



Conservation Commission AGENDA

Thursday, April 23, 2026 - 6:00 PM

Regular Meeting
Agawam Senior Center
954 Main Street
Agawam, MA 01001

A. Conservation Commission

- 1) 6:00pm-Request for Determination-27 Mark Drive-Ruhland
- 2) Request for Determination Cont.-769 Silver Street-Agawam Energy Center, LLC
- 3) Public Hearing Cont.-Abbreviated Notice of Resource Area Delineation-311 Shoemaker Lane-Ameresco, Inc.
- 4) Request to Amend Order of Conditions-184 River Road-Kanegsberg
- 5) Write Order of Conditions-699 Silver Street-MSR Properties, LLC
- 6) Approval of Minutes-April 9, 2026
- 7) Correspondence and Complaints



Massachusetts Department of Environmental Protection
Bureau of Water Resources - Wetlands

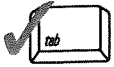
WPA Form 1- Request for Determination of Applicability

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

Municipality _____

A. General Information

Important:
When filling out
forms on the
computer, use only
the tab key to move
your cursor - do not
use the return key.



1. Applicant:
- | | | | |
|--------------|---------------------|---------------|----------------------------|
| First Name | <u>Kristina</u> | Last Name | <u>Ruhland</u> |
| Address | <u>27 Mark Dr</u> | | |
| City/Town | <u>Agawam</u> | State | <u>MA</u> |
| Phone Number | <u>413.883.4493</u> | Zip Code | <u>01001</u> |
| | | Email Address | <u>kmarano16@gmail.com</u> |
2. Property Owner (if different from Applicant): SAME

- | | | | | | | | | |
|--------------|-------|--|--|--------------------------|-------|--|----------|-------|
| First Name | _____ | | | Last Name | _____ | | | |
| Address | _____ | | | | | | | |
| City/Town | _____ | | | State | _____ | | Zip Code | _____ |
| Phone Number | _____ | | | Email Address (if known) | _____ | | | |
3. Representative (if any)
- | | | | | | | | | |
|--------------|-------|--|--|--------------------------|-------|--|----------|-------|
| First Name | _____ | | | Last Name | _____ | | | |
| Company Name | _____ | | | | | | | |
| Address | _____ | | | | | | | |
| City/Town | _____ | | | State | _____ | | Zip Code | _____ |
| Phone Number | _____ | | | Email Address (if known) | _____ | | | |

B. Project Description

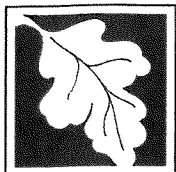
1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

Street Address	<u>27 Mark Dr</u>	City/Town	<u>Agawam MA 01001</u>
Latitude (Decimal Degrees Format with 5 digits after decimal e.g. XX.XXXXX)	<u>see attachment</u>	Longitude (Decimal Degrees Format with 5 digits after decimal e.g. -XX.XXXXX)	_____

How to find Latitude
and Longitude

and how to convert
to decimal degrees

Assessors' Map Number	_____	Assessors' Lot/Parcel Number	_____
b. Area Description (use additional paper, if necessary):	<u>Residential home - addition of existing deck to existing pool</u>		
c. Plan and/or Map Reference(s): (use additional paper if necessary)	<u>See attached plot diagram</u>		
Title	_____	Date	_____
Title	_____	Date	_____



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B. Project Description (cont.)

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

Extending existing deck to existing pool.

- 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).

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.)



Massachusetts Department of Environmental Protection
Bureau of Water Resources - Wetlands

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

Municipality _____

C. Determinations

1. I request the _____ make the following determination(s). Check any that apply:
Conservation Commission

☐ a. whether the **area** depicted on plan(s) and/or map(s) referenced above 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 above are accurately delineated.

☒ c. whether the **Activities** depicted on plan(s) referenced above is subject to the Wetlands Protection Act and its regulations.

☐ d. whether the area and/or Activities depicted on plan(s) referenced above is subject to the jurisdiction of any **municipal wetlands' ordinance** or **bylaw** of:

Name of Municipality

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

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.

Signatures:

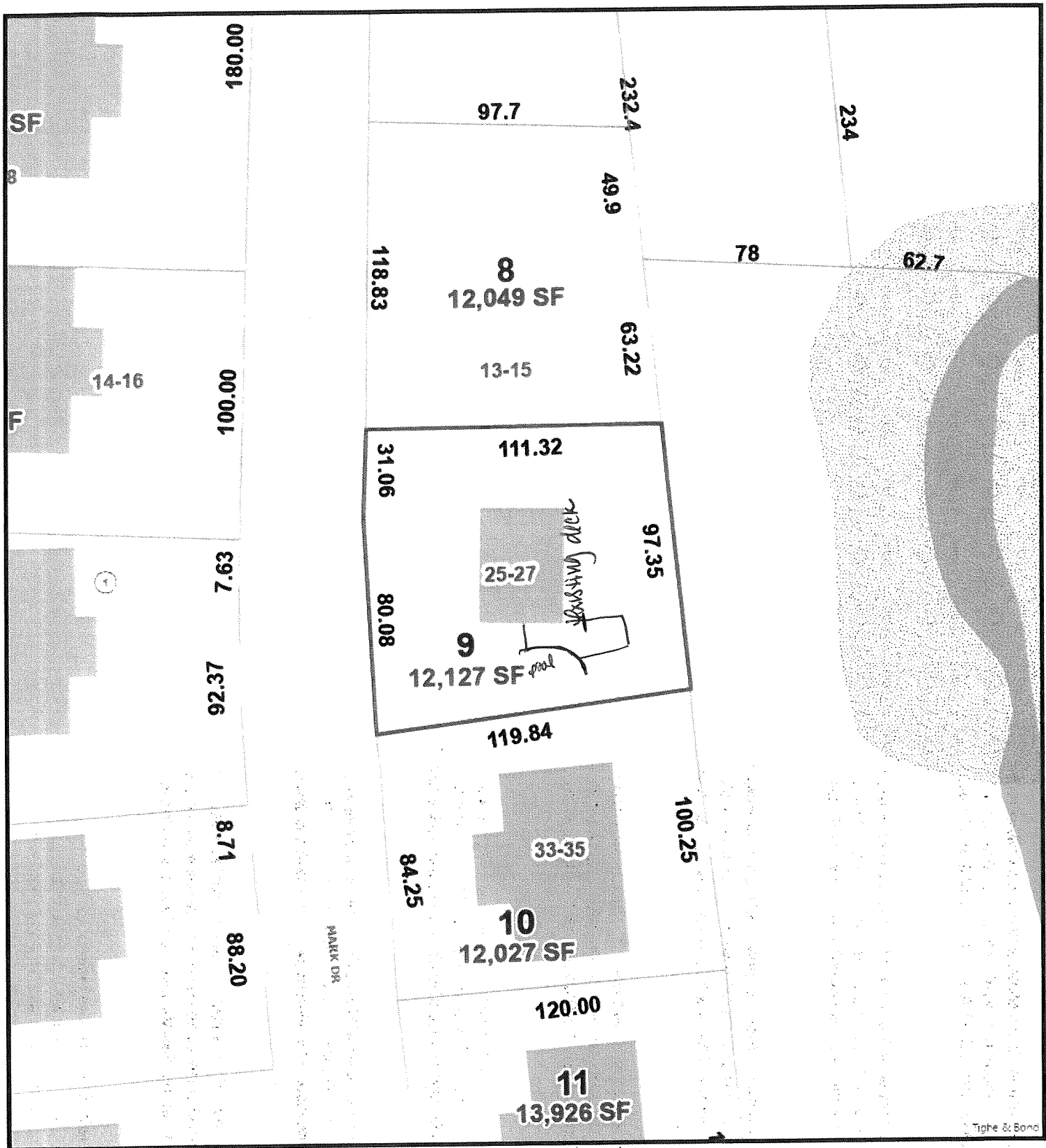
I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Kristina Puhland
Signature of Applicant

4.10.26
Date

Signature of Representative (if any)

Date

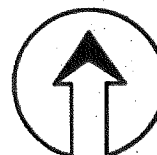


4/10/2026 1:43:28 PM

Scale: 1"=50'

Scale is approximate

The information depicted on this map is for planning purposes only.
It is not adequate for legal boundary definition, regulatory
interpretation, or parcel-level analyses.



To: Agawam Conservation Commission, Stockman Associates, LLC
Date: April 15, 2026
From: BSC Group, Inc.
Proj. No. 0101939.00
Re: Agawam Energy Center Peer Review Delineation Follow-Up Investigation Update Memo

This memorandum has been prepared by BSC Group, Inc. on behalf of Agawam Energy Center, LLC in response to the peer review comments issued by Stockman Associates LLC on April 2, 2026, regarding the Request for Determination of Applicability (RDA) submitted for the proposed Agawam Energy Center Battery Energy Storage System (BESS) project at 769 Silver Street, Agawam, Massachusetts. This memorandum addresses the two areas identified during the March 24, 2026 joint site visit where additional evaluation was determined to be necessary. The findings of BSC Group's supplemental field investigation conducted on April 8, 2026 is included herein. Based on the totality of evidence gathered, BSC Group maintains that neither area constitutes a jurisdictional wetland resource area under the Massachusetts Wetlands Protection Act (WPA) or applicable federal regulations, and that the previously delineated resource area boundaries remain valid, as submitted in the RDA.

1. TO-DATE SUMMARY

BSC Group submitted an RDA to the Agawam Conservation Commission on behalf of Agawam Energy Center, LLC for the development of an approximately 250-megawatt (MW), 1,000-megawatt hour (MWh) BESS at 769 Silver Street (Parcel ID: G6-2-6 3965), seeking confirmation of Bordering Vegetated Wetland (BVW), intermittent stream Bank, and "pond" boundaries delineated on the approximately 17.2-acre subject property. Key milestones to date include:

- At its January 8, 2026 meeting, the Agawam Conservation Commission voted to retain Stockman Associates LLC to conduct a peer review of the RDA.
- A joint site visit was conducted on March 24, 2026 by Emily Stockman (Stockman Associates), Paul Martin (BSC Group), and Ethan Sneesby (BSC Group). Stockman Associates issued peer review comments on April 2, 2026.
- Stockman Associates generally concurred with the delineated BVW (W1-series), intermittent stream Bank (S1- and S2-series), and "pond" (P1-series) resource area boundaries.
- Two areas were identified that could not be fully evaluated at that time of year: (1) a "small excavated pit" and associated channel in the northeasterly portion of the property, and (2) a "depressional area within mowed field" west of flags W1-112 to W1-114.
- Stockman Associates recommended additional data collection during the 2026 growing season in accordance with 310 CMR 10.55(2)(c)3, and Chapter 5 of the 2012 Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region, followed by a second peer review site visit.

2. REGULATORY FRAMEWORK

To be considered a wetland under federal regulations, all three parameters must be present: wetland hydrology, hydrophytic vegetation, and hydric soils. The 2022 Massachusetts Handbook for Delineation of Bordering Vegetated Wetlands (2022 BVW Manual) reinforces this standard, clarifying that vegetation, soils, and other indicators of hydrology should always be considered when delineating BVWs. Vegetation-only delineations are permitted only where a site is undisturbed, all dominant plants are OBL or FACW, and the wetland boundary is clear and abrupt, none of which applies to either area requiring additional evaluation.

When site disturbance renders one or more parameters unreliable, the 2022 BVW Manual provides specific guidance. Where vegetation is unreliable due to heavy management (such as mowing or fill), hydric soils reinforced by other hydrologic indicators should be used. Where soils are unreliable due to disturbance or fill, vegetation and other hydrologic indicators should guide the determination. Where both are unreliable, NWI maps, MassDEP wetland maps,

aerial photography, and visual assessment of adjacent areas must be used to establish the BVW boundary. Both areas of concern fall squarely within these disturbed-site scenarios, and the weight of all available evidence does not support a wetland determination for either.

3. RESULTS OF SUPPLEMENTAL FIELD INVESTIGATION -- APRIL 8, 2026

Marleigh Sullivan, BSC's Senior Ecologist and Botanist visited the site on April 8, 2026 to conduct a supplemental review of site characteristics including vegetation, hydrology, and soils in the context of the two areas identified by the peer reviewer (Stockman Associates), the "small excavated pit" and the "depressional area within mowed field."

Small Excavated Pit

Site History & Anthropogenic Origin

Historic aerial imagery confirms that the area where the "small excavated pit" is located was a level mown field with no visible indicators of hydrology prior to excavation. The pit, approximately 30 feet by 25 feet, was excavated between April 2009 and September 2010, with excavated material stockpiled immediately adjacent (see Figure 1). The pit has been and continues to be used as a dumping and burn pit, as evidenced by woody debris, tires, and a layer of ash and charcoal on the pit floor. An approximately 115-foot long trench was constructed heading northeast then sharply southeast, terminating on a side slope. Between the trench terminus and the delineated BVW to the east, there is a 50-foot upland gap with no evidence of hydrology or scour (see Figure 4).



Figure 1. "Small excavated pit" and trench in 2009 (upper photo) and 2010 (lower photo). It appears that

the pit and trench did not exist in 2009 and there were no visible signs of pre-existing hydrology. A red polygon is drawn around the approximate area of the pit and the trench as a reference point to compare between the two images. The date of the imagery is shown in the top left of each image.



Figure 2. View of the “small excavated pit”. Excavated material is piled to the right. Woody debris is blocking the trench visible in the background on the left. *Facing northeast.*



Figure 3. Closer view of the woody debris that is clogging the entrance of the trench. Arrows point to the entrance of the trench. *Facing northeast.*

A review of historic and regulatory mapping data supports the conclusion that this area is not a jurisdictional wetland:

- Historic aerial imagery confirms the area was a level mown field with no indicators of hydrology prior to the 2009 to 2010 excavation. The pit and ditch are entirely the result of human activity.
- The area is not mapped as wetland on the National Wetlands Inventory (NWI) maps.
- The area is not mapped as wetland on the MassDEP Wetlands Map.
- A previous independent wetland delineation conducted by Normandeau Associates in April 2023 similarly did not identify wetlands within this area of concern.

Hydrologic Conditions

The hydrology driving conditions within the excavated pit is attributed primarily to artificial, man-caused conditions resulting from the 2009 to 2010 excavation, which created a depression that incidentally accumulates stormwater from adjacent areas. The following observations support the conclusion that the pit and trench are acting more like a constructed and maintained stormwater feature (which is a BMP, not a resource area when not within or abutting a wetland):

- The observed hydrology is consistent with artificially induced stormwater accumulation rather than naturally sustained wetland hydrology. The pit was not present prior to 2009 and there is no evidence of naturally occurring hydrologic conditions at this location prior to excavation on available aerial imagery.
- Woody debris and rubbish are clogging the entrance to the outlet trench, which has likely incidentally extended the duration of saturation following storm events. It is reasonable to conclude that if the obstruction were cleared, the pit would drain more readily, restoring a hydroperiod inconsistent with wetland hydrology.
- The concurrent presence of OBL species such as purple loosestrife and cattails alongside the UPL species common mullein is indicative of a flashy, artificially driven hydroperiod with alternating periods of saturation and prolonged dryness, rather than the sustained inundation or saturation characteristic of a functioning wetland system.

Vegetation

Due to the time of year and the continued use of the pit for dumping and burning, vegetation within the pit is sparse and cannot be reliably assessed for dominance. However, the available observations may offer some clues:

- The pit surface is largely covered by rubbish and debris, prohibiting the establishment of a natural plant community and rendering vegetation an unreliable indicator at this location.
- The species observed include senesced purple loosestrife (OBL) and a few sprigs of cattails (OBL), alongside common mullein (UPL).

While purple loosestrife and cattails are OBL plants, in reality, these species also readily establish in disturbed marginal soils, particularly those with compaction or fill such as gravel where infiltration is hindered, as is often seen along roadside stormwater drainage ditches.

Soils

While hydric soil characteristics were observed within the pit, these findings must be interpreted in the context of the heavily disturbed and artificially modified conditions:

- The primary soil matrix is not reduced. Limited hydric characteristics, specifically a reduced matrix with concentrations, were observed only within the final inch of soil immediately above the restrictive layer at approximately 11 inches depth.
- The presence of a shallow restrictive layer of round stones is consistent with fill material introduced during the excavation and site disturbance rather than naturally developed soil stratigraphy.

- The localized and shallow nature of the observed hydric characteristics, confined to the immediate contact with the restrictive layer, is more consistent with episodic perching of water above the restrictive fill layer than with the sustained reducing conditions expected under true wetland hydrology.

Connectivity and Isolation

The pit has no contiguous surface water connection to the delineated BVW. The outlet trench which extends 115 feet from the pit lacks hydric soils, hydrophytic vegetation, or hydrologic indicators such as scour, and terminates approximately 50 feet from the BVW with no evidence of flow continuity. The pit does not qualify as a BVW under 310 CMR 10.55(2)(a), which requires abutting or continuous wetland conditions or surface water flow to a qualifying water body. Neither condition is met here.



Figure 4. View of where the trench ends (indicated with red arrow due to obscuring vegetation). *Facing southeast.*

Small Excavated Pit Conclusion

Based on the collective evidence, including the entirely anthropogenic origin of the feature in 2009, the continued use and maintenance of that feature as a dump/burn pit, the artificially driven hydrology caused by stormwater accumulation and a clogged outlet trench, the presence of both UPL and OBL species indicating a flashy hydrology, the limited and shallow hydric soil characteristics confined to the immediate contact with the restrictive fill layer, and the lack of any contiguous surface water or wetland connection to adjacent resource areas, BSC Group maintains that the “small excavated pit” does not constitute a jurisdictional wetland under the Massachusetts WPA or applicable federal regulations. The State and Federal wetland regulations were not formulated with the intent to express jurisdiction over every small and isolated man-made feature, like a ditch or rain garden someone constructed in their lawn or an isolated compacted drainage ditch or plunge pool that incidentally supports some wetland species.

Depressional Area within the Mowed Field

Based on site assessments and aerial imagery, there is an area to the east of the developed (gravel and paved parking, buildings) site that is slightly lower in elevation, shows some signs of hydrology (saturated soils and free water) and has a slightly higher prevalence of FAC, FACW, or OBL species than that of the immediately surrounding area (see approximate area in red in Figure 5). Soils and vegetation were assessed for the third time during the April 8, 2026 visit at a location in the approximate center of the depression in a particularly moist spot. At this location, despite the observed saturation and free water at 3" below the ground surface, soils still did not meet criteria for hydric soils (described in more detail in later sections) despite being in the center of the area where it was wettest, this alone is enough to determine that this area does not meet federal criteria for a wetland as all three parameters are required. It is possible that this time of year, colloquially called "mud season" conditions may be moister than observed during the rest of the growing season, but is still not moist enough to produce sufficient reduced matrices or concentrations/depletions. Additionally, this area is isolated and not contiguous either by vegetated wetland or a "definite channel" to BVW. While it is understood that this area exhibits features (e.g. moist soils and presence of some hydrophytic vegetation) that warranted a critical evaluation, ultimately, this area did not meet the criteria for hydric soils. In accordance with the updated 2022 BVW Manual, it is stressed that all indicators should be evaluated ("...vegetation, soils, *and* Other Indicators of Hydrology always be considered when delineating BVWs...") and that vegetation alone is not allowed to determine an area is a wetland unless it is undisturbed, all dominant plants are OBL or FACW, and the wetland boundary is "clear and abrupt," none of which is applicable at this location.

A previous delineation was conducted on April 20, 2023 by Normandeau Associates. Both Normandeau's and BSC's delineations did not identify wetlands in the depressional area, which is consistent with other aspects of the two firm's delineations being similar. The following sections provide additional details on the characteristics of the "depressional area within the mowed field".

Site History & Anthropogenic Origin

Upon review of available historic imagery in GoogleEarth™ (see Figure 5), it appears that this area in question was forested in 1990 and by 2002 the area was cleared of trees and there were no apparent indicators of hydrology on the aerial imagery. By 2006, this entire area was covered in fill material, and a very large pile of material was stockpiled in an approximately 230-foot line oriented north-south, creating an artificial berm restricting flow of runoff/stormwater. By 2009, the fill material may have been spread or relocated and most of the area revegetated, with a smaller stockpile/berm still remaining along the easterly side and some visible signs of soil saturation on the imagery. The alterations of this area indicate improper management of stormwater over the last decade or so and the area is likely artificially wet due to fill material causing an artificial restrictive layer and the berm, artificially impounding, slowing, or containing more water than would have otherwise occurred without these alterations. The gully was not visible on the 2002 imagery and may have formed after the fill was placed as it is positioned exactly at the northerly terminus of the 2006 stockpile.

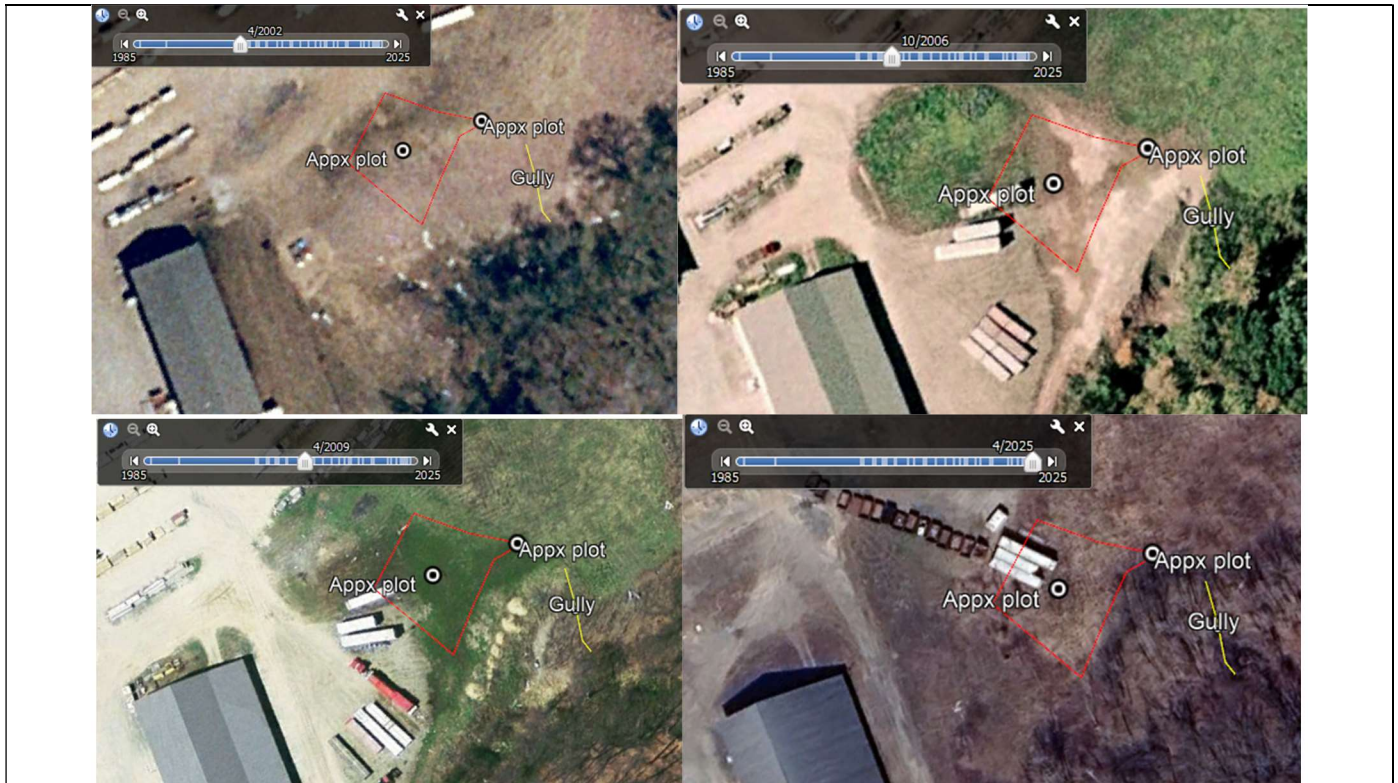


Figure 5. Timeline of historic imagery in the area. A red polygon is drawn approximately around the areas where moist conditions were observed to act as a reference point for comparing the sequence of aerial imagery. The date of the imagery is shown in the top left of each image.



Figure 6. View showing the two plots investigated on April 8, 2026 and the clear linear gap between the depressional area and the gully that runs down slope. Facing south.

Vegetation

At the time of the visit, the majority of the depressional area was comprised of a non-sphagnum moss (up to 50% cover) and the remainder of the vegetation was a mixture of upland species including *Poa pratensis* (15%), cover of an unknown sedge (<5%), mugwort, and clover and some wetland species including reed canary grass (FACW; <5%), and *Equisetum arvense* (FAC; <5%). Goldenrods were also present (which can range from FACW to UPL). Based on the overall assessment of the depression, the area would not meet the 2022 BVW Manual requirement for a vegetation-only based delineation as all dominant species would be required to be FACW or OBL and the dominant vascular species is FACU. The MA BVW Manual only considers *Sphagnum* moss (which have branching fascicles arranged in whorls along a central stem) to be a wetland indicator plant and the moss present as approximately 50% of cover is not *Sphagnum*.

Due to the years of periodic mowing and other uses of the land, we reviewed other criteria more stringently, but early season vegetation appears to indicate that there is a mixture of upland and wetland adapted plants, with the dominant vascular plant at the time being upland (FACU). Since the hydrology inputs to this area are primarily stormwater based, seeing a mix of upland and hydric species is consistent with a flashy hydroperiod (periodic dry and wet periods) as species need to be adapted to oxic and anoxic conditions.



Figure 7. View of the depressional area on April 29, 2025. Dominance of mugwort, upland grass, and goldenrod observed. View is from the treeline westerly.

Soils

During the April 8, 2026 field visit, soils were reviewed in the center of the area where it was wettest. The soils did not meet the criteria of NE-F1 or F21 (for red parent materials). The matrix (2.5YR 3/3) was not reduced and concentrations were weak and <1%. Both F21 and NE-F1 hydric soil indicators require a reduced matrix and “distinct or prominent” concentrations or depletions (F21 requires 10% or more and NE-F1 requires 5% or more). A restrictive layer of round cobbles and gravel was observed at 13”. Observations concurred with soils reviewed during previous site visits. Although there are signs of alteration from historic imagery (fill/grading in 2006), it appears that the area has remained

largely unaltered since 2008 (aside from mowing), which is sufficient time for the area to develop hydric soils should the duration of saturation of soils be sufficient to support development of hydric soils. See Figures 8 and 9.



