) 40 Sylvan Road Waltham, MA 02451

BSC Project No. 89599.69-1C





Engineers Environmental Scientists Software Developers Landscape Architects Planners Surveyors

www.bscgroup.com

APRIL 19, 2022

Ware Conservation Commission Attn: Nicole L. Croteau, Administrative Assistant 126 Main Street Ware, MA 01082

RE: Request for Determination of Applicability DG-MA, Belchertown Sub., 509L2, Case IDs 177580 & 177542 Sherman Hill Rd and Sczygiel Rd, Ware, MA Massachusetts Electric Company (MECO)

Dear Members of the Belchertown Conservation Commission,

BSC Group, Inc. ("BSC") is filing this Request for Determination of Applicability ("RDA") on behalf of the Massachusetts Electric Company ("MECO") for activities associated with the installation of four (4) poles along Sherman Hill Rd., Sczygiel Rd., and Coffey Hill Rd in Ware, MA ("the Project"). Pole replacements, and installations will occur within the 100-ft Buffer Zone to Bordering Vegetated Wetland ("BVW"), Inland Bank, and Isolated Vegetated Wetland ("IVW"); however, all activities will be limited to the existing distribution line and Public Way along public roadways. Tree removals will be required for the pole installations. This RDA is being submitted in accordance with the Massachusetts Wetlands Protection Act ("WPA") (M.G.L. Ch.131, S.40), and its implementing regulations (310 CMR 10.00), and the Town of Ware Local Wetlands Protection ByLaw ("Bylaw") (Article 20).

The proposed Project is necessary to provide consistent electrical service to the region and to allow for the new interconnection of two Allco Finance, LLC's 8MW solar projects to the distribution system.

Exempt Utility Maintenance Activity 310 CMR 10.02(2)(a)(2)

The following pole replacements within Buffer Zone to BVW and Inland Bank are proposed:

- The replacement of pole 11 along Sczygiel Rd.,
- The replacement of pole 29 along Webster Rd. (Buffer Zone to IVW, Ware ByLaw only), and
- The replacement of pole 2 along Coffey Hill Rd. (Buffer Zone to IVW, Ware ByLaw only).

These activities and associated tree trimming are necessary to maintain sufficient clearance for the overhead line, and can be considered normal maintenance of an existing facility used in the service of providing electricity to the public. No change in use or increase in size will result from the proposed maintenance work. Therefore, MECO intends to perform this work as exempt maintenance in accordance with the provision of the WPA ¹Bylaw.

¹ MGL 131-40 allows for "maintaining, repairing, or replacing, but not substantially changing or enlarging" existing transmission line structures or facilities without filing a Notice of Intent.



Subject of RDA

Pole Installations and Tree Removals

The portions of the Project subject to this RDA include the installation of pole 10-50 along Sherman Hill Rd., the installation of pole 30 along Sczygiel Rd., and the installation of pole 1/2 and 1-50 along Coffey Hill Rd. All poles are located within the 100-foot Buffer Zone to BVW, IVW, or Inland Bank.

Poles 10-50, 30, and 1/2 require tree removals. Therefore, these poles cannot be considered exempt minor buffer zone activities under the WPA and are being submitted for review under the WPA as well as the Bylaw. Please refer to Table 1 below for the list of installations and jurisdiction for review. Pole locations are depicted on the Environmental Resources Map and Locus Map in **Attachment B**. Appropriate BMPs will be installed to prevent sediment migration into resource areas.

Pole #	Street	Activity	Jurisdiction
10-50	Sherman Hill Road	Pole installation with associated tree removals (32″ DBH oak, 50″ DBH dead oak) in Buffer Zone	WPA and Ware Bylaw
30	Sczygiel Road	Pole installation with associated tree removals (16″ DBH maple, 8″ DBH elm) in Buffer Zone	WPA and Ware Bylaw
1/2	Coffey Hill Road	Pole installation with associated tree removals (20″ DBH dead oak) in Buffer Zone	WPA and Ware Bylaw
1-50	Coffey Hill Road	Pole installation in Buffer Zone	Ware Bylaw only

Table 1. Pole Installation Activities and Jurisdiction

Environmental Resource Areas

A desktop analysis of environmental constraints was performed using MassGIS data layers and other available mapping. In addition, BSC delineated and field-estimated additional resources areas during a site visit in March 2022. Based on these assessments and the site visit, activities subject to this RDA are proposed within the 100-ft Buffer Zone to BVW and Inland Bank, as well as the locally regulated 100-ft Buffer Zone to IVW.

