

August 6, 2018

Mr. Craig Dixon
Chairman
New Bedford Conservation Commission
New Bedford City Hall
133 William Street
New Bedford, MA 02744

RE: Nitsch Project #9972
South Coast Rail
New Bedford Main Line
New Bedford, MA

Dear Mr. Dixon:

This letter is regarding the proposed South Coast Rail New Bedford Main Line and Whale's Tooth Station project. Nitsch Engineering has reviewed the following revised documents for compliance with the Massachusetts Department of Environmental Protection (MassDEP) Stormwater Management Standards:

- Response to comments letter, dated July 31, 2018, prepared by VHB;
- Plan sheets TK-3507, TK-3509, TK-3062, TK-3603, TK-3605, TK-3068, and TK-3070 and detail sheets CV-308, CV-309, and CV-312, prepared by VHB and HNTB, dated July 27, 2018;
- Illicit Discharge Statement letters, dated July 31, 2018, prepared by VHB and HNTB;
- Culvert sizing calculations, prepared by HNTB, dated July 31, 2018;
- Conservation Management Permit issued by the Massachusetts Division of Fisheries and Wildlife, dated June 21, 2018;
- Whale's Tooth Station Operations and Maintenance Plan, prepared by the VHB/HNTB Team, dated July 31, 2018; and
- Excerpt from MassDEP Stormwater Handbook, provided by the VHB/HNTB Team.

The submitted project includes improvements to the existing rail main line as well as the construction of the Whale's Tooth station only. The design of the King's Highway Station is not included as part of this project. All of the design information for the rail improvements as well as the Whale's Tooth Station is included in a single set of design plans. However, separate stormwater reports have been submitted for the rail improvements project and the Whale's Tooth Station project.

A conference call was conducted between representatives from VHB, HNTB, the New Bedford Conservation Commission, and Nitsch Engineering on July 24, 2018. The purpose of this call was to clarify any misunderstandings regarding the submittal as well as to discuss the previously prepared comments. This letter summarizes the responses listed above as well as discussions held during that conference call.

Below are our remaining comments on the proposed rail line improvements portion of the project:

1. Additional detail has been added to some plans including the locations of swales, discharge points, some grading, and references to details for the stone protection at the discharge points. During the call, representatives from the project clarified that sediment forebays are not included as part of the New Bedford portion of the rail project. Water quality measures that are included on the project include ditches/water quality swales and underdrains wrapped in filter fabric. As described previously, the Stormwater Management Standards do not acknowledge underdrains wrapped in filter fabric as a water quality Best Management Practice. However, they will likely provide some limited water quality treatment. The response to comments letter describes that there are 7,405 linear feet of ditches/water quality swales proposed as part of the project. The entire length of the rail corridor in New Bedford is 6.9 miles or approximately 36,400 linear feet. Therefore, swales are provided along approximately 20% of the length of the project. Reviewing the plans indicates that the swales are typically proposed along one side of the tracks.

2. The stormwater report describes the project as a redevelopment project since the rail bed has previously been disturbed and there does not appear to be any additional impervious surfaces proposed. Redevelopment projects require compliance with the Stormwater Management Standards to the maximum extent practicable. The Standards further describe "maximum extent practicable" as:
 - (1) They have made all reasonable efforts to meet each of the Standards;
 - (2) They have made a complete evaluation of possible stormwater management measures, including environmentally sensitive site design, low impact development techniques that minimize land disturbance and impervious surfaces, structural stormwater best management practices, pollution prevention, erosion and sedimentation control, and proper operation and maintenance of stormwater best management practices; and
 - (3) If full compliance with the Standards cannot be achieved, they are implementing the highest practicable level of stormwater management.

The proposed water quality best management practices – although limited – represent an improvement over existing water quality best management practices in the rail corridor. The proposed corridor will have 14 commuter rail trips per day. Pollutants generated from the corridor will likely be solids and oils generated from the rail cars travelling along the tracks.
3. The revised plans included 7 of the 35 track and profile sheets required to construct the project. It is unclear why only seven sheets were submitted. Most of the updated sheets include either additional grading or notes referring to rip-rap pad sizing. It is unclear if all of the sheets have been updated.
4. The submitted plans show some additional grading and work within 25 feet of wetlands lines. The majority of this work is within areas that have been previously disturbed by the existing rail corridor.
5. Culvert sizing calculations were submitted for the Pig Farm replacement culvert for the 50-year storm. We understand that the culvert sizing will need to be approved by the Massachusetts Bay Transportation Authority (MBTA). The provided calculations show an extremely high Time of Concentration of 154 minutes. We recommend that the Applicant confirm the Time of Concentration is appropriate. Otherwise, we are comfortable with the sizing calculations.
6. As discussed during the conference call on July 24, the preference of both the project and the City of New Bedford Conservation Department is to limit disturbance of the drainage area in the vicinity of the existing vernal pool. Therefore, we are comfortable with the proposed work in the area of the vernal pool.
7. The Stormwater Report states that a Stormwater Pollution Prevention Plan (SWPPP) will be prepared prior to construction. The Applicant has requested that a condition be included in any Order of Conditions that is issued that requires submittal of the SWPPP to the Conservation Commission prior to construction.
8. A Long-Term Stormwater Operations and Maintenance (O&M) Plan was provided for the Whales Tooth Station but not specifically for the Rail Line. The Applicant has responded that the (O&M) Plan submitted for the Station is appropriate for the Rail Line. The Best Management Practices described in the Whales Tooth Station are different than the BMPs included for the Main Line. For example, the Main Line includes Ditches/Water quality swales as a BMP and maintenance of these facilities are not listed in the Whales Tooth O&M plan. If the underdrains are to be maintained, those should be included as well. We recommend that either a separate O&M plan be developed for the Rail Line or the O&M plan for the station be revised to include the BMPs described in the Main Line Plans.

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In general, the most significant outstanding issue is whether the Commission is satisfied that the proposed water quality BMPs are appropriate for this type of project. The project is a redevelopment project and is only required to meet the Standards to the maximum extent practicable. The proposed water quality BMPs are limited but do represent an improvement over those currently existing in the rail corridor.

If you have any questions, please call us at 617-338-0063.

Very truly yours,

Nitsch Engineering, Inc.



Scott D. Turner, PE, AICP, LEED AP ND
Vice President, Director of Planning

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