Figure 8. View of the soil in the plot at the northeast corner of the depressional area.



Figure 9. Close view of the ground surface at the central plot indicated in Figure 6. Although there is shallow water present at the time of the visit, hydric soils were not observed.

Hydrologic Conditions

The depressional area is situated in a very slight topographic low on an otherwise flat landscape with adjacent impervious surfaces and an underlying restrictive layer potentially caused by prior fill and/or compaction. These conditions cause stormwater to pool temporarily following precipitation and snowmelt events. However, the following observations indicate that wetland hydrology, as defined under the MA WPA, is not present:

- Based on a review of the historic imagery, there were no visible indicators of hydrology in the area prior to the fill/grading that occurred in 2006. Some visible soil saturation is observable in the 2009 imagery indicating that the grading, compaction, and/or the impounding soil berm cause incidental saturation in the area due to unmanaged stormwater runoff.
- Despite evidence of periodic saturation over an extended period, hydric soil indicators that would be expected to develop under sustained wetland hydrology are absent.
- The retention of stormwater is attributed to the underlying restrictive layer (fill and/or compaction) and the berm to the east, causing temporary retention of water (reduced infiltration and longer retention time caused by the berm), not prolonged inundation consistent with wetland hydrology nor connection to a groundwater source.
- The depressional area is separated from the adjacent erosional gully, by approximately 16 feet of flat, vegetated uplands and another 16.5 ft of a shallow (<0.5") rills until overland flow meets the head of the gully.

Connectivity and Isolation

As discussed earlier, only overland/sheet flow leaves the depressional area within the mowed field under review. As depicted in Figures 6 and 8, a soil plot was collected at the northeast corner of the depressional area where soils were not hydric (matrix colors were not reduced and no concentrations or depletions observed, F21 and NE-F1 for red parent materials were not met). From this upland soil plot, there is a clear 16-foot stretch of flat, vegetated upland surface, then a 16.5' stretch of shallow rills before they meet the head of the gully.

A wetland is considered "bordering" if it "abut(s) or touch(es) the bank of a river, stream, pond, or lake... or is connected to such water bodies via continuous wetland conditions or surface water flow" (310 CMR 10.55(2)(a)). The Massachusetts WPA regulations define a "stream" as a "body of running water, including brooks and creeks, which moves in a definite channel in the ground due to a hydraulic gradient, and which flows within, into or out of an Area Subject to Protection under M.G.L. c. 131, § 40" (310 CMR 10.04). Intermittent streams are not considered a "stream" where they are located upgradient of a bog, swamp, wet meadow, or marsh (310 CMR 10.04). The area between the area being reviewed (the 30.5' minimum upland gap) is not "bordering" a river, stream, pond or lake and does not represent "continuous wetland conditions or surface water flow," and is not a "body of running water.... which moves in a definite channel in the ground." Therefore, this area of overland flow is not considered a jurisdictional connection between the BVW to the east and the depressional area which makes the depressional area hydrologically isolated.

Depressional Area Conclusion

Based on the consideration of all of the available evidence, most notably, the lack of qualifying hydric soil, and including the disturbed site history, hydrologic isolation from the adjacent BVW or stream system, likely less than 50% cover of hydrophytic vegetation, and supporting historic and mapping data, BSC Group maintains that the depressional area within the mowed field does not constitute a jurisdictional wetland under the Massachusetts WPA its implementing regulations or applicable federal regulations.

4. OVERALL CONCLUSION

BSC Group stands by its determination that neither the "small excavated pit" or the "depressional area in mowed field" meet the criteria for a jurisdictional wetland at the state or federal level. Both areas reflect conditions driven by historic site disturbance, altered hydrology, past uses of the property, and artificial stormwater accumulation rather than

naturally functioning wetland systems.

Furthermore, even if the Commission were to determine that these areas exhibit some wetland characteristics, the areas are hydrologically isolated and do not qualify as Bordering Vegetated Wetlands. Neither have a contiguous wetland or contiguous "surface water or definite channel in the ground" between the areas under review and the BVW areas to the east as required under 310 CMR 10.55(2)(a).

BSC Group respectfully requests that the Agawam Conservation Commission accept these findings and issue a Negative Determination of Applicability for the subject property consistent with the delineated resource area boundaries and as reviewed by Emily Stockman of Stockman Associates.

April 2, 2026

Mr. Henry Kozloski, Chair
Town of Agawam Conservation Commission
1000 Suffield Street
Agawam, MA 01001

Re: Request for Determination of Applicability (RDA)
Agawam Energy Center Project
769 Silver Street
(Parcel ID: G6-2-6 3965)
Peer Review Comments

Dear Mr. Kozloski and Commissioners:

Per request of the Agawam Conservation Commission, Stockman Associates LLC has performed a wetland consultant peer review of a Request for Determination of Applicability (RDA) submitted by BSC Group, Inc. on behalf of their client, Agawam Energy Center, LLC, for the development of an approximately 250 megawatt (MW), 1,000 megawatt hour (MWh) battery energy storage system (BESS). Based on the WPA Form 1, the project will consist of battery containers, transformers, inverters, equipment pads, a substation, and associated infrastructure. The proposed BESS site will be accessed from Silver Street. The battery containers will be surrounded by a perimeter fence that will act as a physical, visual, and sound barrier. The subject property is approximately 17.2-acres. The review consisted of the delineated boundaries of Bordering Vegetated Wetland (BVW), intermittent stream Bank, and "pond," and the subject property.

Materials Review

- RDA WPA Form 1 and supporting materials submitted BSC Group, Inc. dated November 25, 2025 RDA.
- Site Maps "Agawam Energy Center Site Plan " prepared by Longroad Energy and BSC Group, 2 pages, undated and stamped DRAFT.
- Project site plan set "Longroad Energy Agawam Energy Center Agawam, MA," prepared by Sevee and Maher Engineers, 11-sheets, dated 11/17/25, no stamp
- Site Maps "Agawam Energy Center Environmental Resources Map " prepared by Longroad Energy and BSC Group, 6 pages, undated and stamped DRAFT.
- Wetland Delineation Report Silver Street, Agawam, MA 01001 prepared by Normandeau Associates, Inc. dated June 30, 2022 submitted via email by Melissa Kaplan (BSC Group) on March 25, 2026.
- Additional Information - 769 Silver Street Agawam RDA Peer Review Email submitted by Melissa Kaplan (BSC Group) dated March 25, 2026
- April 17, 2025 Photo Log submitted via email by Melissa Kaplan (BSC Group) on March 26, 2026.

Site Visit

- Emily Stockman (Stockman Associates), Paul Martin (BSC), and Ethan Sneesby (BSC) performed a site visit on March 24, 2026, and reviewed the delineated BVW, Bank, and “pond” boundaries, and the subject property. The landscape lacked snow cover, and the ground was not frozen, permitting an evaluation of soil profiles and an unobscured view of the ground surface.

Review Comments

RESOURCE AREA BOUNDARIES

- 1) The majority of the delineation flagging was present and labels were clearly legible. Flags that lacked labels and downed flags were replaced/re-labeled by Mr. Sneesby.
- 2) W1-series BVW
 - a. Stockman Associates concurs with the BVW boundary demarcated by flags W1-127 and W1-126, including the boundaries extending to the property line.
 - b. Stockman Associates concurs with the BVW boundary demarcated by flags W1-99 to W1-114, including the boundaries extending to the property line.
 - c. Data forms submitted for the documentation of BVW W1 indicate that climatic/hydrologic conditions on the site are typical for the time of year (April 17, 2025). While Stockman Associates concurs with the boundary of BVW W1, it should be noted that at the time of the delineation the region was in a declared Mild Drought.
- 3) S1-series Bank
 - a. Stockman Associates concurs with the Bank boundary for intermittent stream S1 demarcated by flags S1-100 to S1-109; and S1-200, S1-207 to S1-209, including the boundaries extending to the property line.
- 4) S2-series Bank
 - a. Stockman Associates concurs with the Bank boundary for intermittent stream S2 demarcated by flags S2-100 and S2-200 to S2-201, including the boundaries extending to the property line.
- 5) P1-series “pond”
 - a. An additional flag P1-115A was added by Mr. Sneesby to revise the boundary to encompass a northerly section of Bank. Mr. Sneesby located flag P1-115A using a submeter Trimble GPS unit.
 - b. Stockman Associates concurs with the boundary demarcated by flags P1-100 to P1-115 and P1-115A.
 - c. Based on the RDA narrative, the “pond” is approximately 5,000-SF in size. As such, the open water system does not meet the size criteria (10,000-SF) for a jurisdiction pond under 310 CMR 10.04 Pond (Inland). From a regulatory standpoint the ecosystem would be better classified as an impounded intermittent stream bordered by occasional narrow sections of wetland. The observed P1 series

flagging demarcated the boundary of BVW and top of Bank where BVW was absent.

- d. At the time of the site visit, a substantial portion of the "pond" surface was ice covered and a thorough survey of potential vernal habitat was not performed. During discussion, Mr. Sneesby indicated that the applicant was not seeking a determination from the Commission regarding vernal pool habitat, rather confirmation of the resource area boundaries (Bank, BVW) and Buffer Zone.

SUBJECT PROPERTY REVIEW

- 6) Stockman Associates traversed the subject property defined by the RDA to inspect for the presence of any additional unmapped, protected wetland resource areas. Both parties agreed that the time of year hindered the full assessment of potential protected wetland resource areas. Both parties agreed that additional assessment during the growing season was warranted. Two areas of concern were identified.
 - a. During the evaluation, an excavated depression and channel were observed within the northeasterly portion of the subject property. These anthropogenic features presented as informal stormwater management features. No flow was observed within the channel at the time of the site visit. A direct connection between the excavated depression and channel was obscured by piles of rubbish/debris (tires, pallets, lumber). The excavated depression contained saturated soils and areas of inundation. The surface was sparsely vegetated due to a dominant cover of rubbish/debris. Remnant Purple Loosestrife was observed growing among the rubbish/debris.

The anthropogenic origin of the excavated depression and channel does not eliminate the potential for protection under MA WPA (See 310 CMR 10.55(4)).



Excavated depression



Excavated channel

- b. A depressional area with inundation, saturated soils, and rutting was observed within the open field to the west of flags W1-112 to W1-114. The ground cover was comprised of sedges, rushes, grasses, and forbs including hydrophytic species. Remnant Purple Loosestrife stalks were observed. Inundated conditions continued north-northeasterly ultimately bordering on an area of channelized flow observed within the open field upgradient of a distinct break in slope (defined erosional gully). Flow continued to an eroded channel within the steep slope. The eroded channel was also receiving groundwater seepage from the exposed slope. Channelized flow then continued easterly.



Depressional area west of flags W1-112 to W1-114

- c. The two areas of concern described above would benefit from additional assessment to determine jurisdiction under the MA WPA. Given the time of year

and disturbed nature of the landscape (mowing of vegetation and historic soil disturbances), Stockman Associates recommends the collection of data by BSC Group during the 2026 growing season. Due to the disturbed nature of the two areas additional data collection should be performed in accordance with 310 CMR 10.55(2)(c)3. and Chapter 5 Difficult Wetland Situation of the 2012 Regional Supplement to the Corps of Engineers Delineation Manual: NC/NE Region.

- 7) Stockman Associates concurs with the narrative description of field observations made during the March 24, 2026 site visit regarding the two areas of concern ("*small excavated pit*" and "*depressional area within mowed field*") provided in the March 25, 2026 BCS Group email with the exceptions/clarifications below:
- a. "*Clearly there was not 50% or greater cover of wetland plants*". The lack of an apparent 50% or greater cover of wetland plants is attributed to the dumping of rubbish and debris on the surface of the excavated depression, prohibiting the establishment of vegetation. Stockman Associates suggests additional assessment during the growing season, as detailed above (6.c.).
 - b. "*Based on these observations, it is our opinion that the depressional area is separated from the gully by approximately 30 to 50 feet of upland with no defined channel. Any runoff from the area appears to occur as diffuse sheet flow through mowed field rather than through a definite channel.*" During the March 24, 2026 site visit, inundated conditions continued north-northeasterly ultimately bordering on an area of shallow channelized flow observed upgradient of a distinct break in slope (defined erosional gully). Stockman Associates recommends additional assessment during the growing season, as detailed above (6.c.). More specifically, Stockman Associates suggests the collection and submittal of data (vegetation, hydrology, and soil) upgradient of the observed subtle flow path (with shallow Bank) within the mowed field and downgradient of the more defined depressional area to confirm the assertion by BSC Group that the area is isolated.
 - c. Stockman Associates concurs that the exact location of the depressional area within the open field is not indicated as wetland on the National Wetland Inventory (NWI) maps and MassDEP Wetlands Map. However, both maps do indicate a mapped wetland extending into the field (to the south). Regardless, the Commission should note that wetland mapping indicated on the NWI map and MassDEP Wetlands Map cannot be used to determine regulatory jurisdiction.
- 8) A portion of the property is located within Priority Habitat for Rare Species and Estimated Habitat for Rare Wildlife.

SITE PLAN REVIEW

- 9) The site maps submitted with the original RDA are not dated, do not indicate delineation flag locations and labels, and are marked DRAFT. As such, these site maps (2 pages) should not be cited as the final plans of record.
- 10) The project plan set submitted with the original RDA is not stamped and does not indicate delineation flag locations and labels. The project plans should be updated to

reflect field revisions during the March 24, 2026 site visit. The location and labels of delineation flags should be added to the project plan set. A final stamped copy of the plans should be submitted.

- 11) The site maps "Agawam Energy Center Environmental Resources Map " prepared by Longroad Energy and BSC Group, 6 pages were provided after the original RDA submittal in advance of the site visit. The maps are not dated and are stamped draft. The maps should be updated to reflect field revisions during the March 24, 2026 site visit. The maps should be dated and the draft stamp removed.
- 12) The site maps "Agawam Energy Center Environmental Resources Map" and narratives note S1 and S2 Bank boundaries. Flagging in the field is labelled as SB1 and SB2.
- 13) Resource Areas, boundaries, and flags located off the subject property should be removed from the final maps/plans of record. The Commission's review and subsequent Determination is limited to the subject property under the field RDA (Parcel ID G6-2-6 3965).
- 14) During the site visit, the additional flag P1-115A was located by Mr. Sneesby using a submeter Trimble GPS unit. Page 2 of 7 of the RDA narrative states that flag locations were recorded with survey grade GPS. The applicant should clarify how the delineation flags were located. The Commission has the authority to require supporting documentation regarding the GPS accuracy, or the submittal of a site plan prepared by a Professional Land Surveyor to ensure that the final plans of record accurately depict the resource area boundaries.

ADDITIONAL RECOMMENDATIONS

- 15) The Commission should note that the RDA WPA Form 1 indicates that the applicant is seeking a Determination under 1.a. (area), 1.b. (boundaries), and 1.c. (work). When issuing their Determination, the Commission must respond to all three.
- 16) A final assessment of the proposed work area cannot be made at this time due to pending additional data collection required to address the areas of concern identified during the March 24, 2026 site visit.
 - a. Based on the easterly limit of work depicted on Grading Plan-Sheet 1, Stockman Associates suggests that the limit of work depicted on revised plans be carefully reviewed. Based on the close proximity of the depicted grading, limit of work, and Buffer Zone boundary, it appears that the installation of erosion controls may encroach into the Buffer Zone boundary. The Erosion And Sediment Controls Detail sheet indicates that the contractor will have the option to use sediment barrier (2-FT minimum width) or silt fence for slope protection.
 - b. Should the applicant be seeking a Negative Determination 4. for proposed work under revised plans, all work, including the installation of erosion controls must be located outside of Areas subject to jurisdiction under the Act (including the Buffer Zone).
- 17) Upon receipt of the BSC Group response to peer review comments (including additional data collection during the growing season) a second site visit is recommended.

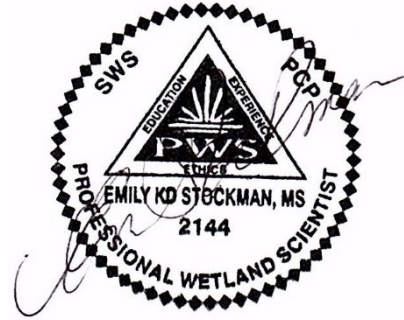
Members of the Commission are encouraged to attend, in particular, for the review of the two areas of concern.

I trust that the above comments will assist the Commission in their review of the previously referenced RDA 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





View from south side looking north across the western portion of the depressional area. Taken 4/17/2025



View from north side looking south, over the more easterly portion of the depressional area. Taken 4/17/2025



View from east to west along the northern side of the depressional area. The rise in elevation is evident.
Taken 4/17/2025



View from the south side looking north through center of the depressional area. Taken 4/17/2025



View from southern edge of depression looking north along the eastern edge. Taken 4/17/2025



930 Harvest Drive, Suite 460
Blue Bell, PA 19422
P (267) 512-7050
F (267) 512-7055
Terracon.com

July 3, 2023

Hecate Energy, LLC
621 West Randolph Street
Chicago, Illinois 60661-2216

Attn: Mr. Andrew Boggs
Phone: (612) 636-7953
Email: Aboggs@hecateenergy.com

Re: Hecate Energy Silver St Energy Center LLC
Agawam, Massachusetts
Terracon Project No. J4237002

Dear Mr. Boggs:

Terracon Consultants, Inc. (Terracon) is pleased to submit the enclosed Wetland Delineation Report for the above-referenced sites. This assessment was performed in accordance with Terracon Task Order Number K9227148 (Hecate Energy Silver St Energy Center LLC) dated October 26, 2022 issued under the Master Services Agreement dated October 6, 2022. The report was prepared for the exclusive reliance of Hecate. Reliance by any other party (other than a regulatory agency having jurisdiction) is prohibited without the written authorization of Hecate Energy, LLC and Terracon.

Terracon contracted Normandeau Associates to perform and prepare the attached Wetland Delineation Report. The purpose of the delineation is to identify the extent of wetland resources within the project area of study regulated under the Massachusetts Wetlands Protection Act and Section 401/404 of the U.S. Clean Water Act, as well as local by-laws and regulations. In summary, the Jurisdictional wetland resource areas under the Massachusetts Wetlands Protection Act (WPA) and Section 401/404 were delineated and/or identified within the project area for the Silver St. project site.

Terracon's services were performed in a manner consistent with generally accepted practices of the profession undertaken in similar studies in the same geographical area during the same time period. Terracon makes no warranties, express or implied, regarding the findings, conclusions or recommendations. Please note that Terracon does not warrant the work of laboratories, regulatory agencies or other third-party resources supplying information used in the preparation of the report. These services were performed in accordance with the scope of work agreed to with our client. Findings, conclusions, and recommendations resulting from these services are based upon information derived from the on-site activities and other services performed under this scope of work; such information is subject to change over time.



We appreciate the opportunity to provide the cultural resources services for you. If you have any questions about this report or require additional environmental services, please contact Marilyn Zenko at Marilyn.Zenko@terracon.com.

Sincerely,
Terracon Consultants, Inc.

A handwritten signature in black ink, appearing to read 'Marilyn Zenko', is positioned above the printed name.

Marilyn Zenko
Senior Associate

Attachments: Wetlands Delineation Report, Silver St dated June 30, 2023

June 30, 2022

Marilyn Zenko
Terracon
930 Harvest Drive, Suite 460
Blue Bell, PA 19422

**RE: Wetland Delineation Report
Silver Street, Agawam, MA 01001**

Dear Ms. Zenko:

Normandeau Associates, Inc. ("Normandeau") is pleased to provide Terracon with the following wetland delineation report describing inland wetland resource areas at a potential development area for a battery storage site off Silver Street in Agawam, Massachusetts that was visited on April 20, 2023 (the "Study Area"). The purpose of the delineation was to define the extent of wetland resources within and adjacent to the Study Area regulated under the Massachusetts Wetlands Protection Act (MGL Ch. 131 § 40 and 310 CMR 10.00) and Section 401/404 of the U.S. Clean Water Act (33 U.S.C. 1344), as well as any local by-laws and regulations. State jurisdictional wetland resource areas delineated and/or identified within the Study Area include Bordering Vegetated Wetland, Bank, and Land Under Water Bodies and Waterways. Please see below for more information.

Existing Conditions

The Study Area (Attachment A, Figures 1 and 2) consists of a single tax parcel (Map G6, Lot 2, Block 6) east of Silver Street in Agawam. The site is primarily developed (industrial) with forested, old agricultural field along the northeastern edge of the parcel. Three waterbodies exist on site: an old irrigation pond and two intermittent streams. Wetland and stream resources were evaluated within 100 feet of the Study Area in all accessible areas.

According to the applicable Federal Emergency Management Agency ("FEMA") Flood Insurance Rate Maps for the Town of Agawam, Massachusetts, Hampden County, no portion of the Study Area exists within a flood zone (Attachment A, Figure 3).

The northeastern edge of the Study Area is mapped by the Massachusetts Natural Heritage and Endangered Species Program ("NHESP") as Priority Habitats of Rare Species (PH 738) and Estimated Habitats of Rare Wildlife (EH 594). If impacts are proposed within this area, consultation will be required under the Massachusetts Endangered Species Act ("MESA", 321 CMR 10.00). There are no NHESP-mapped Certified Vernal Pools within the Study Area (Attachment A, Figure 4). There is one NHESP-mapped Potential Vernal Pool identified in the study area, located on the eastern edge of the parcel. The Study Area is not located within any Areas of Critical Environmental Concern ("ACEC") as designated by the Massachusetts Secretary of Energy and Environmental Affairs under the ACEC regulations (301 CMR 12.00) or within any Outstanding Resource Waters protected under the Massachusetts Surface Water Quality Standards (314 CMR 4.00).

Wetland Delineation Methodology

The wetland delineation and evaluation conducted by Normandeau was completed in accordance with the following regulations and guidance documents:

- U.S. Army Corps of Engineers “Wetland Delineation Manual” (1987) and the “Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region, Version 2.0” (2012);
- Massachusetts Wetlands Protection Act (“WPA”) and implementing regulations (310 CMR 10.00) (the “Act”);
- Massachusetts Department of Environmental Protection (“MassDEP”) wetland delineation guidance document entitled “Massachusetts Handbook for Delineation of Bordering Vegetated Wetlands, Second Edition” (September 2022);

The U.S. Army Corps of Engineers (“USACE” or the “Corps”) requires the presence of three criteria for an area to be classified as a wetland (water of the U.S.)¹: the presence of wetland hydrology, a predominance of hydrophytic vegetation (>50%), and the presence of hydric soils. The methodology prescribed by MassDEP under the WPA for Bordering Vegetated Wetlands is similar, although it requires the presence of only two criteria: a predominance of hydrophytic vegetation ($\geq 50\%$) and the presence of hydrology (which can include hydric soils per 310 CMR 10.55). The town of Agawam has no local bylaws or regulations further regulating the protection of wetland resource areas.

The boundaries of wetlands and other resource areas were delineated in the field by tying brightly colored survey flagging to woody or other relatively permanent vegetation. Flagging tape was placed sufficiently close together to identify wetland edges and to allow regulators, work crews, or survey crews to see adjacent flags from each other. Flags were labeled sequentially using alpha numeric identifiers. In support of the delineation, Normandeau evaluated and collected soil, hydrology, and vegetation data along transects across the wetland/upland interface and prepared corresponding Corps of Engineers wetland determination data forms. Figures depicting the Study Area and mapped wetland resources are provided in Attachment A, Figure 5, site photographs are provided in Attachment B, and the Corps data forms are provided in Attachment C.

Wetland Resource Areas

State and local jurisdictional wetland resource areas field-delineated (i.e. flagged) within the Study Area include Bordering Vegetated Wetland and Bank. Additional WPA resource areas identified from desktop analysis within the Study Area include Riverfront Area, Land Under Water, and Bordering Land Subject to Flooding (Figure 5). Figure 6 depicts state-mapped wetland resources within the Study Area. For the purposes of this evaluation it is reasonable to assume that all of the field-delineated vegetated wetlands and streams located within the Study Area are also jurisdictional “waters of the U.S.” as defined under Section 401 and 404 of the U.S. Clean Water Act.

¹ Wetlands means “those area that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.” 33 C.F.R. § 328.3(b). “Waters of the United States” is broadly defined in the federal regulations that implement the U.S. Clean Water Act. It includes tidal waters, rivers, streams, lakes, ponds and wetlands.

Vegetated Wetlands (SSW2 Flag Series)

According to 310 CMR 10.55, Bordering Vegetated Wetlands (“BVW”) are freshwater wetlands that border on creeks, rivers, streams, ponds, and lakes. Freshwater wetlands include wet meadows, marshes, swamps and bogs. BVW’s are areas where soils are saturated and/or inundated such that they support a predominance of wetland indicator plants. The BVW boundary is the line within which 50 percent or more of the vegetational community consists of wetland indicator plants and saturated or inundated conditions exist. Areas of vegetated wetland were flagged within the Study Area that were observed to support a predominance of wetland indicator plants, contain evidence of saturated or inundated conditions (e.g., hydric soils, observation of prolonged or frequent flowing or standing surface water, groundwater within a major portion of the root zone), and border on a river or intermittent stream. Under the Act, BVW has a 100-foot buffer zone extending from its edge.

Flag line SSW2 identifies BVW associated with an intermittent drainage running along the eastern side of the Study Area. These wetlands are forested (Cowardin classification: PFO1E) and are dominated by red maple (*Acer rubrum*), yellow birch (*Betula alleghaniensis*), eastern cottonwood (*Populus deltoides*), winterberry (*Ilex verticillata*), and skunk cabbage (*Symplocarpus foetidus*).

Bank (SSW1, SSS1, and SSS2 Flag Series)

Inland Bank is defined in the WPA regulations at 310 CMR 10.54 as the portion of the land surface that normally abuts and confines a water body. It occurs between a water body and a BVW and adjacent floodplain, or, in the absence of these, it occurs between a water body and an upland. The upper boundary of Bank is the first observable break in slope or the mean annual flood level, whichever is lower. The lower boundary of Bank is the mean annual low flow level. There is a 100-foot buffer zone associated with Inland Bank.