No other sensitive resource areas, including FEMA Floodplain, NHESP Priority and Estimated Habitats, Certified Vernal Pools (CVPs), Areas of Critical Environmental Concern (ACEC), Activity and Use Limitation (AUL) sites or MassDEP 21E sites were identified within the Project area. Representative photographs of the Project area depicting existing conditions are included in **Attachment C**.

Description of Proposed Work

The Project consists of line reconductoring, which typically includes the replacement, installation, and removal of poles within the Public Way. Poles will be installed, and the line will be energized before the old structures are removed.

The proposed poles will be installed by auguring a hole to a depth of approximately six (6) feet. The pole will be directly embedded into the ground, and excavated soils will be used to backfill the hole. Any excess spoils will be removed from upland resource areas and disposed of properly. Pole installations will result in approximately 8-sf of temporary disturbance and will take a few hours to a day to complete per pole. Any disturbed areas will be restored to pre-existing conditions to the



extent practicable. BMPs, including sediment and erosion controls, will be used during construction to avoid impacts to adjacent resource areas. Please refer to the following sections for additional details.

In order to facilitate the pole installations, tree removal and tree trimming activities will be required within the 100-ft Buffer Zone. Table 2 (below) provides details of the five (5) trees to be removed. Trees will be cut at the base with the stumps retained, and brush and debris will be chipped and removed from the site. Tree removals are located within the roadway shoulder and will not result in new disturbance to otherwise undisturbed areas.

Pole	Tree Species	Comments	
10-50	Quercus sp. (oak)	Remove 32″ DBH oak and 50″ DBH dead oak from new pole site. Located in 100-ft Buffer Zone.	
30	Acer sp. (maple), Ulmus sp. (elm)	Remove 16″ DBH maple and 8″ DBH elm from new pole site. Located in the 100-foot Buffer Zone.	
1/2	Quercus sp. (oak)	Remove 20″ DBH oak from new pole site. Located in 100-foot Buffer Zone.	

Table 2. Proposed Tree Removals within Buffer Zones for Pole Installation

Construction Methods and Proposed Mitigation Techniques

MECO has established procedures that are to be followed by all employees and its contractors for accessing sites and performing construction activities along Distribution Lines. These procedures ensure that MECO's projects are completed in accordance with all applicable environmental laws and regulations as well as with MECO policies and compliance objectives. The following sections provide a summary of BMPs that will be implemented for this Project. See **Attachment D** for an excerpt of National Grid's Environmental Guidance Document, Access, Maintenance and Construction Best Management Practices.

Erosion and Sediment Controls

Ground disturbance associated with the Project will be limited to installation, replacement, or removal of utility poles. Displaced soil will be managed away from wetland resource areas and will be used as backfill. Any remaining spoils will be spread in upland areas and stabilized or disposed of appropriately offsite. Sediment controls will be installed around the perimeter of the work area prior to commencing work, and may include straw bales, fiber rolls or straw wattles. Please refer to **Attachment D** for additional details on the BMPs to be utilized.

Construction Access

Work areas will be accessed from the existing paved public roadways of Sherman Hill Rd., Sczygiel Rd., Coffey Hill Rd., and Webster Rd. in Ware. Fugitive dust control measures will be implemented as described in **Attachment D**, and crews will keep work areas and access points swept and free from dust and debris.

Vehicle and Equipment Refueling and Maintenance

To prevent impacts from hazardous materials, if refueling and maintenance in the field are necessary, vehicles and equipment will be brought to an access area greater than 100 feet away from sensitive environmental features and all reasonable environmental precautions will be taken. A paved area is preferred to minimize the possibility of spill or release to the environment. Refueling



precautions will include frequent checks for fuel spills, drips, or seeps during the refueling operation. Vehicles are also equipped with spill kits to provide immediate response action, if needed.

Materials Stockpiling

Excavated material will be stockpiled outside of resource buffers to the extent practicable and used as backfill where possible. Soils will be surrounded with sediment controls to prevent any sediment migration or inadvertent discharge into resource areas. Following the backfilling operation, any remaining excavation spoils will be spread over upland areas and stabilized or removed from the site.

Stormwater Management

There will be no change in grade or increase in impervious area as a result of this Project. Therefore, additional stormwater management appurtenances will not be required.

Restoration

All disturbed areas will be stabilized, and the construction site will be returned to existing conditions. All construction materials, vehicles, and non-biodegradable sediment controls will be removed from the site upon completion of stabilization.

Conclusion

Enclosed are seven (7) copies of the RDA application package and associated maps and plans. An electronic copy has also been submitted to the Conservation Commission. We respectfully request that this matter be heard at the next scheduled Conservation Commission meeting. The work may be scheduled to begin as soon as permissible.

If you have any questions regarding the enclosed information, please contact me at 508-561-7000, or Michael Tyrrell of MECO at (603) 801-4140. Thank you for your consideration in this matter.

Sincerely, BSC Group, Inc.

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Carolyn Gorss Associate Project Manager

Cc: Michael Tyrrell, MECO MassDEP WERO

Table of Contents

DG-MA, Belchertown Sub., 509L2, Case IDs 177580 & 177542 Ware, Massachusetts Request for Determination of Applicability

ATTACHMENT A WPA FORM 1

ATTACHMENT B	USGS SITE LOCUS MAP ENVIRONMENTAL RESOURCES MAP ASSESSOR'S MAP
ATTACHMENT C	SITE PHOTOGRAPHS
ATTACHMENT D	BEST MANAGEMENT PRACTICES
ATTACHMENT E	FILING FEE INFORMATION



Attachment A

DG-MA, Belchertown Sub., 509L2, Case IDs 177580 & 177542 Ware, Massachusetts Request for Determination of Applicability

WPA FORM 1





Massachusetts Department of Environmental Protection Bureau of Resource Protection - Wetlands

WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. General Information

Important:	
When filling	OUI

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forms on the			
computer, use			
only the tab key			
to move your			
cursor - do not			
use the return			
key.			
tab l			

1. Applicant:		
Massachusetts Electric Company	etts Electric Company Michael.Tyrrell@natio	
Name	E-Mail Address	ŭ
40 Sylvan Road		
Mailing Address		
Waltham	MA	02451
City/Town	State	Zip Code
603-801-4140		
Phone Number	Fax Number (if	applicable)
2. Representative (if any):		
BSC Group		
Firm		
Carolyn Gorss	cgorss@bsc	group.com
Contact Name	E-Mail Address	
803 Summer Street, Third Floor		
Mailing Address		
Boston	MA	02127
City/Town	State	Zip Code
508-561-7000		
Phone Number	Fax Number (if	applicable)

B. Determinations

- 1. I request the Ware make the following determination(s). Check any that apply: **Conservation Commission**
 - a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
 - b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
 - c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
 - d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any municipal wetlands ordinance or bylaw of:

Ware	
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Name of Municipality

e. whether the following scope of alternatives is adequate for work in the Riverfront Area as depicted on referenced plan(s).



Ware City/Town

WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

Public Way of Sherman Hill Rd., Sczygiel Rd., and
Coffey Hill Rd.
N/A
Assessors Map/Plat Number

Ware
City/Town
N/A
Parcel/Lot Number

b. Area Description (use additional paper, if necessary):

The project will occur with the Public Way of an existing distribution line which follows public roadways. All work will be contained to the road and Public Way. The area is primarily residential with trees lining much of the area.

c. Plan and/or Map Reference(s):

USGS Locus Map	3/30/22
Title	Date
Environmental Resource Map	4/18/22
Title	Date
Title	Date

Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

The Project consists of line reconductoring, including the installation and replacement of distribution poles along Sherman Hill Rd., Sczygiel Rd., and Coffey Hill Rd., in Ware, MA, Tree removal will be required for some pole installations. Access will occur solely from exsisiting public road ways. While work will occur within resource buffers, no direct impacts to wetlands or other protected areas will occur.



Ware City/Town

WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

C. Project Description (cont.)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

The replacement of pole 11 on Sczygiel Rd can be considered minor buffer zone activities under the WPA 310 CMR 10.02(2)(b)(2)(h).