Flag line SSW1 identifies Bank associated with a pond on the east of the parcel. This wetland area is an artificial pond created by the impoundment of an intermittent stream. It was historically used as a water source for livestock. It drains into the remnant intermittent stream SSW1 and the BVW SSW2. This area was identified as a potential vernal pool by NHESP.

Flag lines SSS1 and SSS2 identify Bank associated with intermittent streams contained within the SSW2 flag line that runs along the eastern side of Study Area. These streams are typically 5-10 feet in width and contained less than two inches of water at the time of observation, during spring flows. Neither stream is mapped on the USGS Topographic Map (See Appendix A, Figure 2), nor are they identified on USGS StreamStats. SSS1 is sourced from a culvert draining SSW1. SSS2 is sourced from a culvert that originates offsite. The nearest mapped basin on StreamStats including the extent of these streams has a drainage area of 0.12 square miles. In accordance with 310 CMR 10.58(2)(a)1.c., these streams should be presumed to be intermittent without evidence to the contrary.

Land Under Water Bodies and Waterways

Land Under Water Bodies and Waterways (“LUW”) is defined in the Wetlands Protection Act regulations at 310 CMR 10.56 as land beneath any creek, river, stream, pond or lake. Said land may be composed of organic muck or peat, fine sediments, rocks or bedrock. The boundary of LUW is the mean annual low water level. There is no buffer zone associated with LUW.

There is LUW in the Study Area contained within the above-described SSW1 Inland Bank. Based on (1) the regulatory definition of LUW provided at 310 CMR 10.56(2)(c), which states “the boundary of Land Under

Water Bodies and Waterways is the mean annual low water level”, and (2) the regulatory definition of Bank provided at 310 CMR 10.54(2)(c), which specifies “the lower boundary of Bank is the mean annual low flow level”. Intermittent streams do not contain LUW because the mean annual low flow level is presumed to be the dry centerline of the channel. Consequently, the only resource area present is Bank and no LUW is associated with the SSS1 and SSS2 series intermittent streams.

Vernal Pools

A potential vernal pool was identified by NHESP at the eastern edge of the property and was reviewed for indicators at the time of the survey. No indicators of vernal pool obligate or facultative species were observed during the survey. Furthermore, the pond appears to hold water year-round based on the presence of duckweed (*Lemna* sp.) in shallow areas of the pond and the presence of green frog tadpoles from the prior year. Based on these observations, this waterbody should not be considered a vernal pool. No other potential vernal pools were present within the project area.

Conclusion

As described above, a number of WPA and Section 401/404 jurisdictional wetland resource areas have been field delineated and/or identified within the Study Area. Please do not hesitate to contact me with any questions regarding this report at bgriffith@normandeau.com or at 603-801-1856. Thank you.

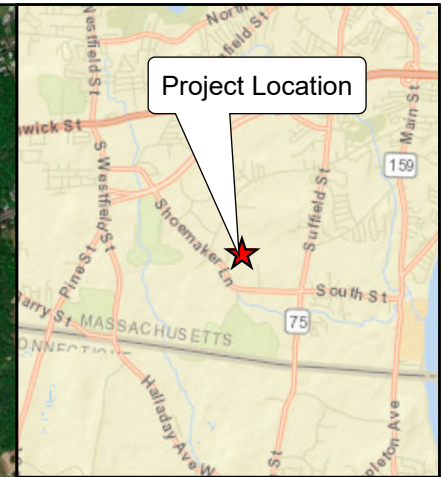
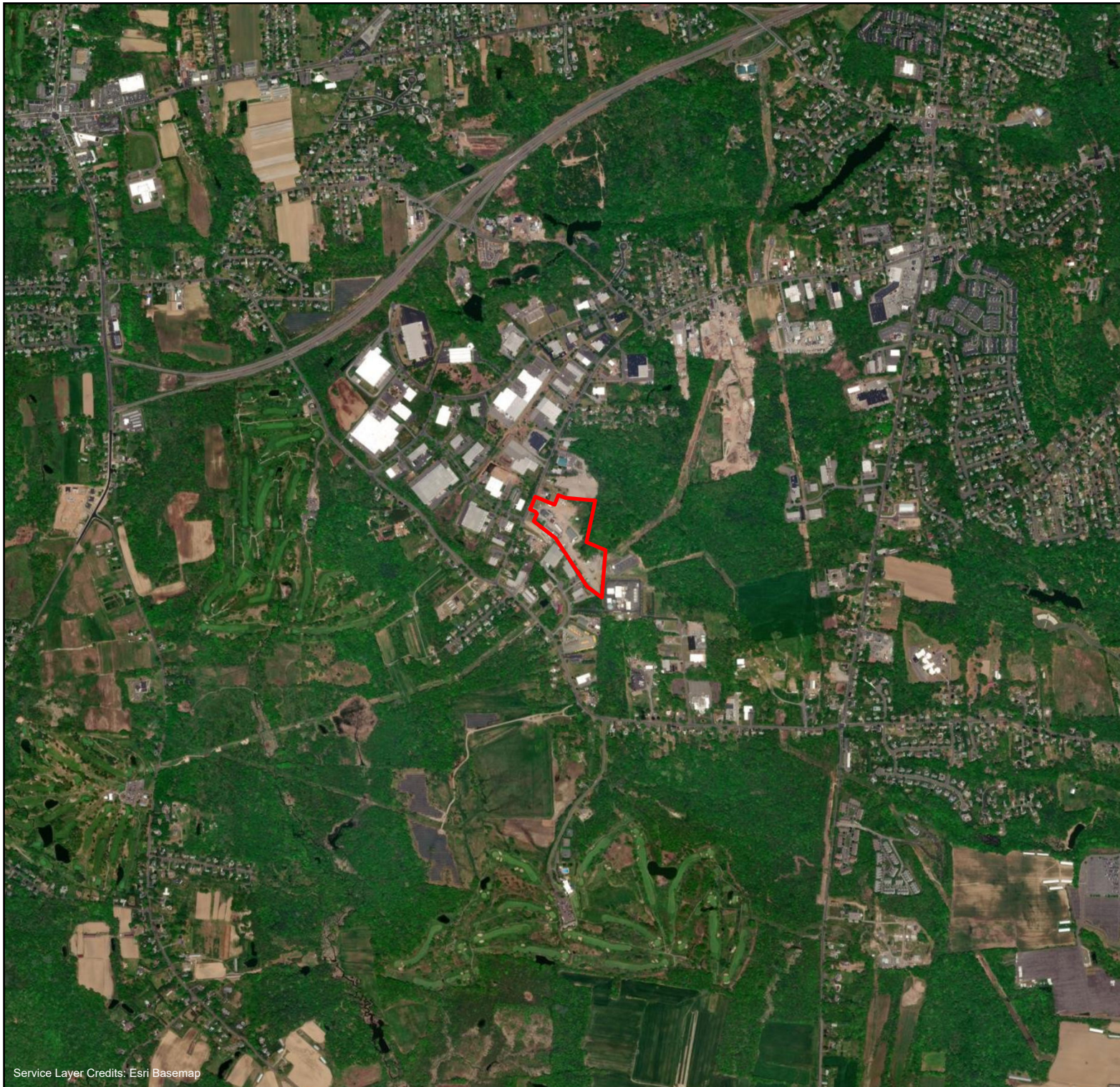
NORMANDEAU ASSOCIATES, INC.



Benjamin Griffith, CWS
Senior Scientist

ATTACHMENT A

Figures



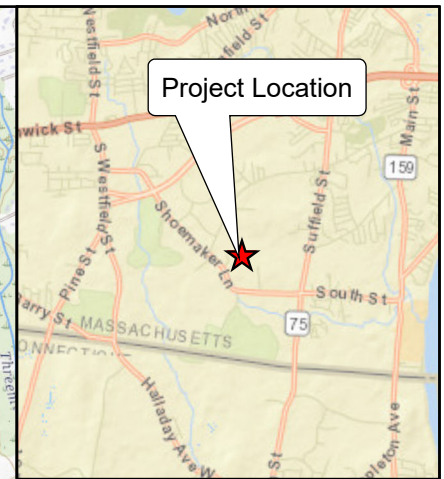
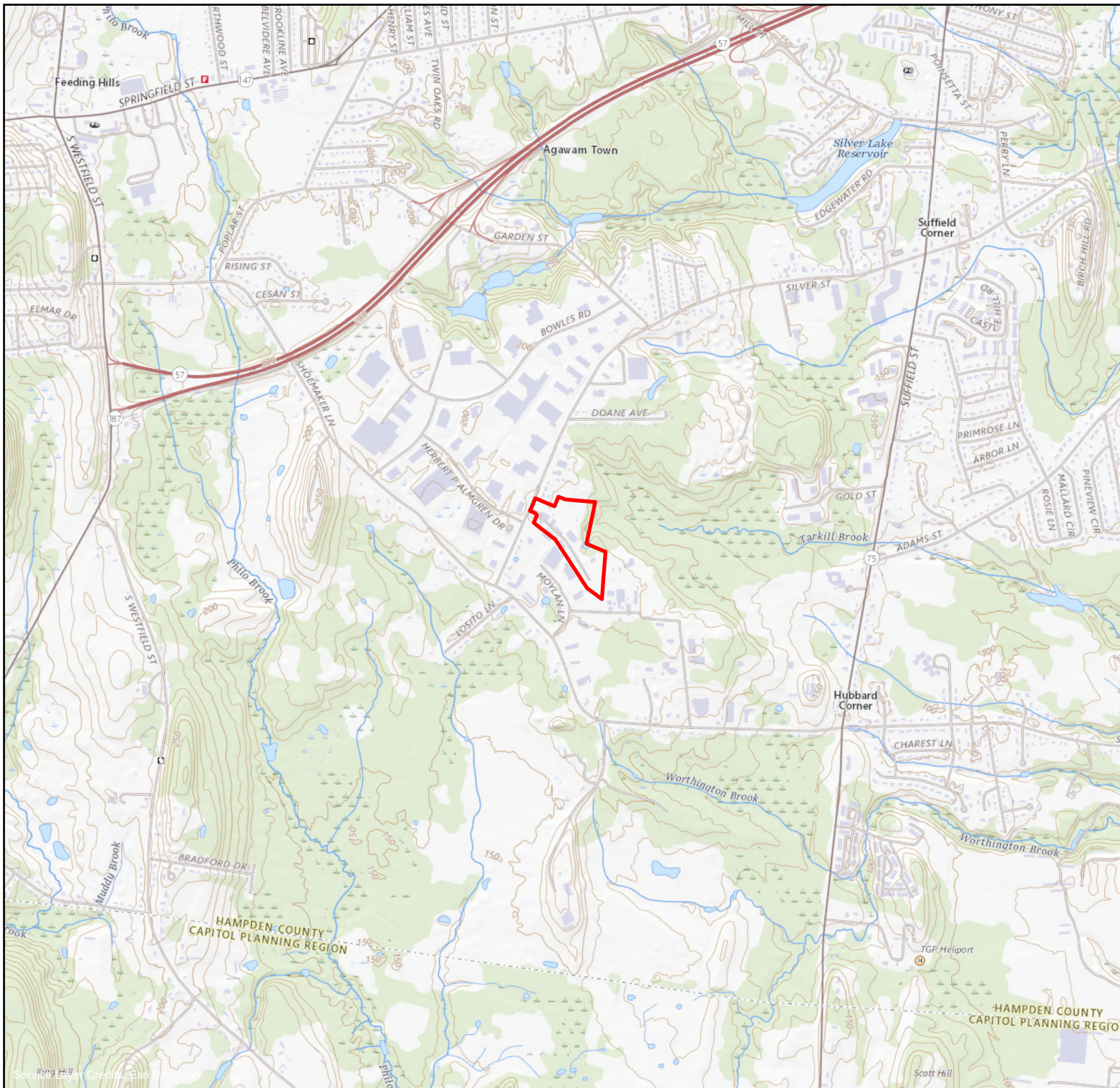
Project 24666.002 - Terracon
Figure 1
Aerial Locus Map
Silver St
Agawam, MA

 Study Area



0 0.13 0.25 0.5 Miles



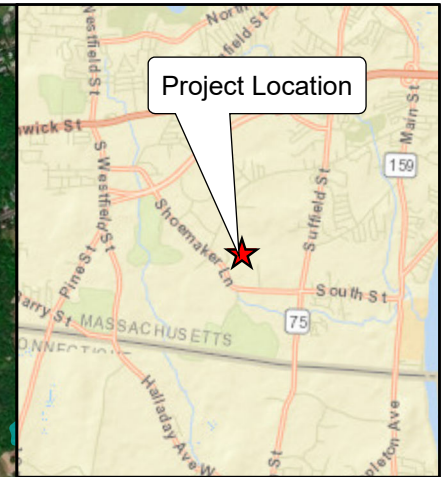
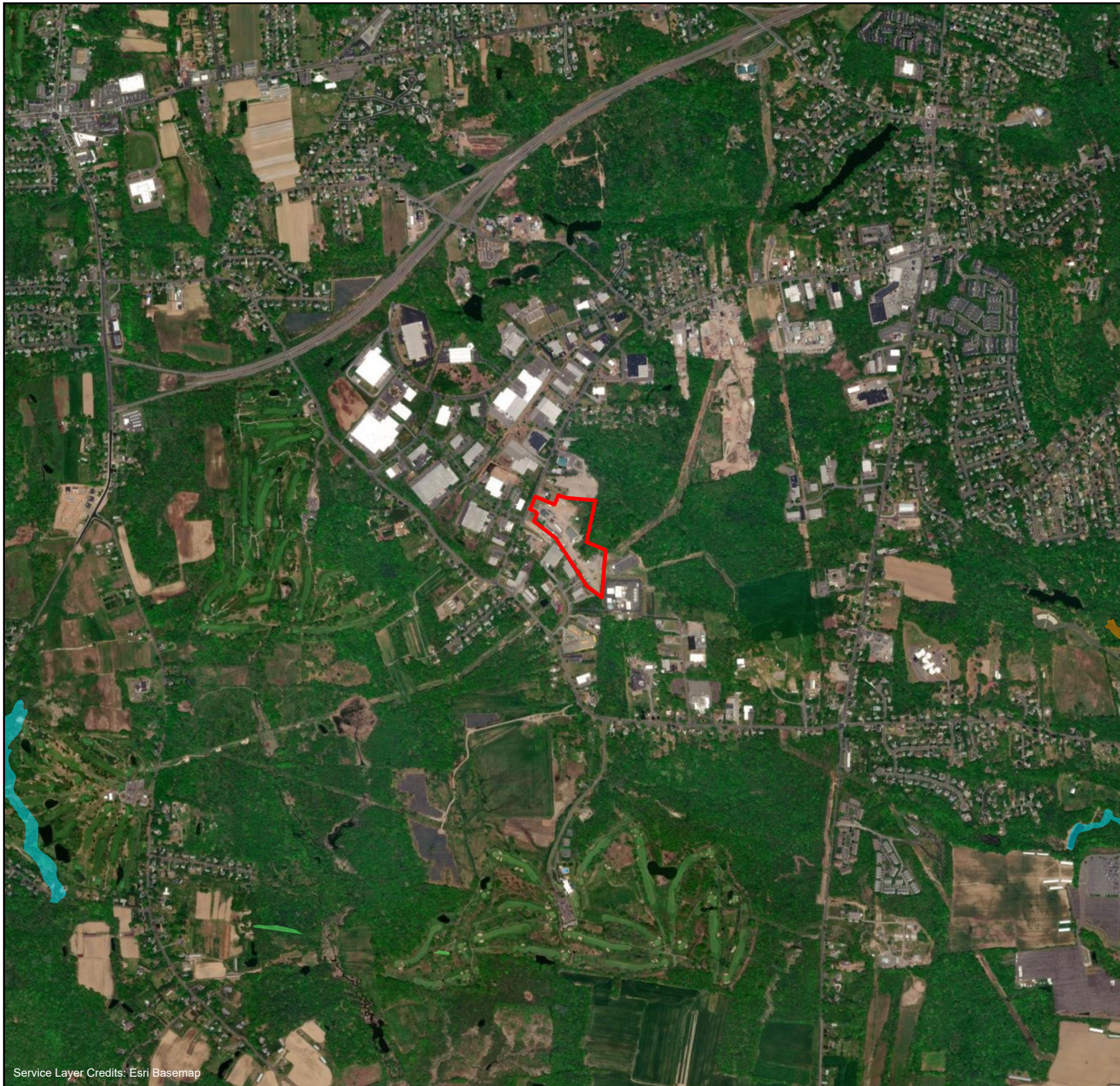
Project 24666.002 - Terracon
Figure 2
Topographic Locus Map
Silver St
 Agawam, MA

 Study Area



0 0.13 0.25 0.5 Miles





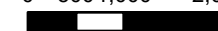
Project 24666.002 -Terracon
Figure 3
FEMA Mapped Flood Zones
Silver Street
Agawam, MA

 Study Area

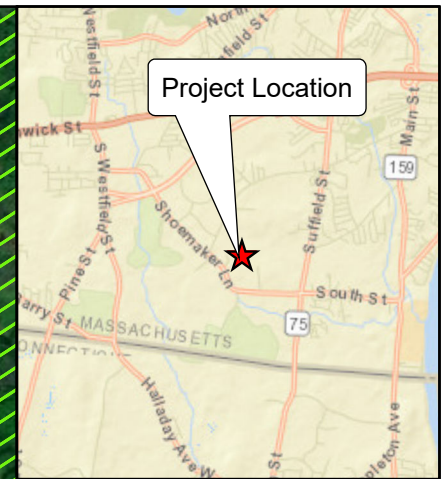
Flood Zone Designations

-  A: 1% Annual Chance of Flooding, no BFE
-  AE: 1% Annual Chance of Flooding, with BFE
-  X: 0.2% Annual Chance of Flooding



0 500 1,000 2,000 Feet






Project 24666.002 -Terracon
Figure 4
NHESP Mapped Resources
Silver St
 Agawam, MA

- ▭ Study Area
- ★ Certified Vernal Pools
- Potential Vernal Pools (PVP)
- ▨ NHESP Estimated Habitats of Rare Wildlife
- ▨ NHESP Priority Habitats of Rare Species

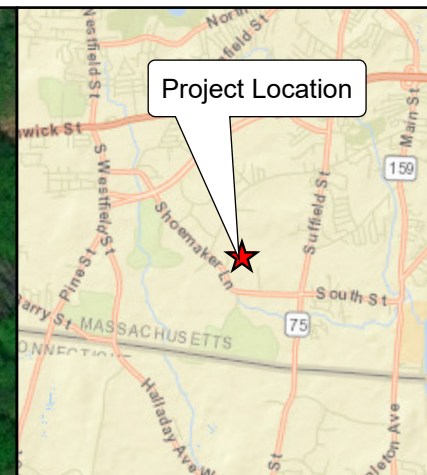


0 75 150 300 Feet



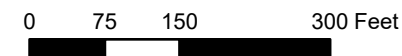
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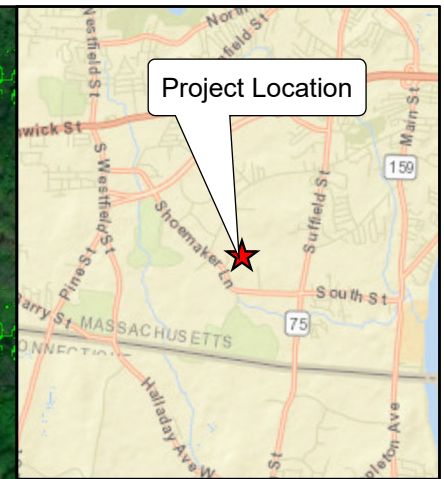
Document Path: \\nai-files\CAD-GIS\Projects\TerraconAgawam\ArcGISPro_EAO\Terracon-Agawam\Terracon-Agawam.aprx



Project 24666.002 -Terracon
Figure 5
Field Delineated Resources
Silver Street
 Agawam, MA

- Study Area
- ◆ USACE Plots
- 100 ft State Buffer
- Wetland
- Land Under Water
- Bodies and Waterways
- Bank





Project 24666.002 -Terracon
Figure 6
MassDEP Mapped Wetlands
Silver St
Agawam, MA

-  Study Area
-  Hydrologic Connections
-  DEEP MARSH
-  OPEN WATER
-  WOODED SWAMP
-  DECIDUOUS



0 75 150 300 Feet



Service Layer Credits: Esri Basemap

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ATTACHMENT B
Site Photographs



Photo 1. SSW1 from Flag 1 viewing northwest across pond.



Photo 2. SSW2 from corps plot viewing east.



Photo 3. SSW2 in the vicinity of SSS2.



Photo 4. SSS1 from outlet of SSW1 viewing downstream



Photo 5. SSS2 from outfall viewing downstream

ATTACHMENT C
Corps Data Forms

WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: Terracon: Agawam, MA City/County: Agawam/Hampden Sampling Date: April 20, 2023
 Applicant/Owner: Terracon State: MA Sampling Point: SSW2-Wet
 Investigator(s): B. Griffith Section, Township, Range: _____

Landform (hillside, terrace, etc.): Hillslope Local relief (concave, convex, none): None Slope %: 2

Subregion (LRR or MLRA): LRR R Lat: 42.05083354611111 Long: -72.64987278561112 Datum: WGS 1984

Soil Map Unit Name: Merrimac find sandy loam, 3 to 8 percent slopes NWI classification: PFO1E

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No _____ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes X No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <u>X</u> No _____	Is the Sampled Area within a Wetland? Yes <u>X</u> No _____ If yes, optional Wetland Site ID: _____
Hydric Soil Present? Yes <u>X</u> No _____	
Wetland Hydrology Present? Yes <u>X</u> No _____	

Remarks: (Explain alternative procedures here or in a separate report.)

HYDROLOGY

Wetland Hydrology Indicators:		<u>Secondary Indicators (minimum of two required)</u>
<u>Primary Indicators (minimum of one is required; check all that apply)</u>		
☐ Surface Water (A1)	☐ Water-Stained Leaves (B9)	☐ Surface Soil Cracks (B6)
☒ High Water Table (A2)	☐ Aquatic Fauna (B13)	☐ Drainage Patterns (B10)
☒ Saturation (A3)	☐ Marl Deposits (B15)	☐ Moss Trim Lines (B16)
☐ Water Marks (B1)	☐ Hydrogen Sulfide Odor (C1)	☐ Dry-Season Water Table (C2)
☐ Sediment Deposits (B2)	☐ Oxidized Rhizospheres on Living Roots (C3)	☐ Crayfish Burrows (C8)
☐ Drift Deposits (B3)	☐ Presence of Reduced Iron (C4)	☐ Saturation Visible on Aerial Imagery (C9)
☐ Algal Mat or Crust (B4)	☐ Recent Iron Reduction in Tilled Soils (C6)	☐ Stunted or Stressed Plants (D1)
☐ Iron Deposits (B5)	☐ Thin Muck Surface (C7)	☐ Geomorphic Position (D2)
☐ Inundation Visible on Aerial Imagery (B7)	☐ Other (Explain in Remarks)	☐ Shallow Aquitard (D3)
☐ Sparsely Vegetated Concave Surface (B8)		☐ Microtopographic Relief (D4)
		☐ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes _____ No <u>X</u>	Depth (inches): _____	Wetland Hydrology Present? Yes <u>X</u> No _____
Water Table Present? Yes <u>X</u> No _____	Depth (inches): <u>6</u>	
Saturation Present? Yes <u>X</u> No _____	Depth (inches): <u>2</u>	

(includes capillary fringe)

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION – Use scientific names of plants.

 Sampling Point: SSW2-Wet

Tree Stratum (Plot size: <u>30' R</u>)	Absolute % Cover	Dominant Species?	Indicator Status																	
1. <u>Acer rubrum</u>	<u>15</u>	<u>Yes</u>	<u>FAC</u>	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>5</u> (A) Total Number of Dominant Species Across All Strata: <u>5</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100.0%</u> (A/B)																
2. <u>Betula alleghaniensis</u>	<u>10</u>	<u>Yes</u>	<u>FAC</u>																	
3. <u>Populus deltoides</u>	<u>10</u>	<u>Yes</u>	<u>FAC</u>																	
4. _____	_____	_____	_____																	
5. _____	_____	_____	_____																	
6. _____	_____	_____	_____																	
7. _____	_____	_____	_____																	
		<u>35</u>	=Total Cover	Prevalence Index worksheet: <table style="width: 100%;"> <tr> <th style="width: 40%;">Total % Cover of:</th> <th style="width: 60%;">Multiply by:</th> </tr> <tr> <td>OBL species <u>95</u></td> <td>x 1 = <u>95</u></td> </tr> <tr> <td>FACW species <u>30</u></td> <td>x 2 = <u>60</u></td> </tr> <tr> <td>FAC species <u>35</u></td> <td>x 3 = <u>105</u></td> </tr> <tr> <td>FACU species <u>0</u></td> <td>x 4 = <u>0</u></td> </tr> <tr> <td>UPL species <u>0</u></td> <td>x 5 = <u>0</u></td> </tr> <tr> <td>Column Totals: <u>160</u></td> <td>(A) <u>260</u> (B)</td> </tr> <tr> <td colspan="2">Prevalence Index = B/A = <u>1.63</u></td> </tr> </table>	Total % Cover of:	Multiply by:	OBL species <u>95</u>	x 1 = <u>95</u>	FACW species <u>30</u>	x 2 = <u>60</u>	FAC species <u>35</u>	x 3 = <u>105</u>	FACU species <u>0</u>	x 4 = <u>0</u>	UPL species <u>0</u>	x 5 = <u>0</u>	Column Totals: <u>160</u>	(A) <u>260</u> (B)	Prevalence Index = B/A = <u>1.63</u>	
Total % Cover of:	Multiply by:																			
OBL species <u>95</u>	x 1 = <u>95</u>																			
FACW species <u>30</u>	x 2 = <u>60</u>																			
FAC species <u>35</u>	x 3 = <u>105</u>																			
FACU species <u>0</u>	x 4 = <u>0</u>																			
UPL species <u>0</u>	x 5 = <u>0</u>																			
Column Totals: <u>160</u>	(A) <u>260</u> (B)																			
Prevalence Index = B/A = <u>1.63</u>																				
Sapling/Shrub Stratum (Plot size: <u>15' R</u>)																				
1. <u>Ilex verticillata</u>	<u>30</u>	<u>Yes</u>	<u>FACW</u>																	
2. _____	_____	_____	_____																	
3. _____	_____	_____	_____																	
4. _____	_____	_____	_____																	
5. _____	_____	_____	_____																	
6. _____	_____	_____	_____																	
7. _____	_____	_____	_____																	
		<u>30</u>	=Total Cover	Hydrophytic Vegetation Indicators: <u>1</u> - Rapid Test for Hydrophytic Vegetation <u>X</u> <u>2</u> - Dominance Test is >50% <u>X</u> <u>3</u> - Prevalence Index is ≤3.0 ¹ <u>4</u> - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <u>Problematic Hydrophytic Vegetation¹ (Explain)</u> ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.																
Herb Stratum (Plot size: <u>5' R</u>)																				
1. <u>Symplocarpus foetidus</u>	<u>95</u>	<u>Yes</u>	<u>OBL</u>																	
2. _____	_____	_____	_____																	
3. _____	_____	_____	_____																	
4. _____	_____	_____	_____																	
5. _____	_____	_____	_____																	
6. _____	_____	_____	_____																	
7. _____	_____	_____	_____																	
8. _____	_____	_____	_____																	
9. _____	_____	_____	_____																	
10. _____	_____	_____	_____																	
11. _____	_____	_____	_____																	
12. _____	_____	_____	_____																	
		<u>95</u>	=Total Cover	Definitions of Vegetation Strata: Tree – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height. Sapling/shrub – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall. Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall. Woody vines – All woody vines greater than 3.28 ft in height.																
Woody Vine Stratum (Plot size: <u>30' R</u>)																				
1. _____	_____	_____	_____																	
2. _____	_____	_____	_____																	
3. _____	_____	_____	_____																	
4. _____	_____	_____	_____																	
		_____	=Total Cover																	
Remarks: (Include photo numbers here or on a separate sheet.)																				

SOIL

Sampling Point SSW2-Wet

[illegible]

WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: Terracon: Agawam, MA City/County: Agawam/Hampden Sampling Date: April 20, 2023
 Applicant/Owner: Terracon State: MA Sampling Point: SSW2-Upl
 Investigator(s): B. Griffith Section, Township, Range: _____
 Landform (hillside, terrace, etc.): Hillslope Local relief (concave, convex, none): convex Slope %: 80
 Subregion (LRR or MLRA): LRR R Lat: 42.050846414944445 Long: -72.65004099133334 Datum: WGS 1984
 Soil Map Unit Name: Merrimac find sandy loam, 3 to 8 percent slopes NWI classification: PFO1E
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No _____ (If no, explain in Remarks.)
 Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes X No _____
 Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes _____ No <u>X</u>	Is the Sampled Area within a Wetland? Yes _____ No <u>X</u> If yes, optional Wetland Site ID: _____
Hydric Soil Present? Yes _____ No <u>X</u>	
Wetland Hydrology Present? Yes _____ No <u>X</u>	
Remarks: (Explain alternative procedures here or in a separate report.)	

HYDROLOGY

Wetland Hydrology Indicators: <u>Primary Indicators (minimum of one is required; check all that apply)</u> _____ Surface Water (A1) _____ Water-Stained Leaves (B9) _____ High Water Table (A2) _____ Aquatic Fauna (B13) _____ Saturation (A3) _____ Marl Deposits (B15) _____ Water Marks (B1) _____ Hydrogen Sulfide Odor (C1) _____ Sediment Deposits (B2) _____ Oxidized Rhizospheres on Living Roots (C3) _____ Drift Deposits (B3) _____ Presence of Reduced Iron (C4) _____ Algal Mat or Crust (B4) _____ Recent Iron Reduction in Tilled Soils (C6) _____ Iron Deposits (B5) _____ Thin Muck Surface (C7) _____ Inundation Visible on Aerial Imagery (B7) _____ Other (Explain in Remarks) _____ Sparsely Vegetated Concave Surface (B8)		<u>Secondary Indicators (minimum of two required)</u> _____ Surface Soil Cracks (B6) _____ Drainage Patterns (B10) _____ Moss Trim Lines (B16) _____ Dry-Season Water Table (C2) _____ Crayfish Burrows (C8) _____ Saturation Visible on Aerial Imagery (C9) _____ Stunted or Stressed Plants (D1) _____ Geomorphic Position (D2) _____ Shallow Aquitard (D3) _____ Microtopographic Relief (D4) _____ FAC-Neutral Test (D5)
Field Observations: Surface Water Present? Yes _____ No <u>X</u> Depth (inches): _____ Water Table Present? Yes _____ No <u>X</u> Depth (inches): _____ Saturation Present? Yes _____ No <u>X</u> Depth (inches): _____ (includes capillary fringe)		Wetland Hydrology Present? Yes _____ No <u>X</u>
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:		
Remarks:		

VEGETATION – Use scientific names of plants.

Sampling Point: SSW2-Upl

Tree Stratum (Plot size: <u>30' R</u>)	Absolute % Cover	Dominant Species?	Indicator Status																	
1. <u>Populus grandidentata</u>	<u>60</u>	<u>Yes</u>	<u>FACU</u>	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>0</u> (A) Total Number of Dominant Species Across All Strata: <u>4</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>0.0%</u> (A/B)																
2. _____	_____	_____	_____																	
3. _____	_____	_____	_____																	
4. _____	_____	_____	_____																	
5. _____	_____	_____	_____																	
6. _____	_____	_____	_____																	
7. _____	_____	_____	_____																	
		<u>60</u>	=Total Cover	Prevalence Index worksheet: <table style="width: 100%;"> <tr> <th style="width: 50%;">Total % Cover of:</th> <th style="width: 50%;">Multiply by:</th> </tr> <tr> <td>OBL species <u>0</u></td> <td>x 1 = <u>0</u></td> </tr> <tr> <td>FACW species <u>0</u></td> <td>x 2 = <u>0</u></td> </tr> <tr> <td>FAC species <u>0</u></td> <td>x 3 = <u>0</u></td> </tr> <tr> <td>FACU species <u>70</u></td> <td>x 4 = <u>280</u></td> </tr> <tr> <td>UPL species <u>135</u></td> <td>x 5 = <u>675</u></td> </tr> <tr> <td>Column Totals: <u>205</u> (A)</td> <td><u>955</u> (B)</td> </tr> <tr> <td colspan="2">Prevalence Index = B/A = <u>4.66</u></td> </tr> </table>	Total % Cover of:	Multiply by:	OBL species <u>0</u>	x 1 = <u>0</u>	FACW species <u>0</u>	x 2 = <u>0</u>	FAC species <u>0</u>	x 3 = <u>0</u>	FACU species <u>70</u>	x 4 = <u>280</u>	UPL species <u>135</u>	x 5 = <u>675</u>	Column Totals: <u>205</u> (A)	<u>955</u> (B)	Prevalence Index = B/A = <u>4.66</u>	
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OBL species <u>0</u>	x 1 = <u>0</u>																			
FACW species <u>0</u>	x 2 = <u>0</u>																			
FAC species <u>0</u>	x 3 = <u>0</u>																			
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UPL species <u>135</u>	x 5 = <u>675</u>																			
Column Totals: <u>205</u> (A)	<u>955</u> (B)																			
Prevalence Index = B/A = <u>4.66</u>																				
		<u>50</u>	=Total Cover																	
Sapling/Shrub Stratum (Plot size: <u>15' R</u>)																				
1. <u>Prunus pensylvanica</u>	<u>10</u>	<u>Yes</u>	<u>FACU</u>																	
2. <u>Rhus hirta</u>	<u>40</u>	<u>Yes</u>	<u>UPL</u>																	
3. _____	_____	_____	_____																	
4. _____	_____	_____	_____																	
5. _____	_____	_____	_____																	
6. _____	_____	_____	_____																	
7. _____	_____	_____	_____																	
		<u>50</u>	=Total Cover																	
Herb Stratum (Plot size: <u>5' R</u>)																				
1. <u>Artemisia vulgaris</u>	<u>90</u>	<u>Yes</u>	<u>UPL</u>	Hydrophytic Vegetation Indicators: <u>1</u> - Rapid Test for Hydrophytic Vegetation <u>2</u> - Dominance Test is >50% <u>3</u> - Prevalence Index is ≤3.0 ¹ <u>4</u> - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <u> </u> Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.																
2. <u>Carex pensylvanica</u>	<u>5</u>	<u>No</u>	<u>UPL</u>																	
3. _____	_____	_____	_____																	
4. _____	_____	_____	_____																	
5. _____	_____	_____	_____																	
6. _____	_____	_____	_____																	
7. _____	_____	_____	_____																	
8. _____	_____	_____	_____																	
9. _____	_____	_____	_____																	
10. _____	_____	_____	_____																	
11. _____	_____	_____	_____																	
12. _____	_____	_____	_____																	
		<u>95</u>	=Total Cover																	
Woody Vine Stratum (Plot size: <u>30' R</u>)																				
1. _____	_____	_____	_____																	
2. _____	_____	_____	_____																	
3. _____	_____	_____	_____																	
4. _____	_____	_____	_____																	
		_____	=Total Cover																	

Remarks: (Include photo numbers here or on a separate sheet.)

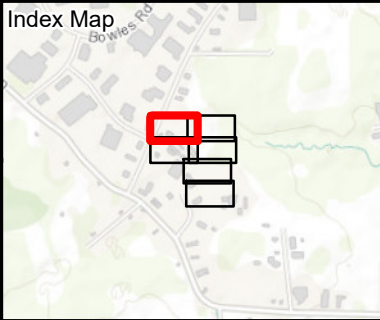
SOIL

Sampling Point SSW2-Up1

[illegible]



Resource Areas Reviewed:
Areas of Critical Environmental Concern; Census 2000 Streams; Ch. 91 Tidelands Jurisdiction; Environment Justice Populations & Language Overlay; FEMA 100yr Floodplain; Hiking Trails; Interim Wellhead Protection Area; Landfills ([Not]Capped, [Un]Lined, [In]Active, Closed); MADEP Hydrologic Connections; MADEP Oil and/or Hazardous Material Sites with Activity and Use Limitations; MADEP Tier Classified Oil and/or Hazardous Material Sites (21E); MADEP Wetlands; MADFW Coldwater Fisheries Resources; MHC Inventory; NHD Hydrography; NHESP Certified & Potential Vernal Pools; NHESP Priority & Estimated Habitats; NRCS Hydric Soils; Open Space Article 97 Land; Outstanding Resource Water; Public Water Supply; Surface Water Protection Zone; USGS Wild & Scenic Rivers; Watershed Protection Act Zones; WsPAAffected Parcels; Zone II Wellhead Protection Area



Legend

Site Location

Wetland Flag

Water Flag

Field Delineated Stream Bank

Field Delineated Pond Bank

Estimated Stream Bank

Open Water*

Field Delineated Wetland Boundary

Estimated Wetland Boundary

Field Delineated Wetland*

Estimated Wetland

MADEP Hydrologic Connections

Perennial Stream

MADEP Wetlands*

100ft Buffer to Wetlands & Streams

NHESP Priority & Estimated Habitats

Potential Vernal Pools

Culvert

Tree Line

N

1 inch = 50 feet

0 25 50

Feet

*Indicates Layers Set to Transparency

AGAWAM ENERGY CENTER

Environmental Resources Map

Agawam, MA
Page 1 of 6

MassGIS
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

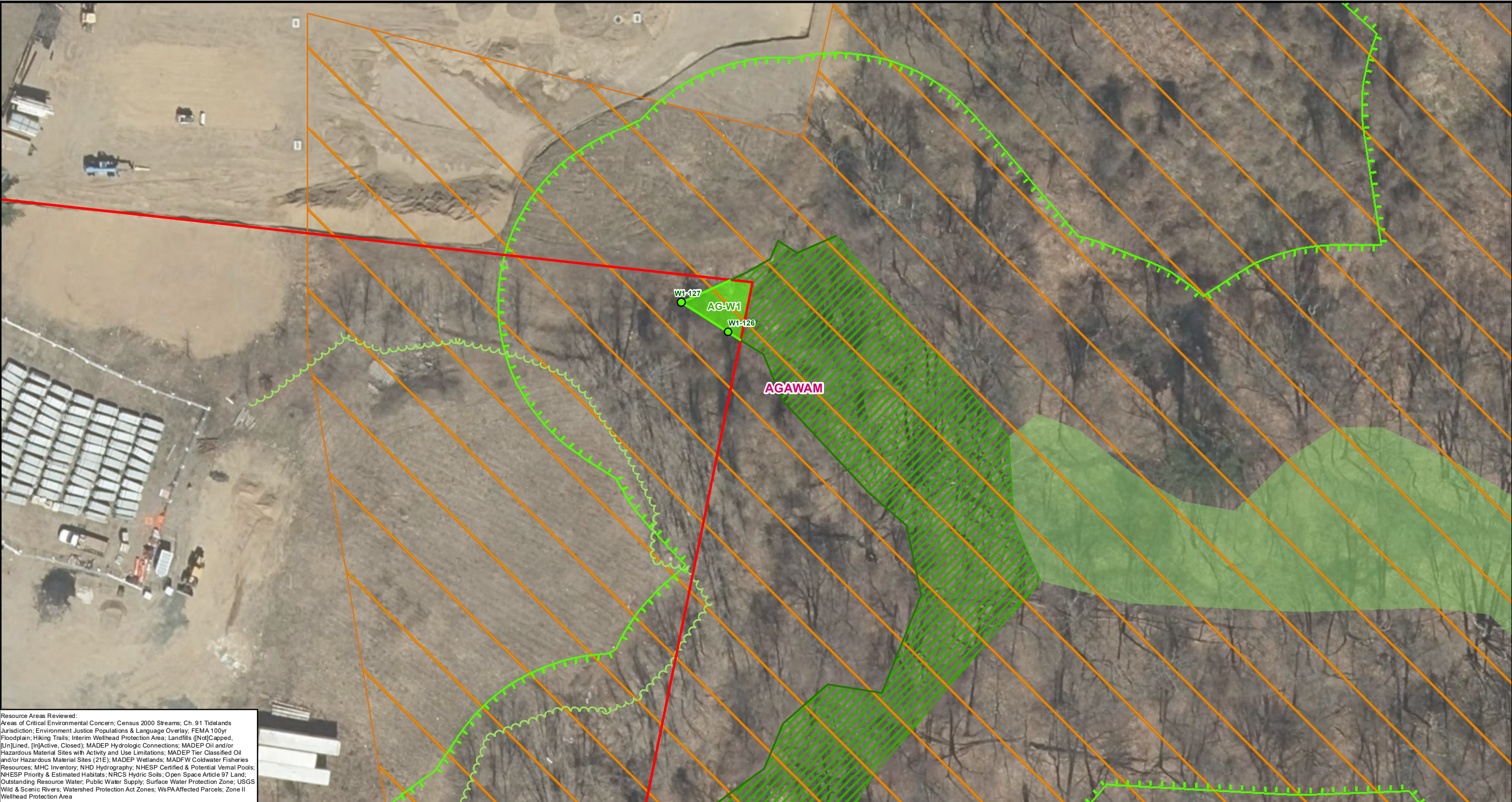
longroad

ENERGY

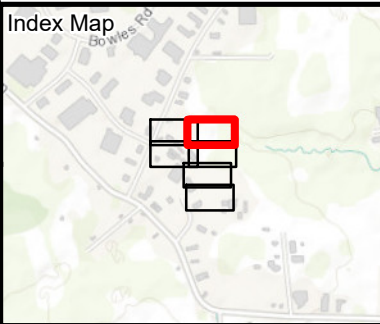
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THIS DOCUMENT IS INTENDED FOR GENERAL PLANNING & INFORMATION PURPOSES ONLY. ALL MEASUREMENTS & LOCATIONS ARE APPROXIMATE.



Resource Areas Reviewed:
Areas of Critical Environmental Concern; Census 2000 Streams; Ch. 91 Tidelands Jurisdiction; Environment Justice Populations & Language Overlay; FEMA 100yr Floodplain; Hiking Trails; Interim Wellhead Protection Area; Landfills ([Not]Capped, [Un]Lined, [In]Active, Closed); MADEP Hydrologic Connections; MADEP Oil and/or Hazardous Material Sites with Activity and Use Limitations; MADEP Tier Classified Oil and/or Hazardous Material Sites (21E); MADEP Wetlands; MADFW Coldwater Fisheries Resources; MHC Inventory; NHD Hydrography; NHESP Certified & Potential Vernal Pools; NHESP Priority & Estimated Habitats; NRCS Hydric Soils; Open Space Article 97 Land; Outstanding Resource Water; Public Water Supply; Surface Water Protection Zone; USGS Wild & Scenic Rivers; Watershed Protection Act Zones; WsPA Affected Parcels; Zone II Wellhead Protection Area



Legend

Site Location

Wetland Flag

Water Flag

Field Delineated Stream Bank

Field Delineated Pond Bank

Estimated Stream Bank

Open Water*

Field Delineated Wetland Boundary

Estimated Wetland Boundary

Field Delineated Wetland*

Estimated Wetland

MADEP Hydrologic Connections

Perennial Stream

MADEP Wetlands*

100ft Buffer to Wetlands & Streams

NHESP Priority & Estimated Habitats

Potential Vernal Pools

Culvert

Tree Line

N

1 inch = 50 feet

0 25 50

Feet

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AGAWAM ENERGY CENTER

Environmental Resources Map

Agawam, MA
Page 2 of 6

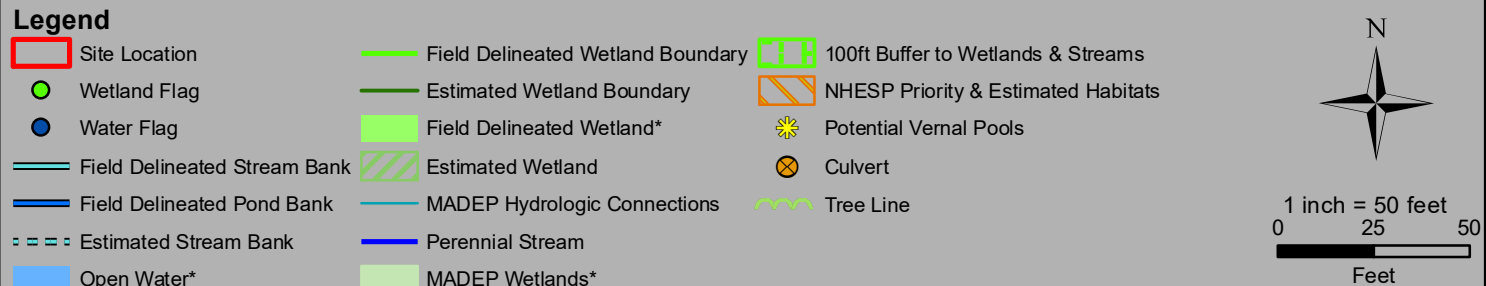
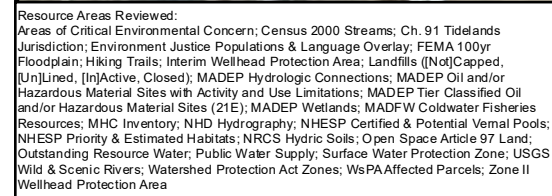
MassGIS
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

longroad

ENERGY

BSC GROUP

Page 52 of 198



Environmental Resources Map

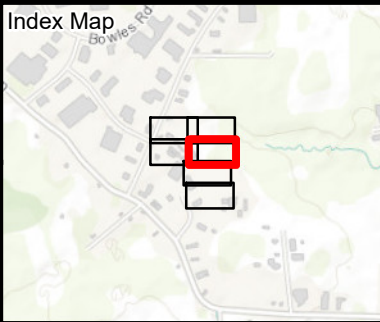
Agawam, MA
Page 3 of 6

MassGIS
Sources: Esri, HERE, Garmin,
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USGS, FAO, NPS, NRCAN, GeoBase,
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and the GIS User Community





Resource Areas Reviewed:
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Legend

Site Location

Wetland Flag

Water Flag

Field Delineated Stream Bank

Field Delineated Pond Bank

Estimated Stream Bank

Open Water*

Field Delineated Wetland Boundary

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Perennial Stream

MADEP Wetlands*

100ft Buffer to Wetlands & Streams

NHESP Priority & Estimated Habitats

Potential Vernal Pools

Culvert

Tree Line

N

1 inch = 50 feet

0 25 50

Feet

*Indicates Layers Set to Transparency

AGAWAM ENERGY CENTER

Environmental Resources Map

Agawam, MA
Page 4 of 6

MassGIS
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



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Index Map

Legend

Site Location

Wetland Flag

Water Flag

Field Delineated Stream Bank

Field Delineated Pond Bank

Estimated Stream Bank

Open Water*

Field Delineated Wetland Boundary

Estimated Wetland Boundary

Field Delineated Wetland*

Estimated Wetland

MADEP Hydrologic Connections

Perennial Stream

MADEP Wetlands*

100ft Buffer to Wetlands & Streams

NHESP Priority & Estimated Habitats

Potential Vernal Pools

Culvert

Tree Line

N

1 inch = 50 feet

0 25 50

Feet

*Indicates Layers Set to Transparency

AGAWAM ENERGY CENTER

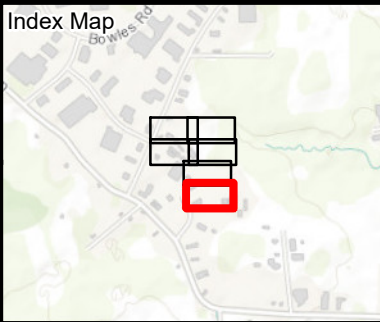
Environmental Resources Map

Agawam, MA
Page 5 of 6

MassGIS
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



Resource Areas Reviewed:
Areas of Critical Environmental Concern; Census 2000 Streams; Ch. 91 Tidelands Jurisdiction; Environment Justice Populations & Language Overlay; FEMA 100yr Floodplain; Hiking Trails; Interim Wellhead Protection Area; Landfills ([Not]Capped, [Un]Lined, [In]Active, Closed); MADEP Hydrologic Connections; MADEP Oil and/or Hazardous Material Sites with Activity and Use Limitations; MADEP Tier Classified Oil and/or Hazardous Material Sites (21E); MADEP Wetlands; MADFW Coldwater Fisheries Resources; MHC Inventory; NHD Hydrography; NHESP Certified & Potential Vernal Pools; NHESP Priority & Estimated Habitats; NRCS Hydric Soils; Open Space Article 97 Land; Outstanding Resource Water; Public Water Supply; Surface Water Protection Zone; USGS Wild & Scenic Rivers; Watershed Protection Act Zones; WsPAffected Parcels; Zone II Wellhead Protection Area



Legend

Site Location

Wetland Flag

Water Flag

Field Delineated Stream Bank

Field Delineated Pond Bank

Estimated Stream Bank

Open Water*

Field Delineated Wetland Boundary

Estimated Wetland Boundary

Field Delineated Wetland*

Estimated Wetland

MADEP Hydrologic Connections

Perennial Stream

MADEP Wetlands*

100ft Buffer to Wetlands & Streams

NHESP Priority & Estimated Habitats

Potential Vernal Pools

Culvert

Tree Line

N

1 inch = 50 feet

0

25

50

Feet

November 25, 2025

Town of Agawam
36 Main Street
Agawam, MA 01001
United States

**RE: Request for Determination of Applicability, Agawam Energy Center
769 Silver Street, Agawam, MA**

Dear Members of the Agawam Conservation Commission:

BSC Group, Inc. (BSC) is submitting this Request for Determination of Applicability (RDA) Application on behalf of the Agawam Energy Center, LLC (the Applicant) for the property located at 769 Silver Street (G6_2_6) and adjacent parcels (the Site).

Enclosed please find the complete RDA application and accompanying materials. If you have any questions or require additional information, please contact Melissa Kaplan at MKaplan@BSCGroup.com or Don Wardwell of Longroad Energy at donald.wardwell@longroadenergy.com.

Truly yours,
BSC GROUP, INC.



Melissa Kaplan, PWS
[Licensing and Permitting Team Lead](#)

cc: Don Wardwell, Longroad Energy

Enclosure

Request for Determination of Applicability
Agawam Energy Center Project

**Town of Agawam
Conservation Commission
November 2025**

Prepared for:
*Longroad Energy
125 High Street
Boston, MA 02210*

BSC Job #0101939.00

Prepared by:



180 Glastonbury Boulevard, Suite 305
Glastonbury, CT 06033

Table of Contents

Request for Determination of Applicability
Agawam Energy Center Project
November 2025

WPA FORM 1

ATTACHMENT A FIGURES

ATTACHMENT B NARRATIVE

ATTACHMENT C MASSDEP DATA FORMS AND SITE PHOTOGRAPHS



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

Agawam

City/Town

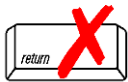
WPA Form 1- Request for Determination of Applicability

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

A. General Information

Important:

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



1. Applicant:

Agawam Energy Center, LLC

Name

125 High Street, Suite 1705

Mailing Address

Boston

City/Town

415.792.6071

Phone Number

Michael.Alvarez@longroadenergy.com

MA
State

02110
Zip Code

Fax Number (if applicable)

2. Representative (if any):

BSC Group, Inc.

Firm

Melissa Kaplan

Contact Name

180 Glastonbury Boulevard, Suite 305

Mailing Address

Glastonbury

City/Town

617-896-4517

Phone Number

mkaplan@bscgroup.com

E-Mail Address

CT
State

06033
Zip Code

Fax Number (if applicable)

B. Determinations

1. I request the Agawam Conservation Commission make the following determination(s). Check any that apply:

- ☒ 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:

Name of Municipality

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



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

Agawam

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):

769 Silver Street

Street Address

Agawam

City/Town

G6-2-6

Assessors Map/Plat Number

3965

Parcel/Lot Number

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

The Site is approximately 17.2 acres in size and includes existing buildings and storage structures, gravel and paved yard areas, a pond (previously designated by NHESP as a Potential Vernal Pool), a maintained grassy field within the northeastern portion of the Site, and woodlands along the eastern boundary. See the Narrative in Attachment B for more details

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

Agawam Energy Center USGS Site Location Map

Title

8/28/2025

Date

Agawam Energy Center Environmental Resources Map

Title

11/24/2025

Date

Title

Date

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

The Applicant proposes to develop an approximately 250 megawatt (MW), 1,000 megawatt hour (MWh) battery energy storage system (BESS) on the 17.2 acre site located at 769 Silver Street (Map G6, Block 2, Lot 6). The project will consist of battery containers, transformers, inverters, equipment pads, a substation and associated infrastructure. The proposed BESS site will be accessed from Silver Street. The battery containers will be surrounded by a perimeter fence that will act as a physical, visual, and sound barrier.