- 3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.
 - Single family house on a lot recorded on or before 8/1/96
 - Single family house on a lot recorded after 8/1/96
 - Expansion of an existing structure on a lot recorded after 8/1/96
 - Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
 - New agriculture or aquaculture project
 - Public project where funds were appropriated prior to 8/7/96
 - Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
 - Residential subdivision; institutional, industrial, or commercial project
 - Municipal project
 - District, county, state, or federal government project
 - Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



Ware City/Town

WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

Work is in Public Way		
Name		
Mailing Address		
City/Town		
State	Zip Code	

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Signature of Applicant

4/19/22 Date

> 4/19/22 Date

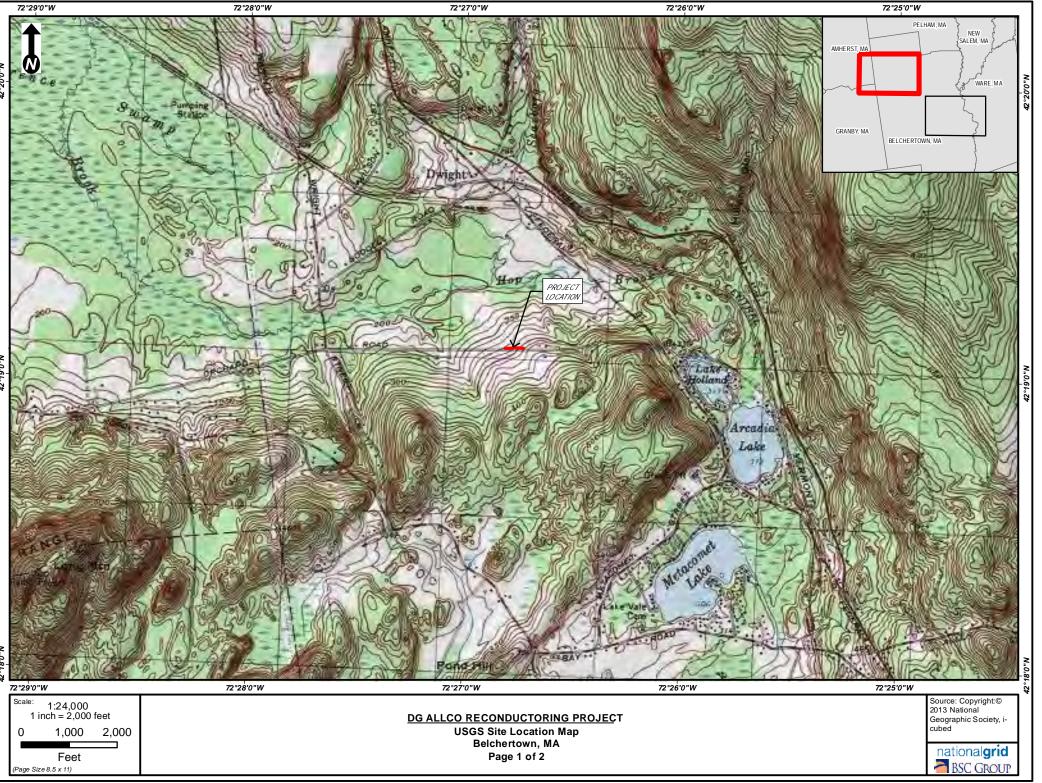
Signature of Representative (if any)