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

Agawam

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 work will be conducted completely outside of all Areas Subject to Protection under M.G.L. c. 131, Section 40 listed in 310 CMR 10.02(1), as well as all buffer zones associated with Areas Subject to Protection.

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.)



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

Agawam

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:

Lucia Family Realty, LLC

Name

PO Box 777

Mailing Address

Agawam, MA

City/Town

MA

State

01001

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.

Michael U. Alvarez

Michael U. Alvarez, COO

11/24/2025

Date

Melissa Kaplan

Signature of Representative (if any)

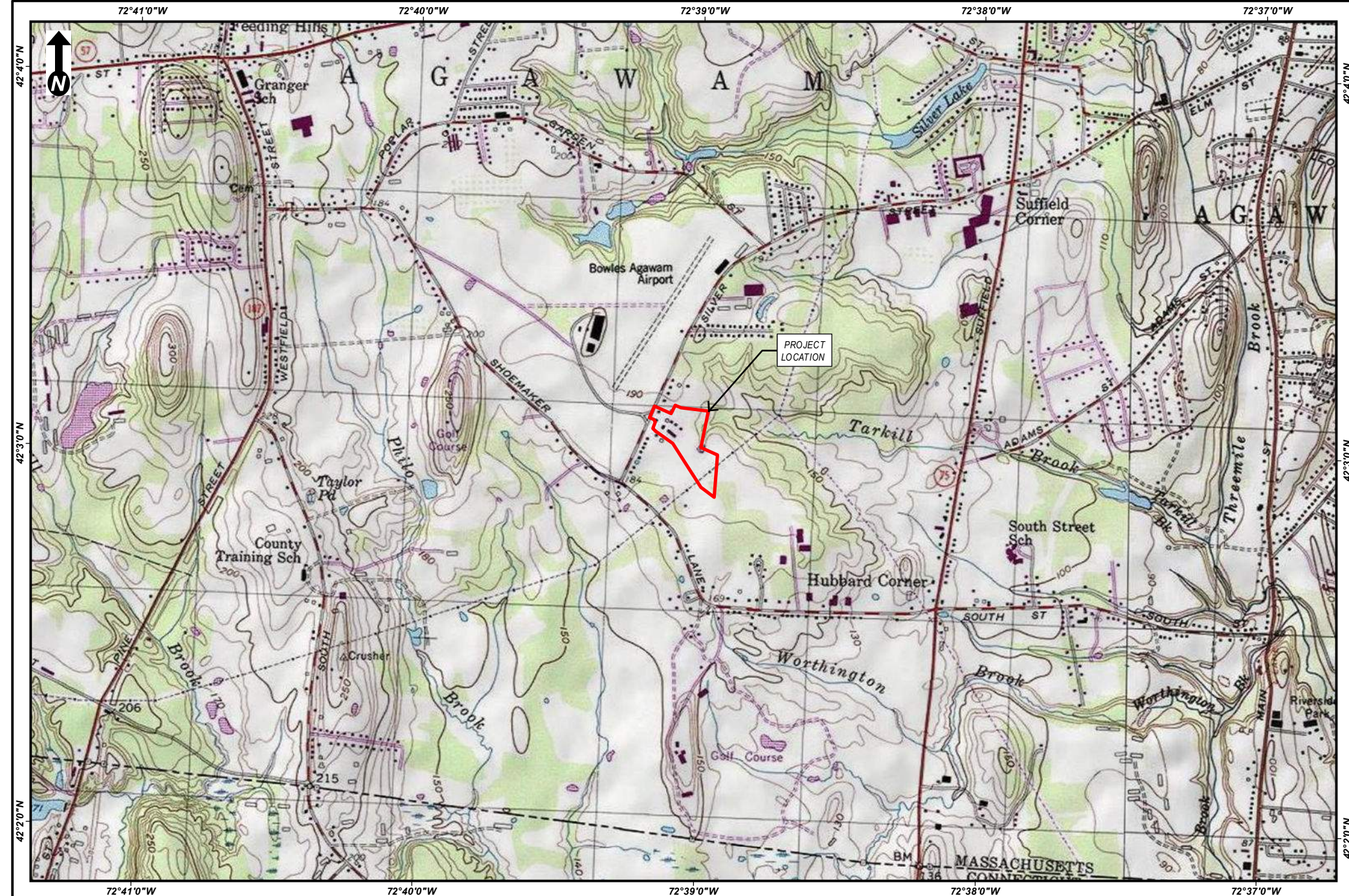
11/24/2025

Date

Attachment A

Request for Determination of Applicability Agawam Energy Center Project

Figures



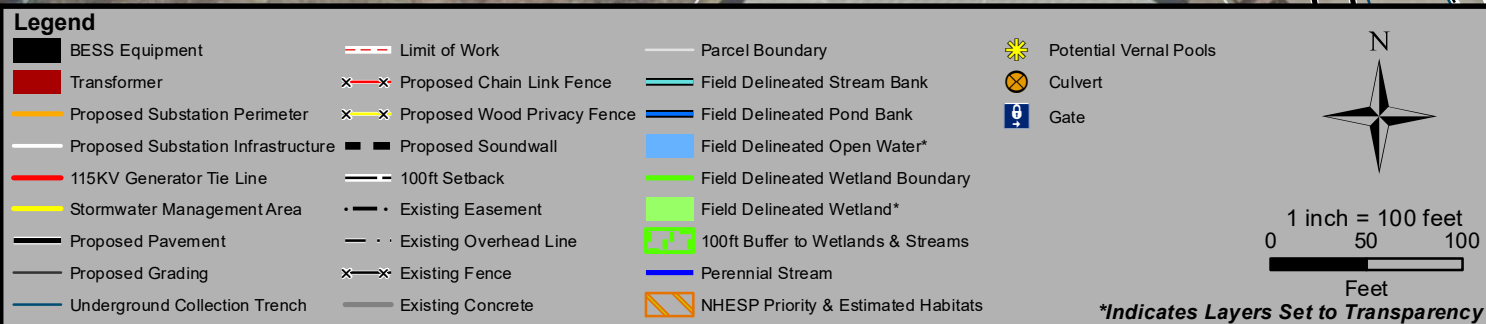
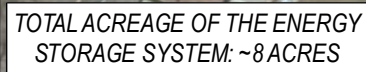
Scale: 1:24,000
1 inch = 2,000 feet
0 1,000 2,000
Feet

(Page Size 8.5 x 11)

AGAWAM ENERGY CENTER
USGS Site Location Map
Agawam, MA

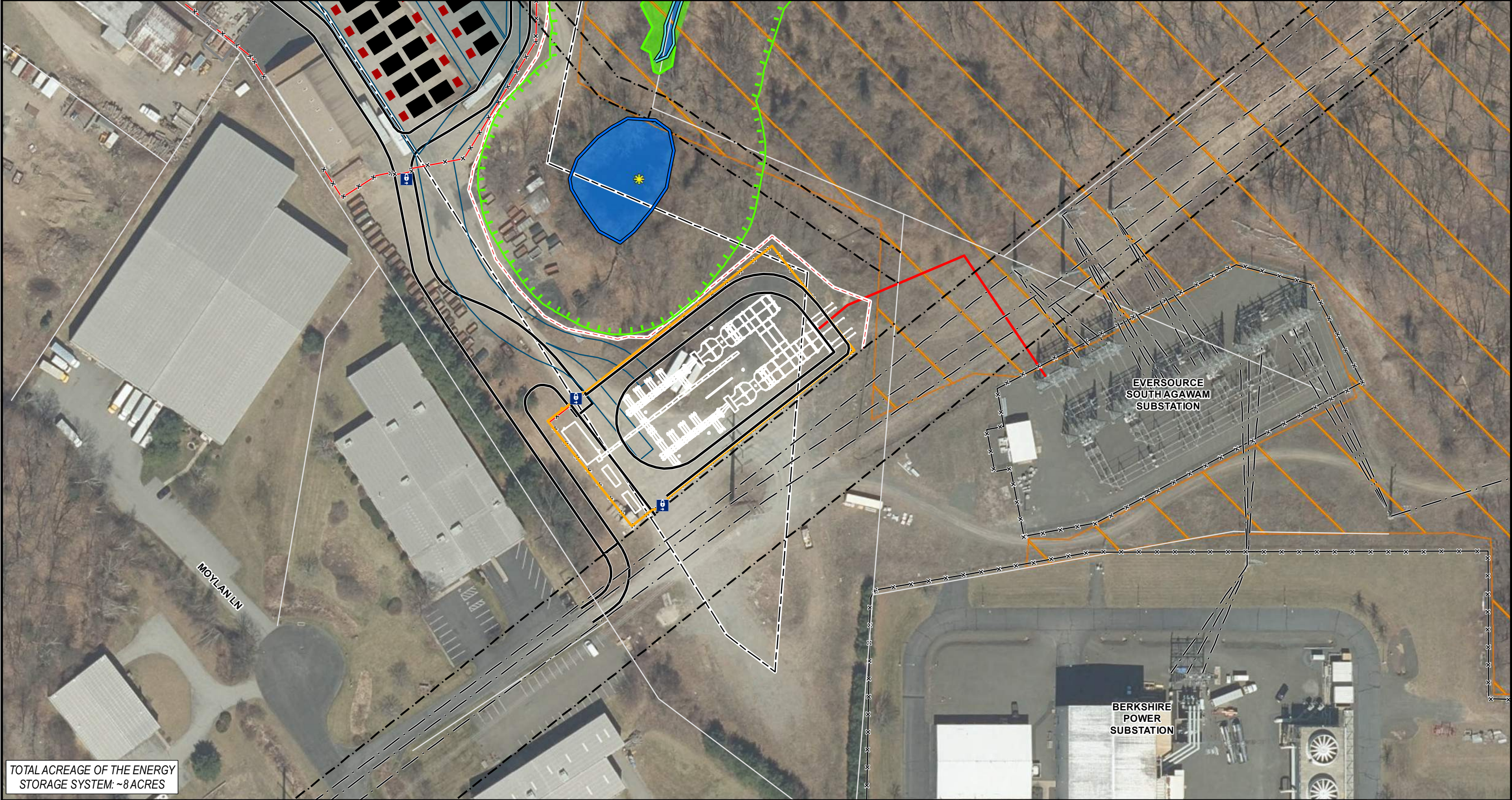
Source: Copyright ©
2013 National
Geographic Society, Inc.

longroad
BSC GROUP
Page 65 of 196

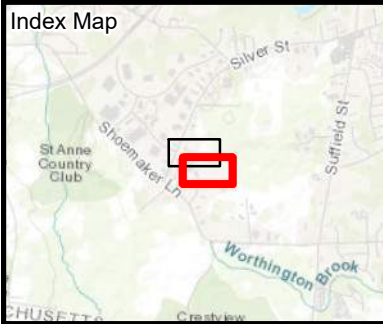


Agawam, MA
Page 1 of 2

longroad ENERGY
BSC GROUP



TOTAL ACREAGE OF THE ENERGY STORAGE SYSTEM: ~8 ACRES



Legend

BESS Equipment	Limit of Work	Parcel Boundary	Potential Vernal Pools
Transformer	Proposed Chain Link Fence	Field Delineated Stream Bank	Culvert
Proposed Substation Perimeter	Proposed Wood Privacy Fence	Field Delineated Pond Bank	Gate
Proposed Substation Infrastructure	Proposed Soundwall	Field Delineated Open Water*	
115KV Generator Tie Line	100ft Setback	Field Delineated Wetland Boundary	
Stormwater Management Area	Existing Easement	Field Delineated Wetland*	
Proposed Pavement	Existing Overhead Line	100ft Buffer to Wetlands & Streams	
Proposed Grading	Existing Fence	Perennial Stream	
Underground Collection Trench	Existing Concrete	NHESP Priority & Estimated Habitats	

**Indicates Layers Set to Transparency*

1 inch = 100 feet

0 50 100

Feet

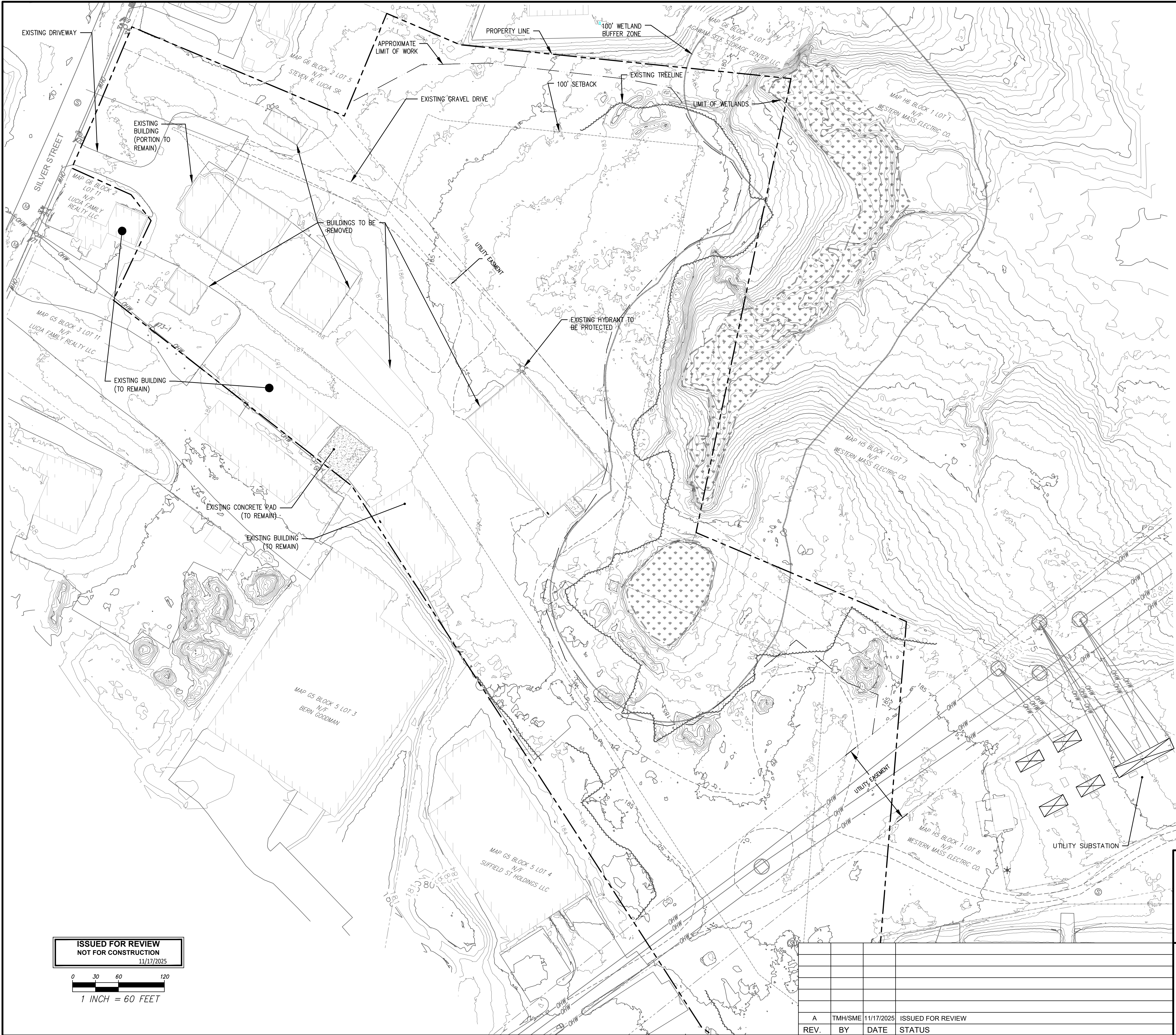
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AGAWAM ENERGY CENTER

Site Plan

Agawam, MA
Page 2 of 2

MassGIS
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

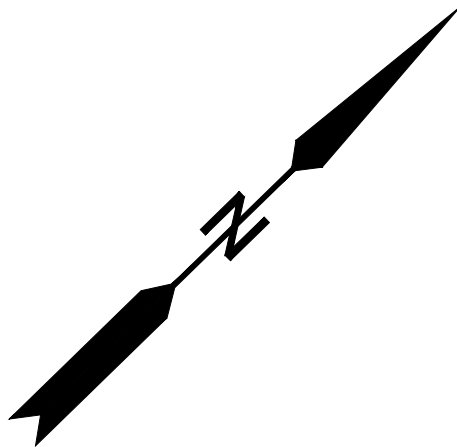


LEGEND

- PROPERTY LINE
- 100' PROPERTY SETBACK
- LIMIT OF WETLANDS
- 100' WETLAND BUFFER
- UTILITY EASEMENT
- EXISTING 1-FOOT CONTOUR
- EXISTING 5-FT CONTOUR
- EXISTING TREE LINE
- LIMIT OF WORK

NOTES

1. EXISTING CONDITIONS SURVEY CONDUCTED BY MILLSTONE LLC.



ISSUED FOR REVIEW
NOT FOR CONSTRUCTION
11/17/2025

0 30 60 120
1 INCH = 60 FEET

A	TMH/SME	11/17/2025	ISSUED FOR REVIEW		
REV.	BY	DATE	STATUS		

LONGROAD ENERGY
AGAWAM ENERGY CENTER
AGAWAM, MA

EXISTING CONDITIONS AND DEMO PLAN

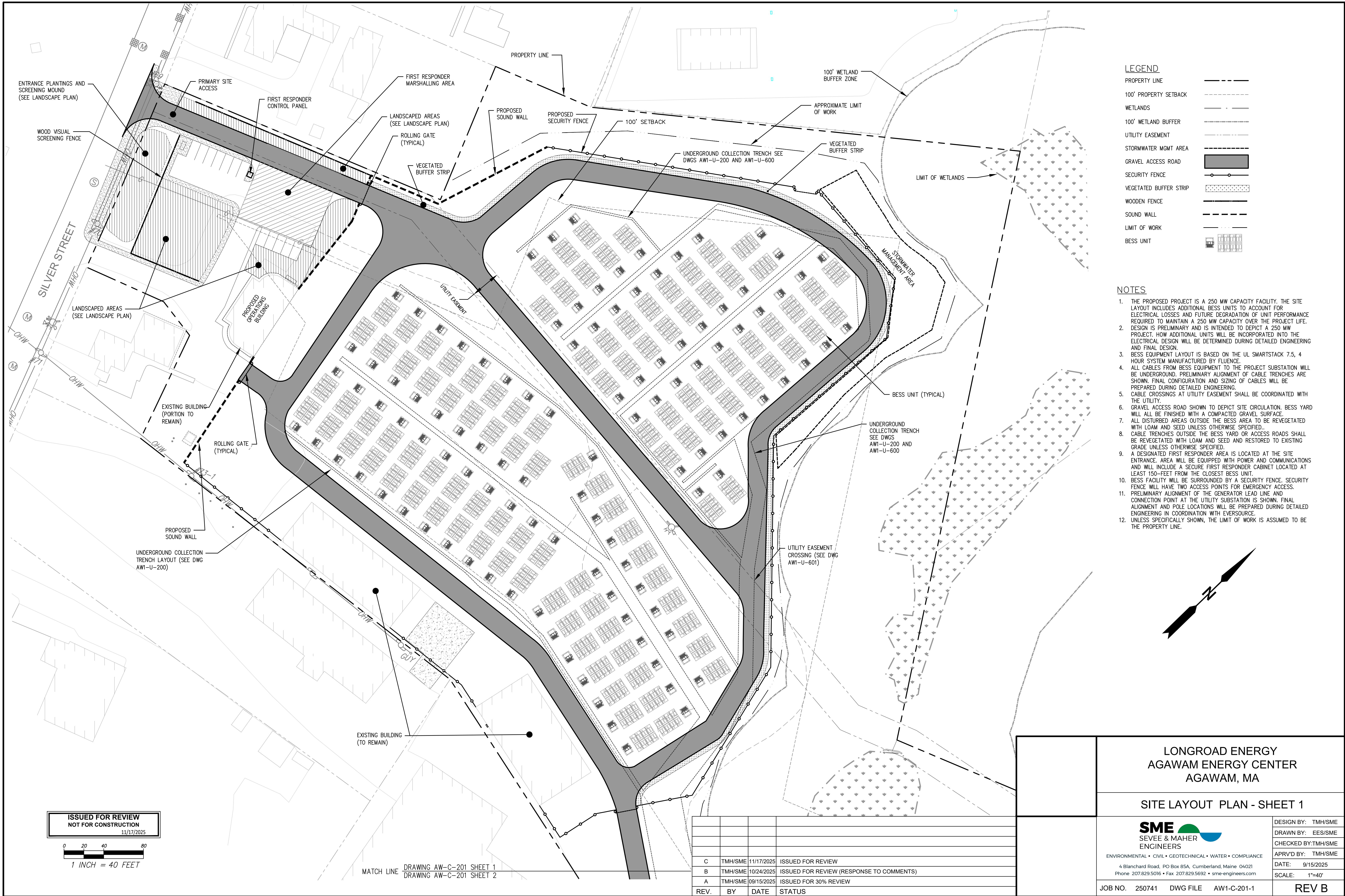
SME
SEVEE & MAHER
ENGINEERS

ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE
4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021
Phone 207.829.5016 • Fax 207.829.5692 • sme-engineers.com

DESIGN BY: TMH/SME
DRAWN BY: EES/SME
CHECKED BY: TMH/SME
APRVD BY: TMH/SME
DATE: 11/14/2025
SCALE: 1"=60'

JOB NO. 250741 DWG FILE AW1-C-200

REV A

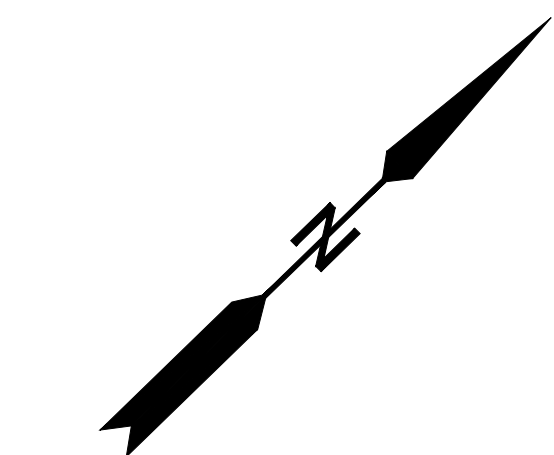


LEGEND

PROPERTY LINE	---
100' PROPERTY SETBACK	---
WETLANDS	---
100' WETLAND BUFFER	---
UTILITY EASEMENT	---
STORMWATER MGMT AREA	---
GRAVEL ACCESS ROAD	---
SECURITY FENCE	---
VEGETATED BUFFER STRIP	---
WOODEN FENCE	---
SOUND WALL	---
LIMIT OF WORK	---
BESS UNIT	---

NOTES

1. THE PROPOSED PROJECT IS A 250 MW CAPACITY FACILITY. THE SITE LAYOUT INCLUDES ADDITIONAL BESS UNITS TO ACCOUNT FOR ELECTRICAL LOSSES AND FUTURE DEGRADATION OF UNIT PERFORMANCE REQUIRED TO MAINTAIN A 250 MW CAPACITY OVER THE PROJECT LIFE. DESIGN IS PRELIMINARY AND IS INTENDED TO DEPICT A 250 MW PROJECT. HOW ADDITIONAL UNITS WILL BE INCORPORATED INTO THE ELECTRICAL DESIGN WILL BE DETERMINED DURING DETAILED ENGINEERING AND FINAL DESIGN.
2. BESS EQUIPMENT LAYOUT IS BASED ON THE UL SMARTSTACK 7.5, 4 HOUR SYSTEM MANUFACTURED BY FLUENCE.
3. ALL CABLES FROM BESS EQUIPMENT TO THE PROJECT SUBSTATION WILL BE UNDERGROUND. PRELIMINARY ALIGNMENT OF CABLE TRENCHES ARE SHOWN. FINAL CONFIGURATION AND SIZING OF CABLES WILL BE PREPARED DURING DETAILED ENGINEERING.
4. CABLE CROSSINGS AT UTILITY EASEMENT SHALL BE COORDINATED WITH THE UTILITY.
5. GRAVEL ACCESS ROAD SHOWN TO DEPICT SITE CIRCULATION. BESS YARD WILL ALL BE FINISHED WITH A COMPACTED GRAVEL SURFACE.
6. ALL DISTURBED AREAS OUTSIDE THE BESS AREA TO BE REVEGETATED WITH LOAM AND SEED UNLESS OTHERWISE SPECIFIED.
7. CABLE TRENCHES OUTSIDE THE BESS YARD OR ACCESS ROADS SHALL BE REVEGETATED WITH LOAM AND SEED AND RESTORED TO EXISTING GRADE UNLESS OTHERWISE SPECIFIED.
8. A DESIGNATED FIRST RESPONDER AREA IS LOCATED AT THE SITE ENTRANCE. AREA WILL BE EQUIPPED WITH POWER AND COMMUNICATIONS AND WILL INCLUDE A SECURE FIRST RESPONDER CABINET LOCATED AT LEAST 150- FEET FROM THE CLOSEST BESS UNIT.
9. BESS FACILITY WILL BE SURROUNDED BY A SECURITY FENCE. SECURITY FENCE WILL HAVE TWO ACCESS POINTS FOR EMERGENCY ACCESS.
10. PRELIMINARY ALIGNMENT OF THE GENERATOR LEAD LINE AND CONNECTION POINT AT THE UTILITY SUBSTATION IS SHOWN. FINAL ALIGNMENT AND POLE LOCATIONS WILL BE PREPARED DURING DETAILED ENGINEERING IN COORDINATION WITH EVERSOURCE.
11. UNLESS SPECIFICALLY SHOWN, THE LIMIT OF WORK IS ASSUMED TO BE THE PROPERTY LINE.



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11/17/2025

0 20 40 80
1 INCH = 40 FEET

MATCH LINE
DRAWING AW-C-201 SHEET 1
DRAWING AW-C-201 SHEET 2

REV.	BY	DATE	STATUS
C	TMH/SME	11/17/2025	ISSUED FOR REVIEW
B	TMH/SME	10/24/2025	ISSUED FOR REVIEW (RESPONSE TO COMMENTS)
A	TMH/SME	09/15/2025	ISSUED FOR 30% REVIEW

LONGROAD ENERGY
AGAWAM ENERGY CENTER
AGAWAM, MA

SITE LAYOUT PLAN - SHEET 1

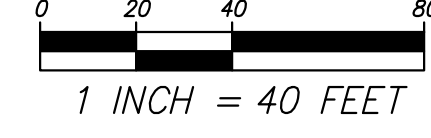
SME
SEVEE & MAHER
ENGINEERS

ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE
4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021
Phone 207.829.5016 • Fax 207.829.5692 • sme-engineers.com

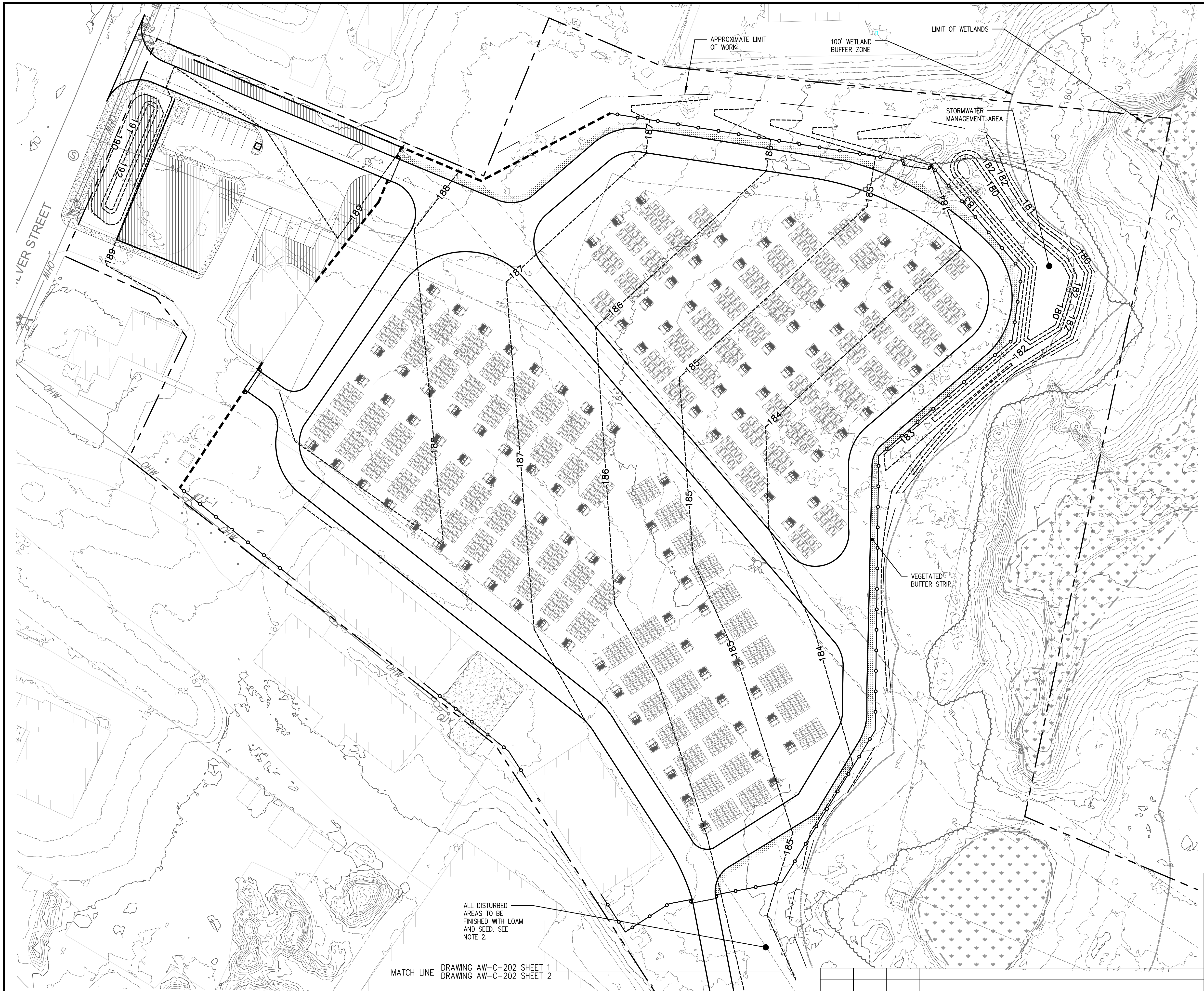
DESIGN BY: TMH/SME
DRAWN BY: EES/SME
CHECKED BY: TMH/SME
APRVD BY: TMH/SME
DATE: 9/15/2025
SCALE: 1"=40'

JOB NO. 250741 DWG FILE AW1-C-201-1

REV B



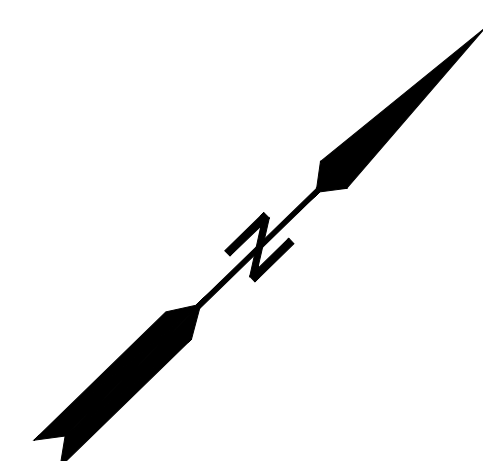
- Page 70 of 198



LEGEND

PROPERTY LINE
100' PROPERTY SETBACK
WETLANDS
100' WETLAND BUFFER
UTILITY EASEMENT
EXISTING 1-FT CONTOUR
EXISTING 5-FT CONTOUR
PROPOSED CONTOURS
PROPOSED SPOT ELEV.
BESS UNIT
GRAVEL ACCESS ROAD
VEGETATED BUFFER STRIP
SECURITY FENCE
SOUND WALL
LIMIT OF WORK

- NOTES:**
1. ALL DISTURBED AREAS TO BE RESTORED AND REVEGETATED WITH LOAM AND SEED UNLESS SPECIFIED OTHERWISE.
 2. ANY CABLE TRENCHES OUTSIDE OF BESS YARD AND ACCESS ROAD SHALL BE REVEGETATED WITH LOAM AND SEED AND RESTORED TO EXISTING GRADE.
 3. EROSION CONTROLS SHALL BE INSTALLED AND MAINTAINED ALONG THE PERIMETER OF THE WORK AREA IN ACCORDANCE WITH THE EROSION CONTROL NOTES AND DETAILS.



ISSUED FOR REVIEW
NOT FOR CONSTRUCTION
11/17/2025

0 20 40 80
1 INCH = 40 FEET

MATCH LINE
DRAWING AW-C-202 SHEET 1
DRAWING AW-C-202 SHEET 2

B	TMH/SME	11/17/2025	ISSUED FOR REVIEW	
A	TMH/SME	09/24/2025	ISSUED FOR REVIEW (RESPONSE TO COMMENTS)	
REV.	BY	DATE	STATUS	

**LONGROAD ENERGY
AGAWAM ENERGY CENTER
AGAWAM, MA**

GRADING PLAN - SHEET 1

SME
SEVEE & MAHER
ENGINEERS

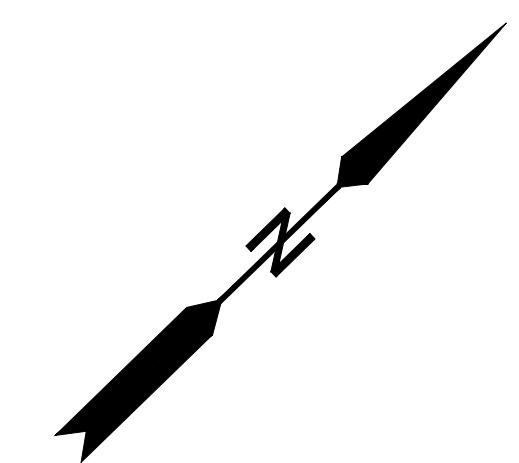
ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE

4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021
Phone 207.829.5016 • Fax 207.829.5692 • sme-engineers.com

DESIGN BY:	TMH/SME
DRAWN BY:	EES/SME
CHECKED BY:	TMH/SME
APRVD BY:	TMH/SME
DATE:	9/15/2025
SCALE:	1"=40'

JOB NO. 250741 DWG FILE AW1-C-202-1

REV B



REV B

EROSION CONTROL NOTES:

A. GENERAL

1. All soil erosion and sediment control will be done in accordance with the Massachusetts Erosion and Sediment Control Guidelines for Urban Suburban Areas, latest edition.
2. The site Contractor (to be determined) will be responsible for the inspection and repair/replacement/maintenance of all erosion control measures, disturbed areas, material storage areas, and vehicle access points until all disturbed areas are stabilized.
3. Disturbed areas will be permanently stabilized within 7 days of final grading. Disturbed areas not to be worked upon within 14 days of disturbance will be temporarily stabilized within 7 days of the disturbance.
4. In all areas, removal of trees, bushes and other vegetation, as well as disturbance of topsoil will be kept to a minimum while allowing proper site operations.
5. Any suitable topsoil will be stripped and stockpiled for reuse as directed by the Owner. Topsoil will be stockpiled in a manner such that natural drainage is not obstructed and no off-site sediment damage will result. In any event, stockpiles will not be located within 100 feet of wetlands and will be at least 50 feet upgradient of the stockpile's perimeter silt fence. The sideslopes of the topsoil stockpile will not exceed 2:1. Silt fence will be installed around the perimeter of all topsoil stockpiles. Topsoil stockpiles will be surrounded with siltation fencing and will be temporarily seeded with Aroostook rye, annual or perennial ryegrass within 7 days of formation, or temporarily mulched.
6. Winter excavation and earthwork will be completed so as to minimize exposed areas while satisfactorily completing the project. Limit exposed areas to those areas in which work is to occur during the following 15 days and that can be mulched in one day. All areas will be considered denuded until the subbase gravel is installed in roadway areas or the areas of future loam and seed have been loamed, seeded, and mulched.

Install any added measures necessary to control erosion/sedimentation. The particular measure used will be dependent upon site conditions, the size of the area to be protected, and weather conditions.

To minimize areas without erosion control protection, continuation of earthwork operations on additional areas will not begin until the exposed soil surface on the area being worked has been stabilized.

B. TEMPORARY MEASURES

1. STABILIZED CONSTRUCTION ENTRANCE/EXIT

A crushed stone stabilized construction entrance/exit will be placed at any point of vehicular access to the site, in accordance with the detail shown on this sheet.

2. SILT FENCE

- a. Silt fence will be installed prior to all construction activity, where soil disturbance may result in erosion. Silt fence will be erected at locations shown on the plans and/or downgradient of all construction activity.
- b. Silt fences will be removed when they have served their useful purpose, but not before the upgradient areas have been permanently stabilized.
- c. Silt fences will be inspected immediately after each rainfall and at least daily during prolonged rainfall. They will be inspected if there are any signs of erosion or sedimentation below them. Any required repairs will be made immediately. If there are signs of undercutting at the center or the edges, or impounding of large volumes of water behind them, they will be replaced with a temporary crushed stone check dam.
- d. Sediment deposits will be removed after each storm event if significant build-up has occurred or if deposits exceed half the height of the barrier.

3. STONE CHECK DAMS

Stone check dams will be installed in grass-lined swales and ditches during construction. Remove stone check dams when they have served their useful purpose, but not before upgradient areas have been permanently stabilized.

4. EROSION CONTROL MIX SEDIMENT BARRIER

- a. Where approved, erosion control mix sediment barriers may be used as a substitute for silt fence. See the details in this drawing set for specifications.
- b. Rock Filter Berms: To provide more filtering capacity or to act as a velocity check dam, a berm's center can be composed of clean crushed rock ranging in size from the french drain stone to riprap.

5. TEMPORARY SEEDING

Stabilize disturbed areas that will not be brought to final grade and reduce problems associated with mud and dust production from exposed soil surface during construction with temporary vegetation.

6. TEMPORARY MULCHING

Use temporary mulch in the following locations and/or circumstances:

- In sensitive areas (within 100 feet of streams, wetlands and in lake watersheds) temporary mulch will be applied within 7 days of exposing spill or prior to any storm event.
- Apply temporary mulch within 14 days of disturbance or prior to any storm event in all other areas.
- Areas which have been temporarily or permanently seeded will be mulched immediately following seeding.
- Areas which cannot be seeded within the growing season will be mulched for over-winter protection and the area will be seeded at the beginning of the growing season.
- Mulch can be used in conjunction with tree, shrub, vine, and ground cover plantings.
- Mulch anchoring will be used on slopes greater than 5 percent in late fall (past October 15), and over-winter (October 15 - April 15).

The following materials may be used for temporary mulch:

- a. Hay or Straw material shall be air-dried, free of seeds and coarse material. Apply 2 bales/1,000 sf or 1.5 to 2 tons/acre to cover 90% of ground surface.
- b. Erosion Control Mix: It can be used as a stand-alone reinforcement:
- on slopes 2 horizontal to 1 vertical or less;
 - on frozen ground or forested areas; and
 - at the edge of gravel parking areas and areas under construction.
- c. Erosion control mix alone is not suitable:
- on slopes with groundwater seepage;
 - at low points with concentrated flows and in gullies;
 - at the bottom of steep perimeter slopes exceeding 100 feet in length;
 - below culvert outlet aprons; and around catch basins and closed storm systems.
- d. Chemical Mulches and Soil Binders: Wide ranges of synthetic spray-on materials are marketed to protect the soil surface. These are emulsions that are mixed with water and applied to the soil. They may be used alone, but most often are used to hold wood fiber, hydro-mulches or straw to the soil surface.

- e. Erosion Control Blankets and Mats: Mats are manufactured combinations of mulch and netting designed to retain soil moisture and modify soil temperature. During the growing season (April 15 to October 15) use mats indicated on drawings or North American Green (NAG) S75 (or mulch and netting) on:
- the base of grassed waterways;
 - steep slopes (15 percent or greater); and
 - any disturbed soil within 100 feet of lakes, streams, or wetlands.

During the late fall and winter (October 15 to April 15) use heavy grade mats indicated on drawings for all areas.

C. TEMPORARY DUST CONTROL

To prevent the blowing and movement of dust from exposed soil surfaces, and reduce the presence of dust, use water or calcium chloride to control dusting by preserving the moisture level in the road surface materials.

D. CONSTRUCTION DE-WATERING

1. Water from construction de-watering operations shall be cleaned of sediment before reaching wetlands, water bodies, streams or site boundaries. Utilize temporary sediment basins, erosion control soil filter berms backed by staked hay bales, A Dirt Bag 55" sediment filter bag by ACF Environmental, or other approved Best Management Practices (BMP's).
2. In sensitive areas near streams or ponds, discharge the water from the de-watering operation into a temporary sediment basin created by a surrounding filter berm of uncompacted erosion control mix immediately backed by staked hay bales (see the site details). Locate the temporary sediment basin at least 100 feet from the nearest water body, such that the filtered water will flow through undisturbed vegetated soil areas prior to reaching the water body or property line.

E. PERMANENT MEASURES

1. Riprapped Aprons: All storm drain pipe outlets and the inlet and outlet of culverts will have riprap aprons to protect against scour and deterioration.
2. Topsoil, Seed, and Mulch: All areas disturbed during construction, but not subject to other restoration (paving, riprap, etc.) will be loamed, limed, fertilized, seeded, and mulched.

Seeded Preparation: Use stockpiled materials spread to the depths shown on the plans, if available. Approved topsoil substitutes may be used. Grade the site as needed.

- a. Seeding will be completed by August 15 of each year. Late season seeding may be done between August 15 and October 15. Areas not seeded or which do not obtain satisfactory growth by October 15, will be seeded with Aroostook Rye or mulched. After November 1, or the first killing frost, disturbed areas will be seeded at double the specified application rates, mulched, and anchored.

PERMANENT SEEDING SPECIFICATIONS OUTSIDE OF BESS YARD FOOTPRINT

Mixture:	Roadside (lbs/acre)	Lawn (lbs/acre)
Kentucky Bluegrass	20	55
White Clover	5	0
Creeping Red Fescue	20	55
Perennial Ryegrass	5	15

- b. Mulch in accordance with specifications for temporary mulching.
- c. If permanent vegetated stabilization cannot be established due to the season of the year, all exposed and disturbed areas not to undergo further disturbance are to have dormant seeding applied and be temporarily mulched to protect the site.
- d. Any fertilizer used on the site to be free of phosphorous.
3. Ditches and Channels: All ditches on-site will be lined with North American Green S75 erosion control mesh (or an approved equal) upon installation of loam and seed.

F. WINTER CONSTRUCTION AND STABILIZATION

1. Natural Resource Protection: During winter construction, a double-row of sediment barriers (i.e., silt fence backed with hay bales or erosion control mix) will be placed between any natural resource and the disturbed area. Projects crossing the natural resource will be protected a minimum distance of 100 feet on either side from the resource.
2. Sediment Barriers: During frozen conditions, sediment barriers may consist of erosion control mix berms or any other recognized sediment barriers as frozen soil prevents the proper installation of hay bales or silt fences.
3. Mulching:
- All areas will be considered to be denuded until seeded and mulched. Hay and straw mulch will be applied at a rate of twice the normal accepted rate.
 - Mulch will not be spread on top of snow.
 - After each day of final grading, the area will be properly stabilized with anchored hay or straw or erosion control mulching.
 - Between the dates of November 1 and April 15, all mulch will be anchored by either mulch netting, emulsion chemical, tracking or wood cellulose fiber.

5. Soil Stockpiling: Stockpiles of soil or subsoil will be mulched for over-winter protection with hay or straw at twice the normal rate or with a 4-inch layer of erosion control mix. This will be done within 24 hours of stocking and re-established prior to any rainfall or snowfall. Any soil stockpiles shall not be placed (even covered with mulch) within 100 feet from any natural resources. Sediment barriers should be installed downgradient of stockpiles. Stormwater shall be directed away from stockpiles.

6. Seeding: Dormant seeding may be placed prior to the placement of mulch or erosion control blankets. If dormant seeding is used for the site, all disturbed areas will receive 4 inches of loam and seed at an application rate of three times the rate for permanent seeding. All areas seeded during the winter will be seeded in the spring for adequate catch. All areas insufficiently vegetated (less than 75 percent catch) will be revegetated by replacing loam, seed, and mulch.

If dormant seeding is not used for the site, all disturbed areas will be revegetated in the spring.

7. Maintenance: Maintenance measures will be applied as needed during the entire construction season. After each rainfall, snow storm, or period of thawing and runoff, and at least once a week, the site Contractor will perform a visual inspection of all installed erosion control measures and perform repairs as needed to ensure their continuous function.

8. Identified repairs will be started no later than the end of the net work day and be completed within seven (7) calendar days.

Following the temporary and/or final seeding and mulching, the Contractor will, in the spring, inspect and repair any damages and/or bare spots. An established vegetative cover means a minimum of 85 to 90 percent of areas vegetated with vigorous growth.

G. OVER-WINTER CONSTRUCTION EROSION CONTROL MEASURES

1. Stabilization of Disturbed Soil: By October 15, all disturbed soils on areas having a slope less than 15 percent will be seeded and mulched. If the Contractor fails to stabilize these soils by this date, then the Contractor shall stabilize the soil for late fall and winter, by using either temporary seeding or mulching.

2. Stabilization of Disturbed Slopes: All slopes to be vegetated will be completed by October 15. The Owner will consider any area having a grade greater than 15 percent (6.5H:1V) to be a slope. Slopes not vegetated by October 15 will receive one of the following actions to stabilize the slope for late fall and winter:

- a. Stabilize the soil with temporary vegetation and erosion control mesh.
- b. Stabilize the slope with erosion control mix.
- c. Stabilize the slope with stone riprap.
- d. Slopes steeper than 1.5:1 are prohibited.

3. Stabilization of Ditches and Channels: All stone-lined ditches and channels to be used to convey runoff through the winter will be constructed and stabilized by November 15. Grass-lined ditches and channels will be complete by September 15. Grass-lined ditches not stabilized by September 15 shall be lined with either sod or riprap.

H. MAINTENANCE PLAN

1. Routine Maintenance: Inspection will be performed as outlined in the project's Erosion Control Plan. Inspection will be by a qualified person during wet weather to ensure that the facility performs as intended. Inspection priorities will include checking erosion controls for accumulation of sediments.

I. Housekeeping

1. Spill prevention. Controls must be used to prevent pollutants from being discharged from materials on site, including storage practices to minimize exposure of the materials to stormwater, and appropriate spill prevention, containment, and response planning and implementation.
2. Groundwater protection. During construction, liquid petroleum products and other hazardous materials with the potential to contaminate groundwater may not be stored or handled in areas of the site draining to an infiltration area. An "infiltration area" is any area of the site that by design or as a result of soils, topography and other relevant factors accumulates runoff that infiltrates into the soil. Dikes, berms, sumps, and other forms of secondary containment that prevent discharge to groundwater may be used to isolate portions of the site for the purposes of storage and handling of these materials.
3. Fugitive sediment and dust. Actions must be taken to ensure that activities do not result in noticeable erosion of soils or fugitive dust emissions during or after construction. Oil may not be used for dust control. If off-site tracking occurs roadways should be swept immediately and no loss once a week and prior to significant storm events.
4. Debris and other materials. Litter, construction debris, and chemicals exposed to stormwater must be prevented from becoming a pollutant source.
5. Trench or foundation de-watering. Trench de-watering is the removal of water from trenches, foundations, coffer dams, ponds, and other areas within the construction area that retain water after excavation. In most cases the collected water is heavily silted and hinders correct and safe construction practices. The collected water must be removed from the ponded area, either through gravity or pumping, and must be spread through natural wooded buffers or removed to areas that are specifically designed to collect the maximum amount of sediment possible, like a cofferdam sedimentation basin. Avoid allowing the water to flow over disturbed areas of the site. Equivalent measures may be taken if approved by the department.
6. Authorized Non-stormwater discharges. Identify and prevent contamination by non-stormwater discharges. Where allowed non-stormwater discharges exist, they must be identified and steps should be taken to ensure the implementation of appropriate pollution prevention measures for the non-stormwater component(s) of the discharge. Authorized non-stormwater discharges are:

- (a) Discharges from firefighting activity;
- (b) Fire hydrant flushings;
- (c) Vehicle washwater if detergents are not used and washing is limited to the exterior of vehicles (engine, undercarriage and transmission washing is prohibited);
- (d) Dust control runoff in accordance with permit conditions and section 13;
- (e) Routine external building washdown, not including surface paint removal, that does not involve detergents;
- (f) Pavement washwater (where spills/leaks of toxic or hazardous materials have not occurred, unless all spilled material had been removed) if detergents are not used;
- (g) Uncontaminated air conditioning or compressor condensate;
- (h) Uncontaminated groundwater or spring water;
- (i) Foundation or footer drain-water where flows are not contaminated;
- (j) Uncontaminated excavation dewatering (see requirements in section 15);
- (k) Potable water sources including waterline flushings; and
- (l) Landscape irrigation.
7. Unauthorized non-stormwater discharges. The Department's approval under this Chapter does not authorize a discharge that is mixed with a source of non stormwater, other than those discharges in compliance with section 16. Specifically, the Department's approval does not authorize discharges of the following:
- (a) Wastewater from the washout or cleanout of concrete, stucco, paint, form release oils, curing compounds or other construction materials;
- (b) Fuels, oils or other pollutants used in vehicle and equipment operation and maintenance;
- (c) Soaps, solvents, or detergents used in vehicle and equipment washing; and
- (d) Toxic or hazardous substances from a spill or other release.
8. Additional requirements. Additional requirements may be applied on a site-specific basis.

1. CONSTRUCTION SEQUENCE

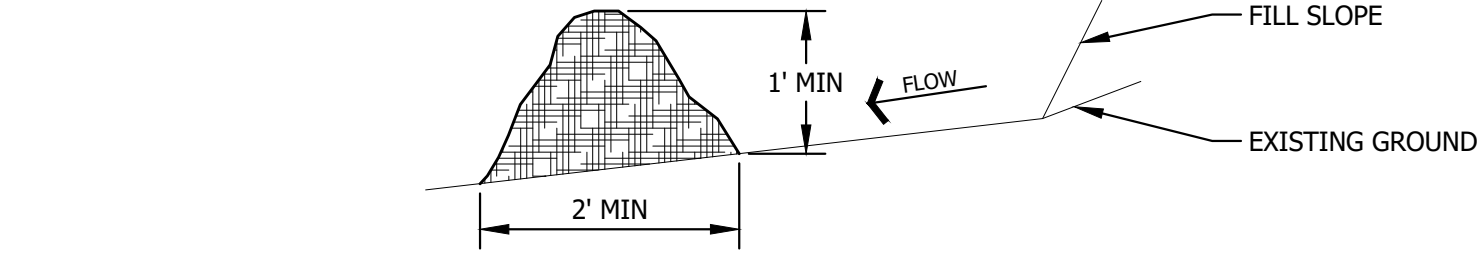
In general, the expected sequence of construction for each phase is provided below.

- Mobilization
- Install temporary erosion control measures
- Clearing and grubbing
- Site Grading
- Install gravel access road
- Install site utilities and BESS units
- Install fence
- Site stabilization, loam and seed, and landscaping
- Remove temporary erosion control measures

By October 15, all disturbed soils on areas having a slope less than 15 percent will be seeded and mulched. If the Contractor fails to stabilize these soils by this date, then the Contractor shall stabilize the soil for late fall and winter, by using either temporary seeding or mulching.