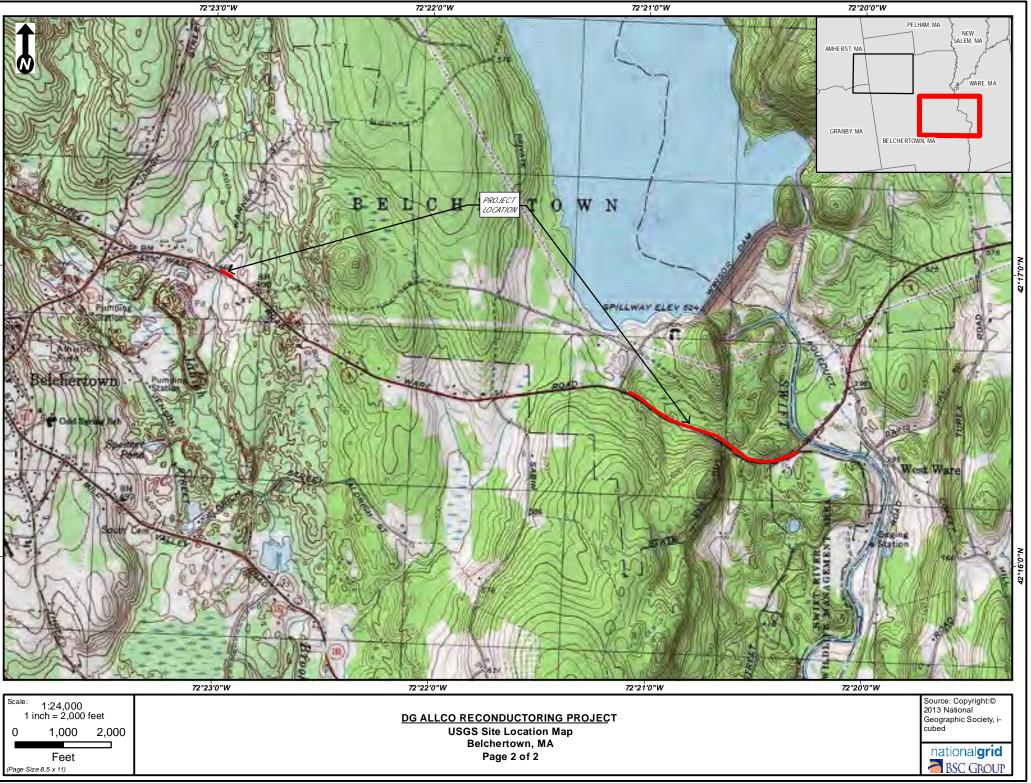
Attachment B

DG-MA, Belchertown Sub., 509L2, Case IDs 177580 & 177542 Ware, Massachusetts Request for Determination of Applicability