1. Mobilization
- Install temporary erosion control measures
 - Clearing and grubbing
 - Site Grading
 - Install gravel access road
 - Install site utilities and BESS units
 - Install fence
 - Site stabilization, loam and seed, and landscaping
 - Remove temporary erosion control measures

B	TMH/SME	11/17/25	ISSUED FOR REVIEW
A	TMH/SME	10/24/25	ISSUED FOR REVIEW - INCORPORATING CLIENT COMMENTS (NOT FOR CONSTRUCTION)
REV.	BY	DATE	STATUS

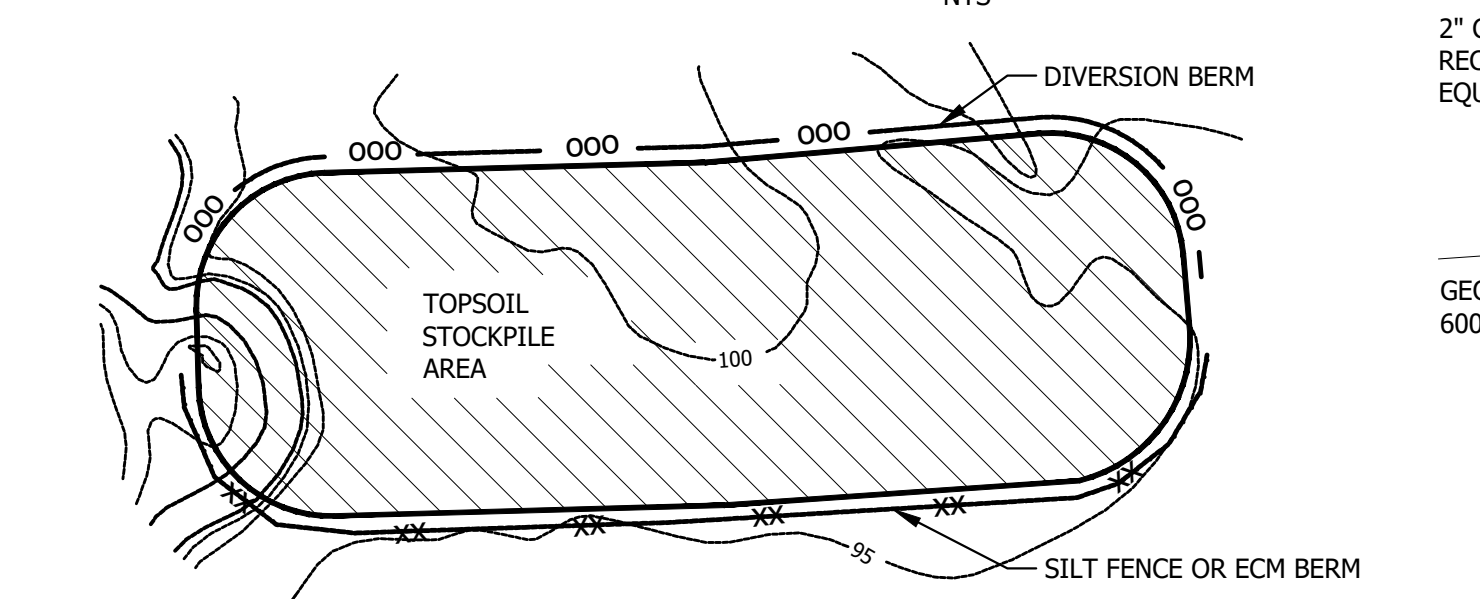


EROSION CONTROL MIX SEDIMENT BARRIER

NOTES:

1. EROSION CONTROL MIX CAN BE MANUFACTURED ON OR OFF THE SITE. IT MUST CONSIST PRIMARILY OF ORGANIC MATERIAL SEPARATED AT THE POINT OF GENERATION, AND MAY INCLUDE: SHREDDED BARK, STUMP GRINDINGS, COMPOSTED BARK, OR FLUME GRIT AND FRAGMENTED WOOD GENERATED FROM WATER-FLUME LOG HANDLING SYSTEMS. WOOD CHIPS, GROUND CONSTRUCTION DEBRIS, REPROCESSED WOOD PRODUCTS OR BARK CHIPS WILL NOT BE ACCEPTABLE AS THE ORGANIC COMPONENT OF THE MIX. EROSION CONTROL MIX SHALL CONTAIN A WELL-GRADED MIXTURE OF PARTICLE SIZES AND MAY CONTAIN ROCKS LESS THAN 4" IN DIAMETER. EROSION CONTROL MIX MUST BE FREE OF REFUSE, PHYSICAL CONTAMINANTS, AND MATERIAL TOXIC TO PLANT GROWTH.
- THE MIX COMPOSITION SHALL MEET THE FOLLOWING STANDARDS:
- A. ORGANIC MATERIAL: BETWEEN 20% - 100% (DRY WEIGHT BASIS)
- B. PARTICLE SIZE: BY WEIGHT, 100% PASSING 6" SCREEN, 70-85% PASSING 0.75" SCREEN
- C. THE ORGANIC PORTION NEEDS TO BE FIBROUS AND ELONGATED.
- D. LARGE PORTIONS OF SILTS, CLAYS OR FINE SANDS ARE NOT ACCEPTABLE IN THE MIX.
- E. SOLUBLE SALTS CONTENT SHALL BE LESS THAN 4.0 MMHOS/CM.
- F. PH: 5.0 - 8.0
2. ON SLOPES LESS THAN 5% OR AT THE BOTTOM OF SLOPES 2:1 OR LESS UP TO 20 FEET LONG, THE BARRIER MUST CONFORM TO THE ABOVE DIMENSIONS. ON THE LONGER OR STEEPER SLOPES, THE BARRIER SHOULD BE WIDER TO ACCOMMODATE THE ADDITIONAL FLOW.
3. THE BARRIER MUST BE PLACED ALONG A RELATIVELY LEVEL ELEVATION. IT MAY BE NECESSARY TO CUT TALL GRASSES OR WOODY VEGETATION TO AVOID CREATING VOIDS AND BRIDGES THAT WOULD ENABLE FINES TO WASH UNDER THE BARRIER THROUGH THE GRASS BLADES OR PLANT STEMS.
4. LOCATIONS WHERE OTHER BMP'S SHOULD BE USED:
- A. AT LOW POINTS OF CONCENTRATED FLOW
- B. BELOW CULVERT OUTLET APRONS
- C. WHERE A PREVIOUS STAND-ALONE EROSION CONTROL MIX APPLICATION HAS FAILED
- D. AT THE BOTTOM OF STEEP PERIMETER SLOPES THAT ARE MORE THAN 50 FEET FROM TOP TO BOTTOM (LARGE UPGRADE WATERSHED)
- E. AROUND CATCH BASINS AND CLOSED STORM DRAIN SYSTEMS
5. THE EROSION CONTROL MIX BARRIERS SHOULD BE INSPECTED REGULARLY AND AFTER EACH LARGE RAINFALL. REPAIR ALL DAMAGED SECTIONS OF BERM IMMEDIATELY BY REPLACING OR ADDING ADDITIONAL MATERIAL PLACED ON THE BERM TO THE DESIRED HEIGHT AND WIDTH.
6. IT MAY BE NECESSARY TO REINFORCE THE BARRIER WITH SILT FENCE OR STONE CHECK DAMS IF THERE ARE SIGNS OF UNDERCUTTING OR THE IMPOUNDMENT OF LARGE VOLUMES OF WATER.
7. SEDIMENT DEPOSITS SHOULD BE REMOVED WHEN THEY REACH APPROXIMATELY ONE-HALF THE HEIGHT OF THE BARRIER.
8. REPLACE SECTIONS OF BERM THAT DECOMPOSE, BECOME CLOGGED WITH SEDIMENT OR OTHERWISE BECOME INEFFECTIVE. THE BARRIER SHOULD BE RESHAPED AS NEEDED.
9. EROSION CONTROL MIX BARRIERS CAN BE LEFT IN PLACE AFTER CONSTRUCTION. ANY SEDIMENT DEPOSITS REMAINING IN PLACE AFTER BARRIER IS NO LONGER REQUIRED SHOULD BE SPREAD TO CONFORM TO THE EXISTING GRADE AND BE SEEDED AND MULCHED. WOODY VEGETATION CAN BE PLANTED INTO THE BARRIERS, OR THEY CAN BE OVER-SEEDED WITH LEGUMES. IF THE BARRIER NEEDS TO BE REMOVED, IT CAN BE SPREAD OUT INTO THE LANDSCAPE.
10. IF TEMPORARY BERMS ARE USED AS SILT BARRIERS, THEY ARE PROHIBITED AT THE BASE OF SLOPES STEEPER THAN 8% OR WHERE THERE IS FLOWING WATER WITHOUT THE SUPPORT OF ADDITIONAL MEASURES SUCH AS SILT FENCE.

SURFACE DRAINAGE SEDIMENT CONTROL

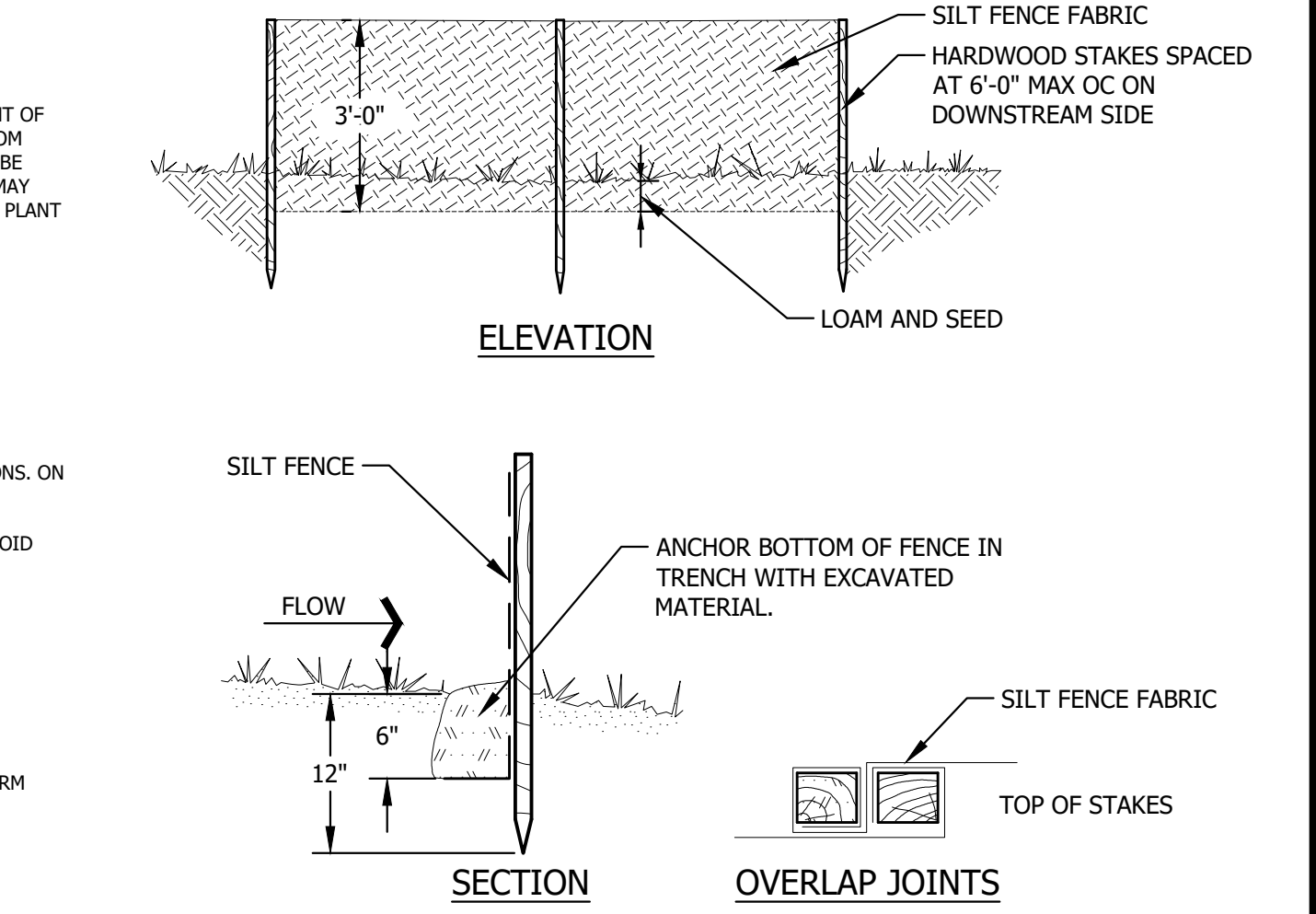


NOTES:

1. LOCATE SOIL STOCKPILES AS FAR FROM PROTECTED RESOURCES AS POSSIBLE (PONDS, RIVERS, STREAMS, BROOKS, & WETLANDS). LOCATE SOIL STOCKPILES AWAY FROM AREAS OF CONCENTRATED FLOW OR POTENTIAL FLOODING.
2. ERECT SEDIMENT BARRIER (SILT FENCE OR ECM BERM) DOWN SLOPE OF STOCKPILES.
3. STABILIZE STOCKPILES THAT WILL NOT BE WORKED FOR 14 OR MORE DAYS IN THE GROWING SEASON OR WILL REMAIN UNWORKED OR PARTIALLY UNWORKED OVER THE WINTER (NOVEMBER 1 TO APRIL 15) WITH TEMPORARY SEED, MULCH AND MULCH ANCHORING OR EROSION CONTROL BLANKET OR MESH AS SPECIFIED IN THE EROSION CONTROL PLAN. IN WINTER APPLY HAY MULCH AT THE RATE OF AT LEAST 150 LBS/1000 SF AND THICK ENOUGH THAT THE GROUND SURFACE IS NOT VISIBLE AND ANCHOR IF STOCKPILE HAS NOT BEEN PERMANENTLY STABILIZED USING ANOTHER METHOD (TARPS, PERMANENT SEED (< 90% VEGETATED), EROSION CONTROL BLANKET OR EROSION CONTROL MIX. EROSION CONTROL MIX CAN BE MANUFACTURED ON OR OFF THE SITE. IT MUST CONSIST PRIMARILY OF ORGANIC MATERIAL SEPARATED AT THE POINT OF GENERATION, AND MAY INCLUDE: SHREDDED BARK, STUMP GRINDINGS, COMPOSTED BARK, OR FLUME GRIT AND FRAGMENTED WOOD GENERATED FROM WATER-FLUME LOG HANDLING SYSTEMS. WOOD CHIPS, GROUND CONSTRUCTION DEBRIS, REPROCESSED WOOD PRODUCTS OR BARK CHIPS WILL NOT BE ACCEPTABLE AS THE ORGANIC COMPONENT OF THE MIX. EROSION CONTROL MIX SHALL CONTAIN A WELL-GRADED MIXTURE OF PARTICLE SIZES AND MAY CONTAIN ROCKS LESS THAN 4" IN DIAMETER. EROSION CONTROL MIX MUST BE FREE OF REFUSE, PHYSICAL CONTAMINANTS, AND MATERIAL TOXIC TO PLANT GROWTH. THE MIX COMPOSITION SHALL MEET THE FOLLOWING STANDARDS:
- A. ORGANIC MATERIAL: BETWEEN 20% - 100% (DRY WEIGHT BASIS)
- B. PARTICLE SIZE: BY WEIGHT, 100% PASSING 6" SCREEN, 70-85% PASSING 0.75" SCREEN.
- C. THE ORGANIC PORTION NEEDS TO BE FIBROUS AND ELONGATED.
- D. LARGE PORTIONS OF SILTS, CLAYS OR FINE SANDS ARE NOT ACCEPTABLE IN THE MIX.
- E. SOLUBLE SALTS CONTENT SHALL BE LESS THAN 4.0 MMHOS/CM.
- F. PH: 5.0 - 8.0
4. IF SLOPE OF LAND IS GREATER THAN 5%, CONSTRUCT A DIVERSION BERM UPHILL OF THE STOCKPILE TO DIVERT FLOW.

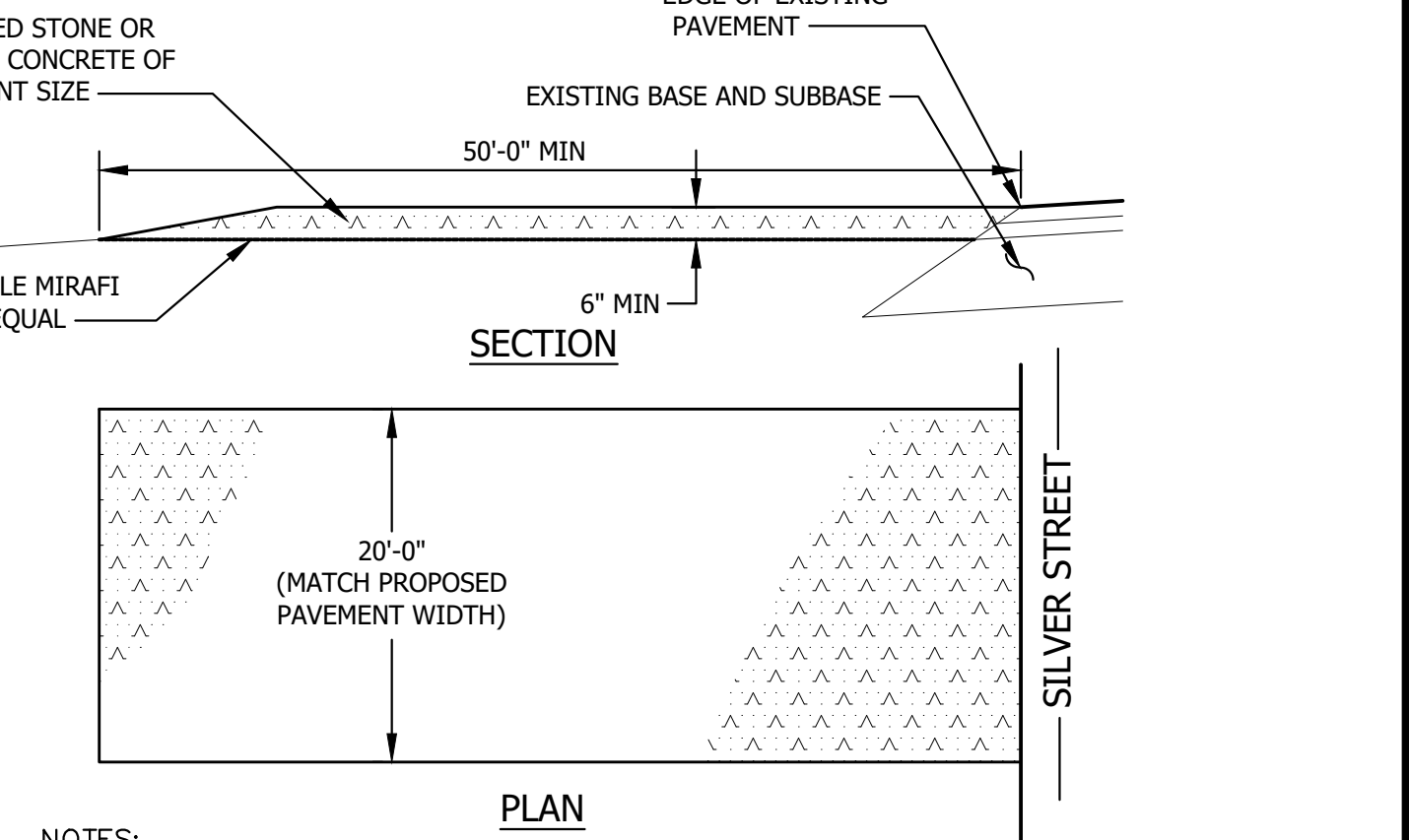
SOIL STOCKPILE

NTS



SILT FENCE

NOTE:
CONTRACTORS OPTION TO USE SEDIMENT BARRIER OR SILT FENCE FOR SLOPE PROTECTION.



NOTES:

1. MAINTAIN ENTRANCE IN A CONDITION THAT WILL PREVENT TRACKING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAY. IF WASHING IS REQUIRED PREVENT SEDIMENT FROM ENTERING WATERWAYS, DITCHES OR STORM DRAINS.
2. REMOVE STABILIZED CONSTRUCTION ENTRANCE TO FINISH ROAD CONSTRUCTION AND PAVEMENT.

STABILIZED CONSTRUCTION ENTRANCE

NTS

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11/17/2025

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EROSION AND SEDIMENT CONTROL DETAILS

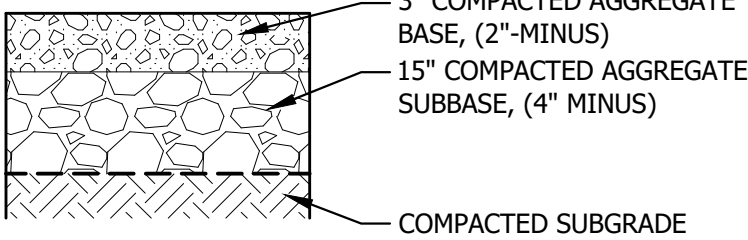
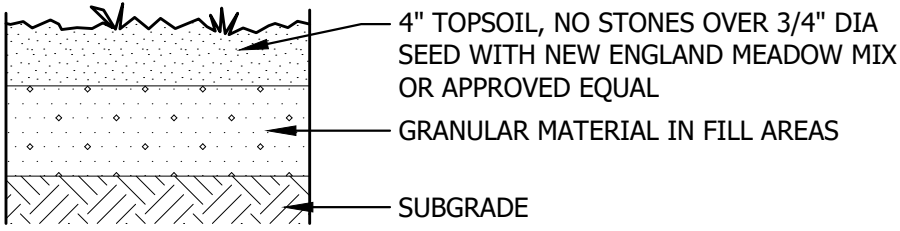


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DESIGN BY: JJS/SME
DRAWN BY: JJS/SME
DATE: CLR/SME
CHECKED BY: TMH/SME
LMN: 10/24/2025
CTB: NONE

JOB NO. 250741.02 DWG FILE AW1-C-300

REV B

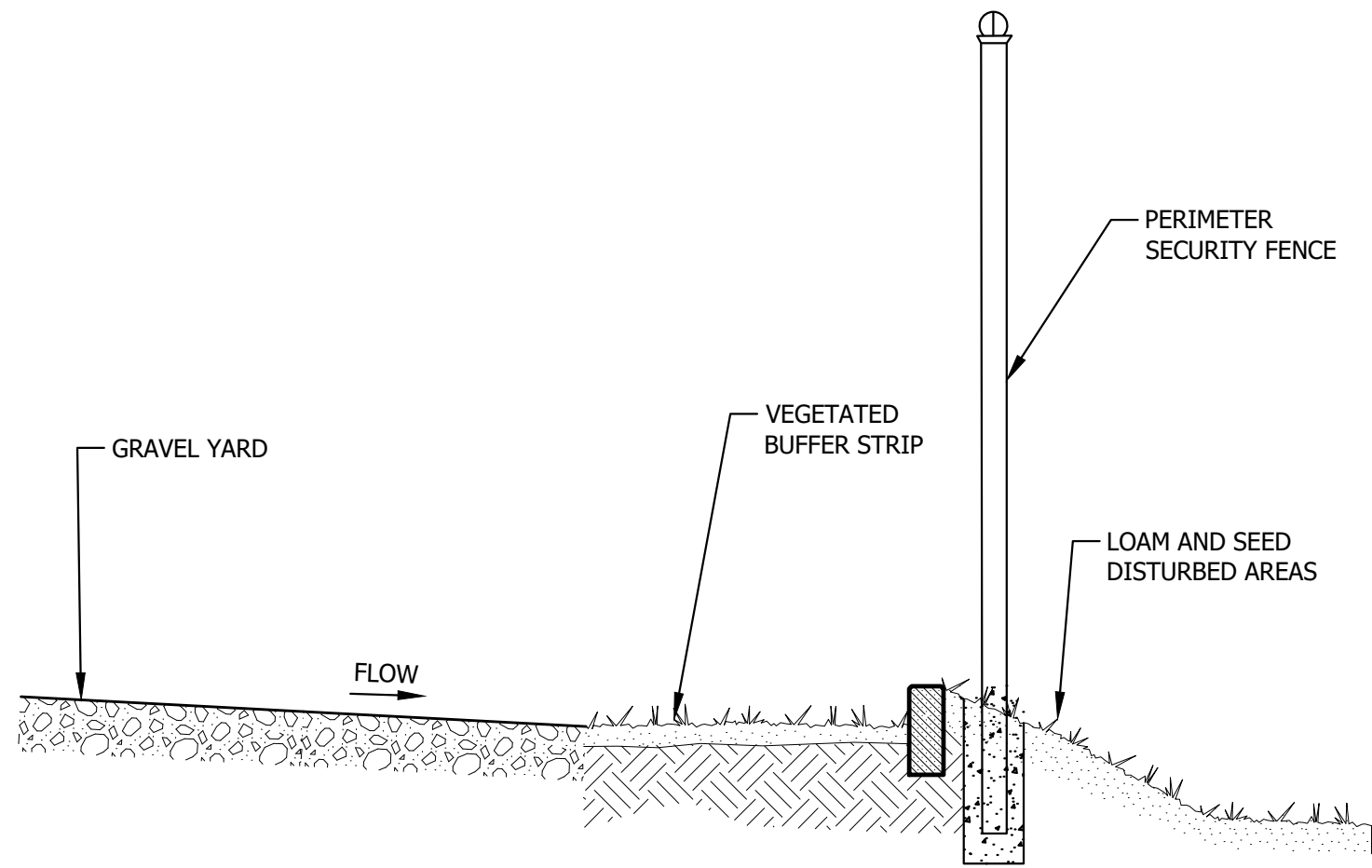
CONSTRUCTION	USE
	GRAVEL BESS YARD AND GRAVEL ACCESS ROAD
	GRASS ALL DISTURBED AREAS

NOTES:

1. COMPACT SUBGRADE AND EACH LAYER OF BORROW , SUBBASE MATERIAL, AND BASE MATERIAL TO MINIMUM 95% OF MATERIAL MAXIMUM DRY DENSITY PER ASTM D1557.