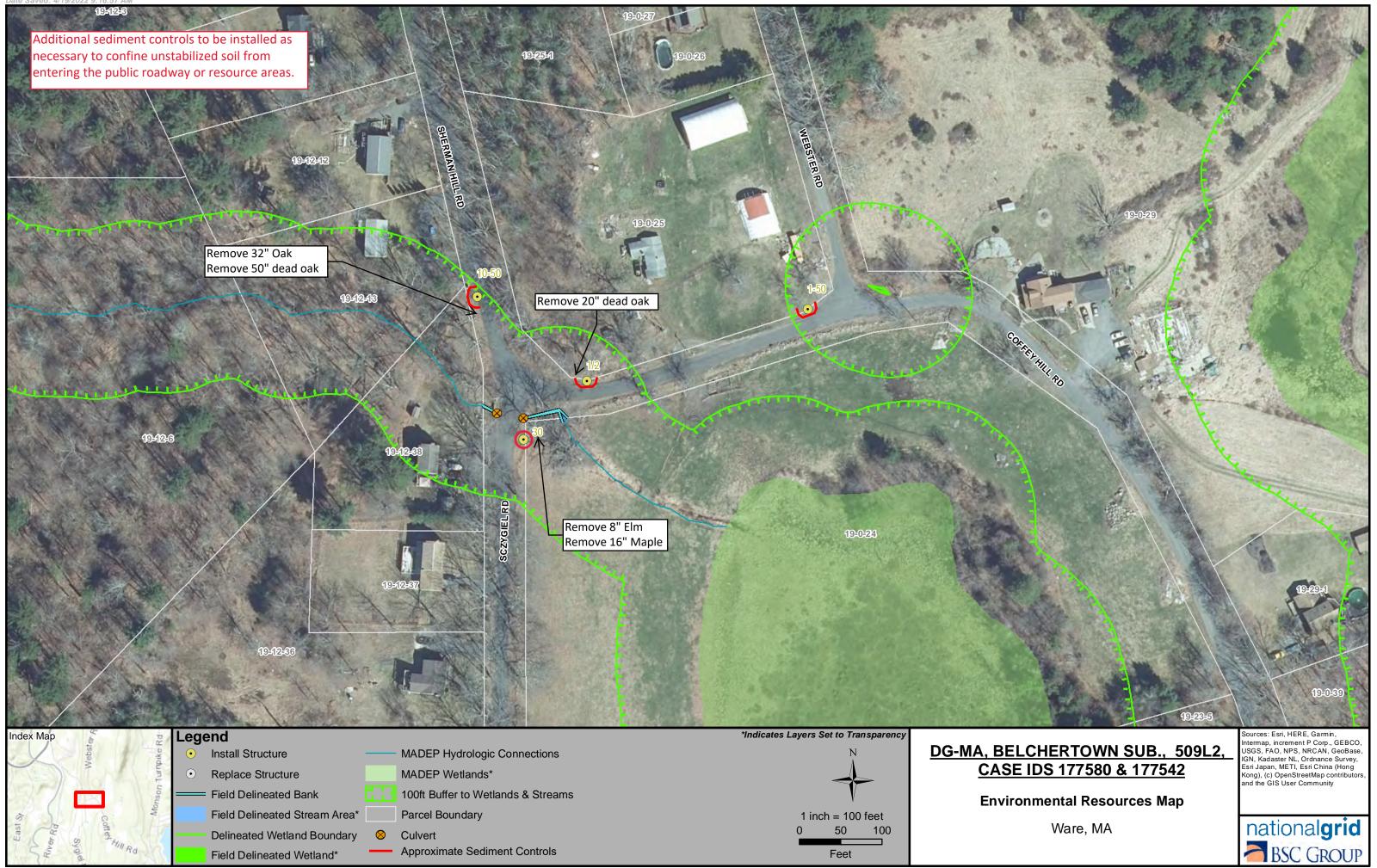
> USGS SITE LOCUS MAP ENVIRONMENTAL RESOURCES MAP



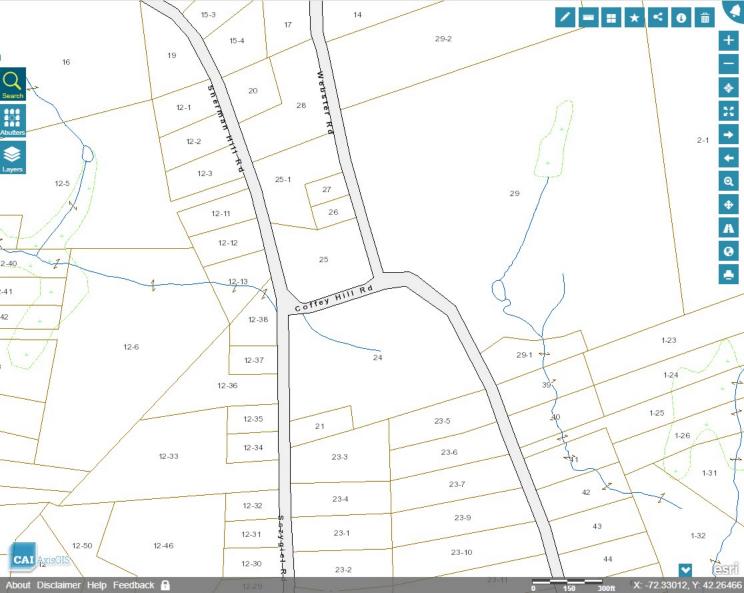




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THIS DOCUMENT IS INTENDED FOR GENERAL PLANNING & INFORMATION PURPOSES ONLY. ALL MEASUREMENTS & LOCATIONS ARE APPROXIMATE.



Attachment C

DG-MA, Belchertown Sub., 509L2, Case IDs 177580 & 177542 Ware, Massachusetts Request for Determination of Applicability

SITE PHOTOGRAPHS



BSC GROUP



Photo #1: View of the delineated stream banks at the corner of Coffee Hill Road and Sczygiel Road. Pole 30 and the removal of an 8" Elm and 16" Maple are proposed within the 100-ft Buffer Zone to Inland Bank to the right (south) of this street sign. Facing east.



Photo #2: View of pole 11 along Sczygiel Road, and the culvert allowing water to flow under the road from across the road by proposed pole 30. Facing east.

BSC GROUP



Photo #3: View of pole 2 along Coffey Hill Road, to be replaced within the locally-regulated 100-ft buffer zone to the isolated wetland depression at the corner of Webster Road and Coffey Hill Road. *Facing northwest*.

Attachment D

DG-MA, Belchertown Sub., 509L2, Case IDs 177580 & 177542 Ware, Massachusetts Request for Determination of Applicability

MECO'S BEST MANAGEMENT PRACTICES



nationalgrid

ENVIRONMENTAL	GUIDANCE
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 Doc. No.
 EG-303NE

 Page: 7-12
 Rev. No. 4

 Date
 02/20/18

SUBJECT

Access, Maintenance and Construction Best Management Practices Reference EP No. 3 - Natural Resource Protection (Chapter 6)

BMP

Definition

Applying coarse plant residue or chips, or other suitable materials, to cover the soil surface.

Purpose

The primary purpose is to provide initial erosion control while a seeding or shrub planting is establishing. Mulch will conserve moisture and modify the surface soil temperature and reduce fluctuation of both. Mulch will prevent soil surface crusting and aid in weed control. Mulch is also used alone for temporary stabilization in nongrowing months.

Conditions Where Practice Applies

On soils subject to erosion and on new seedings and shrub plantings. Mulch is useful on soils with low infiltration rates by retarding runoff.

Criteria

Site preparation prior to mulching requires the installation of necessary erosion control or water management practices and drainage systems.

Slope, grade and smooth the site to fit needs of selected mulch products.

Remove all undesirable stones and other debris to meet the needs of the anticipated land use and maintenance required.

Apply mulch after soil amendments and planting is accomplished or simultaneously if hydroseeding is used.

Select appropriate mulch material and application rate or material needs. Determine local availability.

Select appropriate mulch anchoring material.

NOTE: The best combination for grass/legume establishment is straw (cereal grain) mulch applied at 2 ton/ acre (90 lbs./1000sq.ft.) and anchored with wood fiber mulch (hydromulch) at 500 - 750 lbs./acre (11 - 17 lbs./1000 sq. ft.). The wood fiber mulch must be applied through a hydroseeder immediately after mulching.



NOTE:

- 1. PICTURE DEPICTS STRAW MULCH APPLICATION (FROM MULCH SPREADER) ON STEEP SLOPE WITH AN IMPROVED DRAINAGE SWALE.
- 2. COORDINATE MULCH MATERIALS AND RATES WITH NATIONAL GRID ENVIRONMENTAL SCIENTIST.

* BMP INFORMATION FROM "NEW YORK STANDARDS AND SPECIFICATIONS FOR EROSION AND SEDIMENT CONTROL (AUGUST, 2005)." INFORMATION OBTAINED VA WEBSITE: http://www.dec.ny.gov/chemical/29066.html APPROVED BY: VICE PRESIDENT, ENVIRONMENTAL SERVICES PRINTED COPIES ARE NOT DOCUMENT CONTROLLED. FOR LATEST AUTHORIZED VERSION PLEASE REFER TO THE NATIONAL GRID ENVIRONMENTAL INFONET SITE.

SEC-9 MULCH MATERIALS, RATES AND USES (FROM NY) *

File: Mulch_Materials.dwg

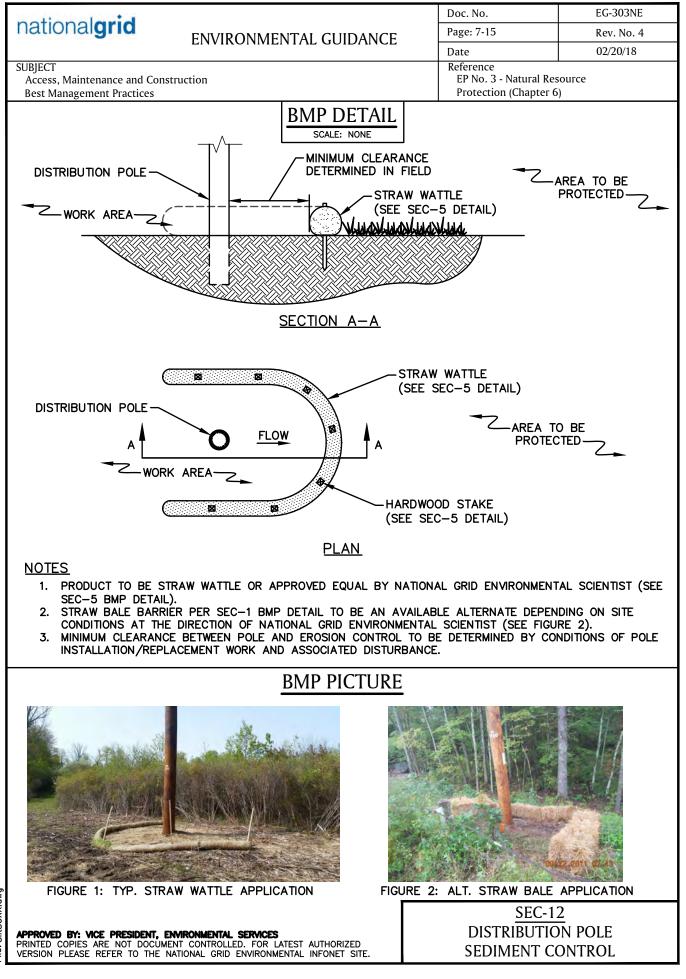
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nationalgrid ENVIRONMENTAL GUIDANCE	Page: 7-13	Rev. No. 4
ENVIRONNIEN I AE GOIDAINCE	Date	02/20/18
UBJECT Access, Maintenance and Construction Best Management Practices	Reference EP No. 3 - Natural Resource Protection (Chapter 6)	
 UPLAND ROW RESTORATION MIX – GENERAL Species Composition Options: Andropogon gerardii; Niagra Big Bluestem Schizachyrium scoparium; Little Bluestem Elymus Canadensis; Canada Wild Rye Elymus virginicus; Virginia Wildrye Lolium multiflorum; Annual Ryegrass Sorghastrum nutans; Indiangrass Chamaecrista fasciculate; Partridge Pea Desmodium canadense; Showy Tick Trefoil Helioposis helianthoides; Ox-Eye Sunflower Panicum virgatum; Switchgrass Rudbeckia hirta; Black Eyed Susan Poa palustris; Fowl Bluegrass Agrostis alba; Redtop Festuca rubra; Red Fescue Lotus corniculatus; Birds-Foot Trefoil Chrysanthemum leucanthem; Ox-Eye Daisy Aster novae-angliae; New England Aster Example Seed Mixes: Native Upland wildlife forage and Cover Meadow Mix – Ernst Eastern Ecotype Native Grass Mix– Ernst Conservation Seeds New England Native Warm Season Grass Mix – New England New England Logging Road Mix – New England Wetland Plant 	(ERNMX—177) Wetland Plants, Inc. s, Inc.	
 UPLAND ROW RESTORATION MIX – DRY/ROCKY SITES Species Composition Options: Festuca rubra; Red Fescue Schizachyrium scoparium; Little Bluestem Elymus Canadensis; Canada Wild Rye Bouteloua gracillis; Blue Grama Lolium multiflorum; Annual Ryegrass Lolium perenne; Perennial Ryegrass Agrostics scabra; Rough Bentgrass Sorghastrum nutans; Indiangrass Example Seed Mixes: New England Erosion Control/ Restoration Mix for Dry Sites - Ernst Conservation Seeds and similar companies can create composition above (with site specific additions if necessary). 	- New England Wetla	
PPROVED BY: VICE PRESIDENT, ENVIRONMENTAL SERVICES	SEC SEEDING (

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	ENVIRONMENTAL GUIDANCE	Page: 7-14	Rev. No. 4
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BJECT Access, Maintenance and Co 3est Management Practices	ıstruction	Reference EP No. 3 - Natural Resource Protection (Chapter 6)	
 Poa trivialis; Rougl Alopecurus arundin Lolium multiflorum; Festuca rubra; Cree Elymus virginicus; Schizachyrium scop Andropogon gerard Carex vulpinoidea; Panicum virgatum; Agrostis scabra; R Aster novae-anglic Eupatorium perfolice 	ptions: ; Creeping Bentgrass n Bluegrass aceus; Creeping Meadow Foxtail Annual Ryegrass eping Red Fescue Virginia Wildrye barium; Little Bluestem i; Niagra Big Bluestem Fox sedge Switchgrass ough Bentgrass e; New England Aster itum; Boneset		
 Scirpus atrovirens; Verbene hastate; f Juncus effusus; So Scirpus cyperinus; Panicum clandestir Example Seed Mixes	Blue Vervain oft Rush Wool Grass um; Deertongue on Control/Restoration Mix for Detention Ba	asins and Moist Sites	s — New England

GERNERAL NOTES:

- 1. Seed mixes described herein are intended to cover a variety of typical new england landscapes. However, site specific seed mixes will need to be evaluated in coastal or mountainous regions.
- 2. Seed mixes described herein are intended for general ROW restoration. Site specific wetland seed mixes may be required by local, state and/or federal regulators for certain impacts to wetlands.
- 3. All seed mixes are to be approved by National Grid Environmental Scientist prior to construction and must conform with all project permits.
- 4. Seedbed preparation and maintenance as well as temporary erosion and sediment controls are crucial to the establishment of newly seeded areas. Coordinate with National Grid Environmental Scientist on seed bed preparation and maintenance as well as temporary erosion and sediment controls prior to construction.

SEC-11 SEEDING OPTIONS -WETLAND SEED MIX



Attachment E

DG-MA, Belchertown Sub., 509L2, Case IDs 177580 & 177542 Ware, Massachusetts Request for Determination of Applicability

FILING FEE INFORMATION