SCHEDULE OF SURFACE FINISHES

NTS

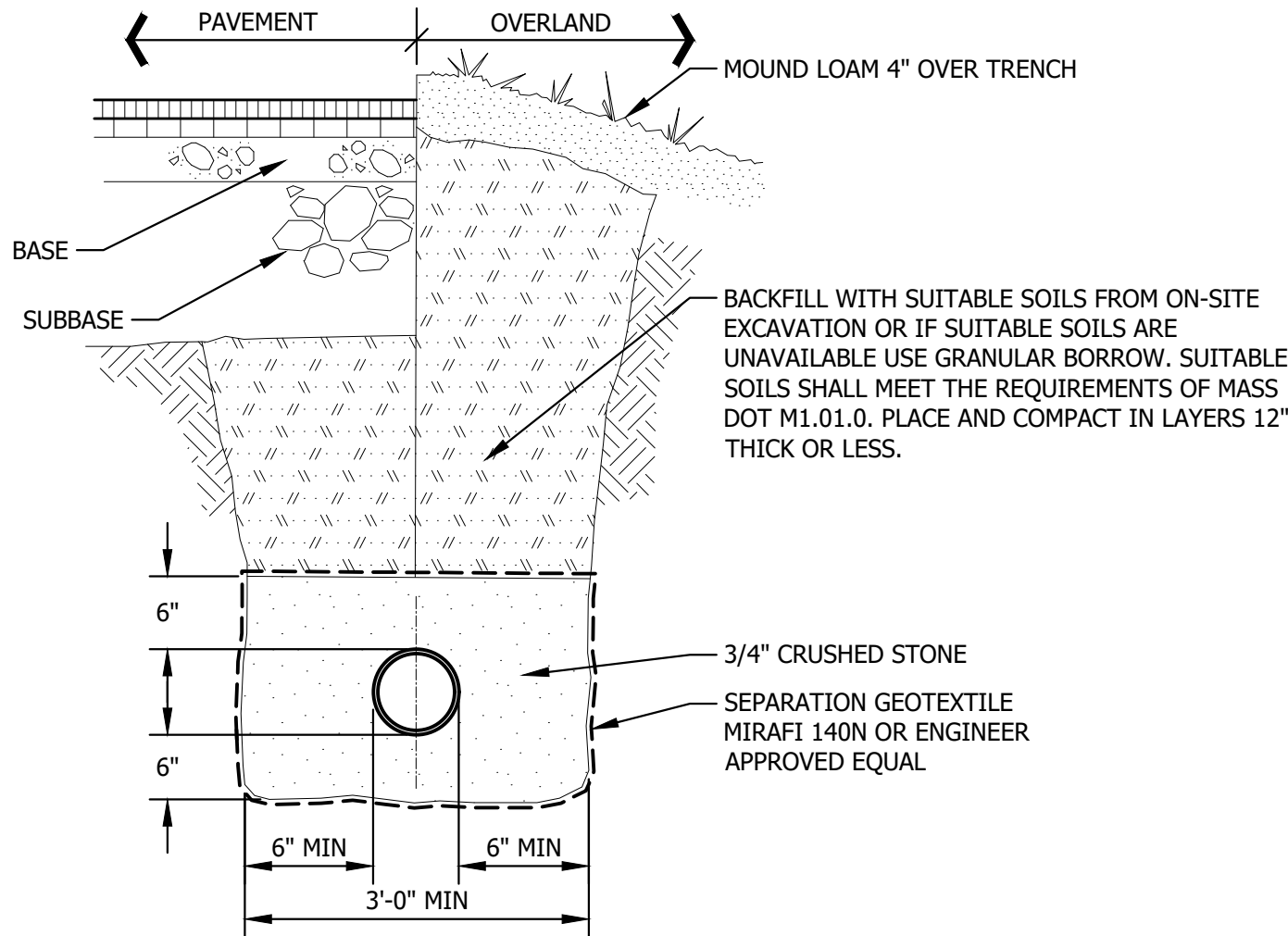


NOTES:

1. DETAIL REPRESENTS A TYPICAL LAYOUT FOR THE VEGETATED BUFFER STRIP. TH ELOCATION OF THE FENCE WILL VARY. SEE LAYOUT PLAN. THE LOCATION OF DRAINAGE POINTS TO ALLOW STORMWATER TO FLOW ARE SHOWN ON THE GRADING PLAN.

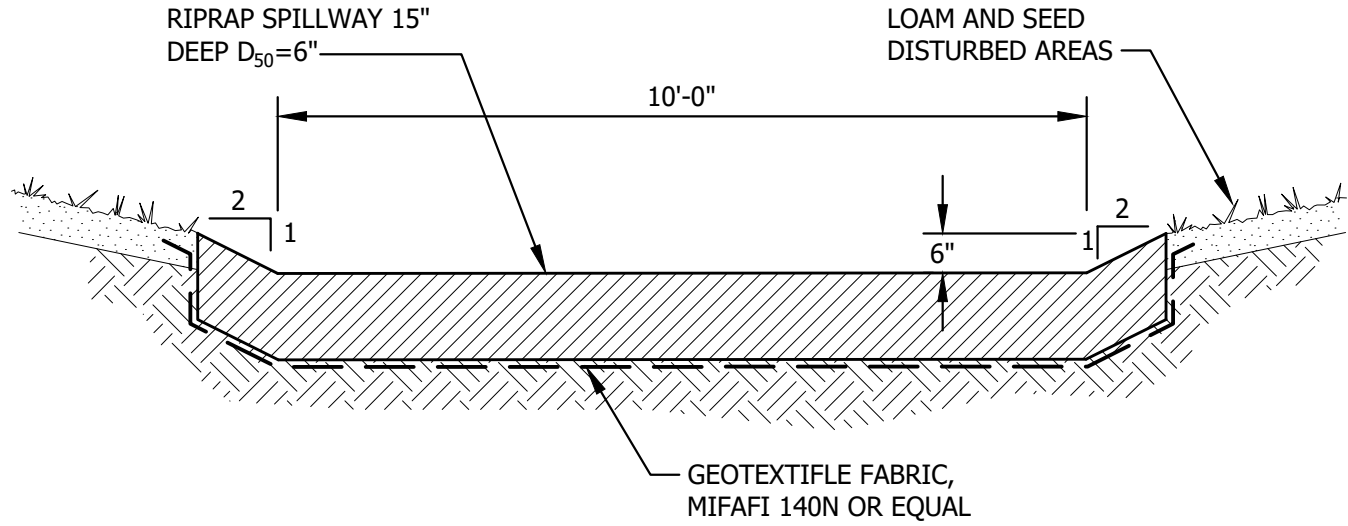
VEGETATED BUFFER STRIP

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TYPICAL CULVERT TRENCH SECTION

NTS

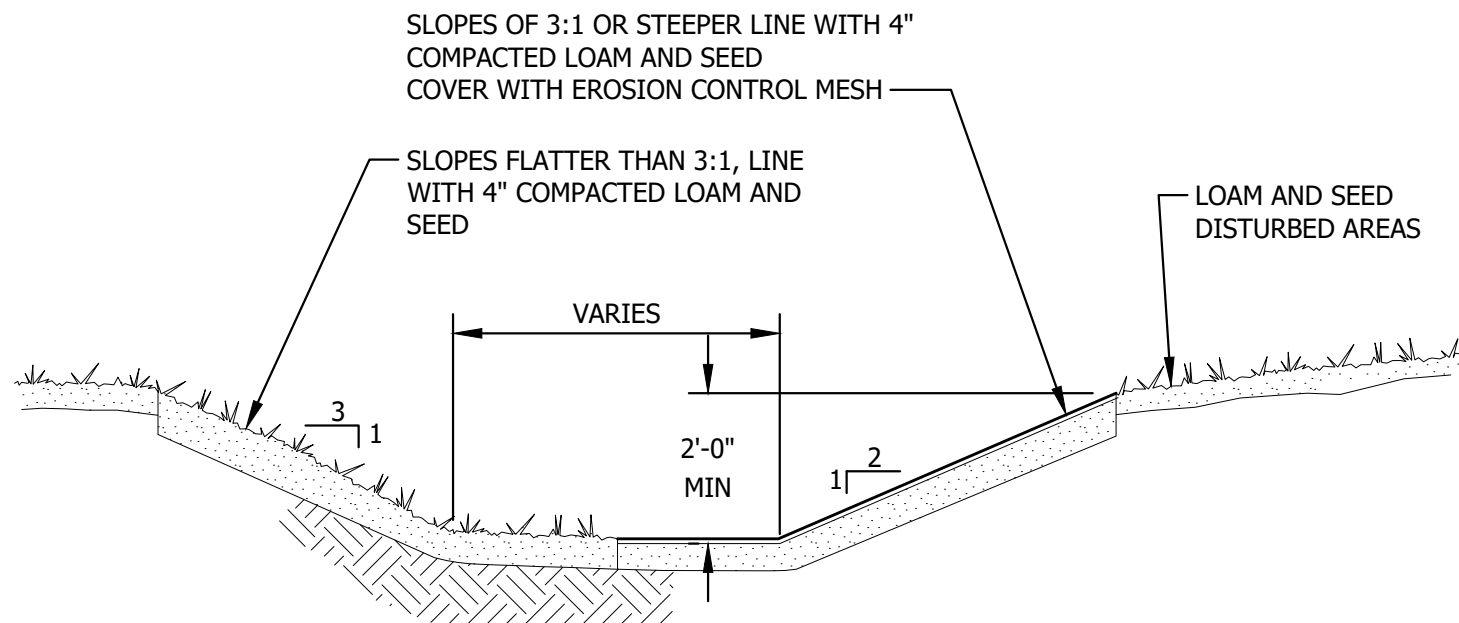


NOTES:

1. SUBGRADE PREPARATION: SHAPE THE SUBGRADE TO THE LINES AND GRADES AS SHOWN ON THE DRAWINGS AND AS SHOWN ON THE DETAILS. REMOVE ALL ORGANIC MATTER, DEBRIS AND SOIL THAT IS TOO WET TO SUPPORT RIPRAP. IF FILL IS REQUIRED PROVIDE SUITABLE SOIL FROM ON SITE OR COMMON BORROW (MDOT 703.18) COMPACTED TO A DENSITY APPROXIMATELY THAT OF THE SURROUNDING UNDISTURBED SOIL BUT NOT LESS THAN 92% (ASTM D1557).
2. GEOTEXTILE FABRIC: PLACE AND ANCHOR GEOTEXTILE (FILTER FABRIC) IMMEDIATELY AFTER SUBGRADE PREPARATION IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
3. STONE PLACEMENT: PLACE RIPRAP IMMEDIATELY AFTER PLACING GEOTEXTILE FABRIC. PLACE RIPRAP SO THAT IT PRODUCES A DENSE, WELL-GRADED MASS OF STONE WITH A MINIMUM OF VOIDS
4. MAINTENANCE: INSPECT RIPRAP FOLLOWING SIGNIFICANT RAINFALL EVENTS (3 INCHES OR MORE IN 24 HOURS) AND AFTER THE SPRING THAW. REPAIR DAMAGED AREAS IMMEDIATELY.
5. RIPRAP: SOUND DURABLE ROCK WHICH WILL NOT DISINTEGRATE BY EXPOSURE TO WATER OR WEATHER. EITHER FIELD STONE OR ROUGH, UNEVEN QUARRY STONE MAY BE USED. STONES SHALL BE ANGULAR AND AS NEARLY RECTANGULAR IN CROSS-SECTION AS PRACTICABLE. DO NOT USE ROUNDED BOULDERS OR COBBLES. USE A WELL GRADED MIXTURE OF STONE SIZES WITH 50 PERCENT OF THE MIXTURE BY WEIGHT BEING LARGER THAN THE D SIZE SPECIFIED AND 50 PERCENT SMALLER.

EMERGENCY OVERFLOW SECTION

NTS



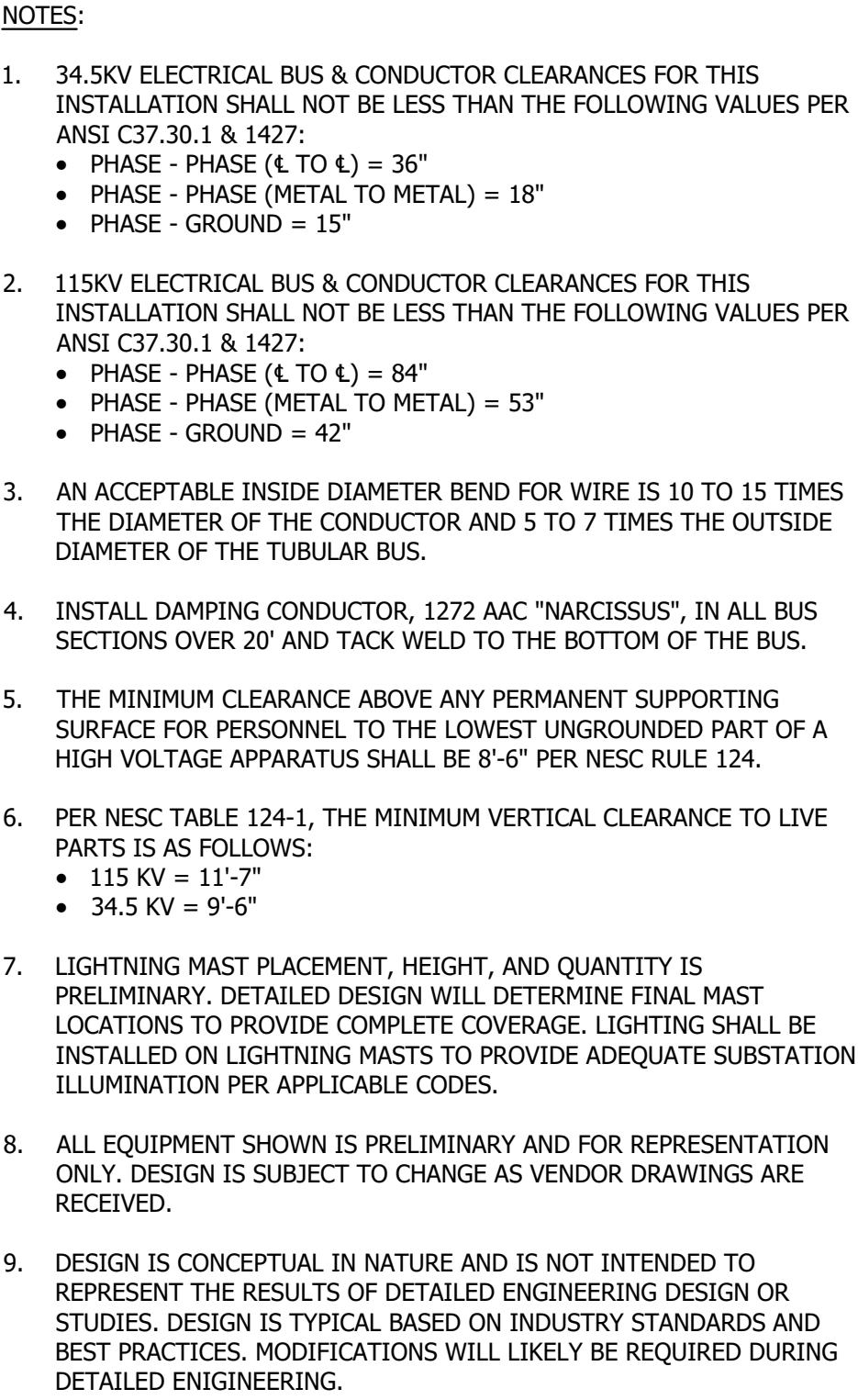
GRASS DITCH SECTION

NTS

PRELIMINARY
NOT FOR CONSTRUCTION
11/17/2025

A	TMH/SME	11/17/25	ISSUED FOR REVIEW
REV.	BY	DATE	STATUS

LONGROAD ENERGY AGAWAM ENERGY CENTER AGAWAM, MA	
SITE DETAILS	
 ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE 4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021 Phone: 207.829.5016 • Fax: 207.829.5692 • sme-engineers.com	DESIGN BY: JJS/SME
	DRAWN BY: JJS/SME
	DATE: CLR/SME
	CHECKED BY: TMH/SME
	LMN: 09/15/2025
JOB NO. 250741.02 DWG FILE AW1-C-301	CTB: NONE
REV A	



C	TMH/SME	11/17/25	ISSUED FOR REVIEW (NOT FOR CONSTRUCTION)
B	TMH/SME	10/24/25	ISSUED FOR REVIEW - INCORPORATING CLIENT COMMENTS (NOT FOR CONSTRUCTION)
A	TMH/SME	09/15/25	ISSUED FOR 30% REVIEW (NOT FOR CONSTRUCTION)
REV.	BY	DATE	STATUS

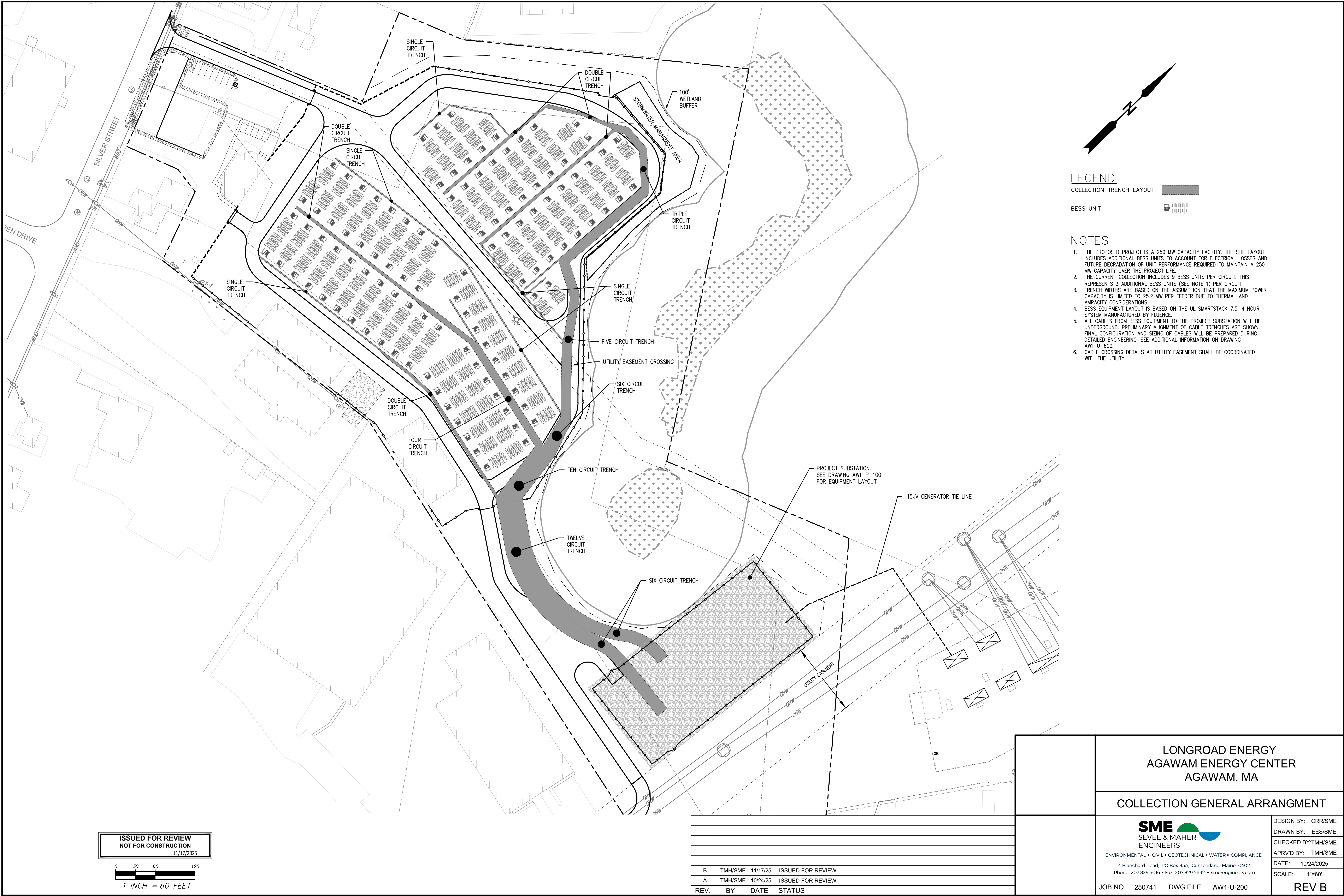
LONGROAD ENERGY

AGAWAM ENERGY CENTER

AGAWAM, MA

SUBSTATION GENERAL ARRANGEMENT

 SEVEE & MAHER ENGINEERS ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE 4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021 Phone 207.829.5016 • Fax 207.829.5692 • sme-engineers.com	DESIGN BY: CLR/SME
	DRAWN BY: CLR/SME
	CHECKED BY: WDG/SME
	APR'D BY: TMH/SME
	DATE: 09/15/2025
	SCALE: 1/16" = 1'-0"
JOB NO. 250741.02 DWG FILE AW1-P-100	REV C



LEGEND

COLLECTION TRENCH LAYOUT

BESS UNIT

NOTES

1. THE PROPOSED PROJECT IS A 250 MW CAPACITY FACILITY. THE SITE LAYOUT INCLUDES ADDITIONAL BESS UNITS TO ACCOUNT FOR ELECTRICAL LOSSES AND FUTURE DEGRADATION OF UNIT PERFORMANCE REQUIRED TO MAINTAIN A 250 MW CAPACITY OVER THE PROJECT LIFE.
2. THE CURRENT COLLECTION INCLUDES 9 BESS UNITS PER CIRCUIT. THIS REPRESENTS 3 ADDITIONAL BESS UNITS (SEE NOTE 1) PER CIRCUIT.
3. TRENCH WIDTHS ARE BASED ON THE ASSUMPTION THAT THE MAXIMUM POWER CAPACITY IS LIMITED TO 25.2 MW PER FEEDER DUE TO THERMAL AND AMPACITY CONSIDERATIONS.
4. BESS EQUIPMENT LAYOUT IS BASED ON THE UL SMARTSTACK 7.5, 4 HOUR SYSTEM MANUFACTURED BY FLUENCE.
5. ALL CABLES FROM BESS EQUIPMENT TO THE PROJECT SUBSTATION WILL BE UNDERGROUND. PRELIMINARY ALIGNMENT OF CABLE TRENCHES ARE SHOWN. FINAL CONFIGURATION AND SIZING OF CABLES WILL BE PREPARED DURING DETAILED ENGINEERING. SEE ADDITIONAL INFORMATION ON DRAWING AW1-U-600.
6. CABLE CROSSING DETAILS AT UTILITY EASEMENT SHALL BE COORDINATED WITH THE UTILITY.

ISSUED FOR REVIEW
NOT FOR CONSTRUCTION
11/17/2025
0 30 60 120
1 INCH = 60 FEET

B	TMH/SME	11/17/25	ISSUED FOR REVIEW	
A	TMH/SME	10/24/25	ISSUED FOR REVIEW	
REV.	BY	DATE	STATUS	

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AGAWAM ENERGY CENTER
AGAWAM, MA

COLLECTION GENERAL ARRANGMENT

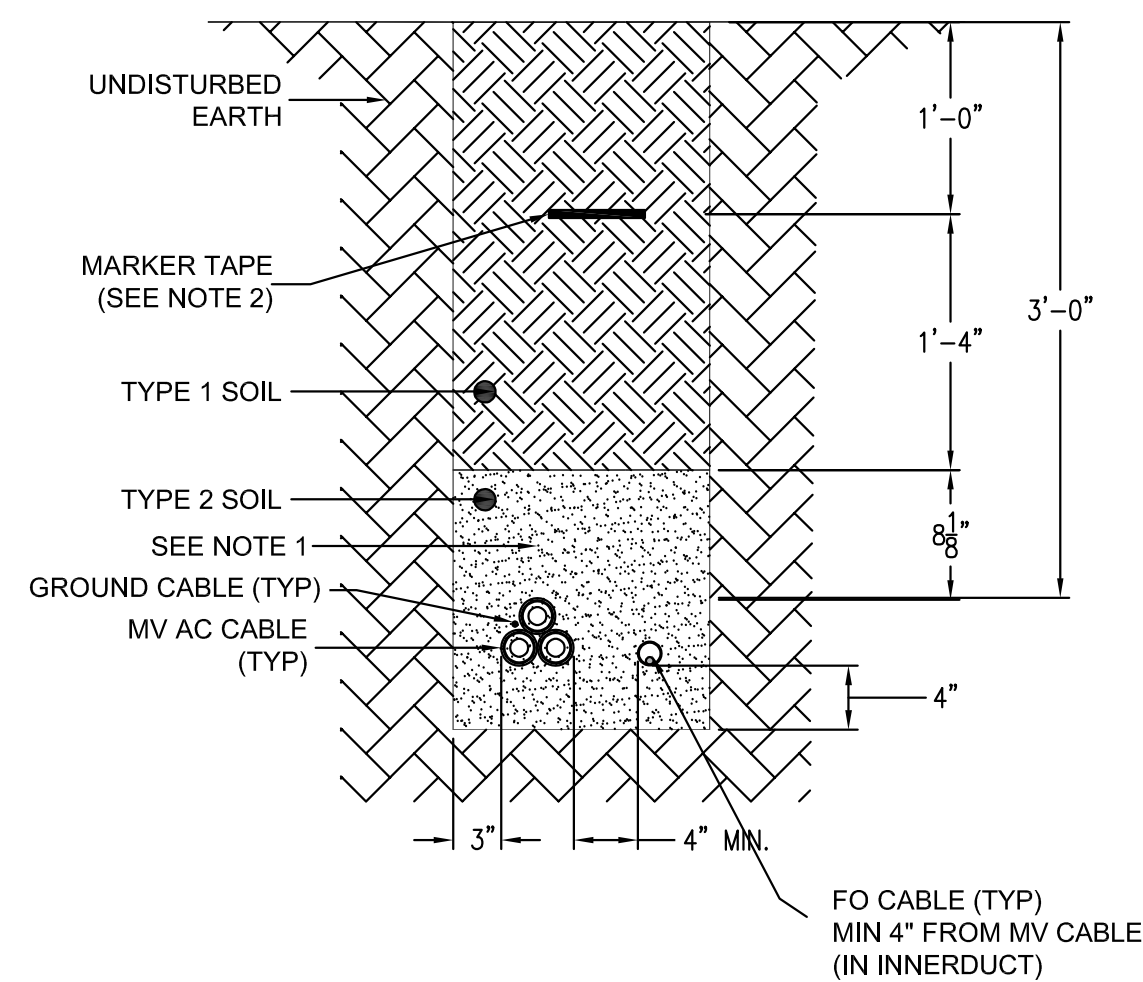
SME
SEVEE & MAHER
ENGINEERS

ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE
4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021
Phone 207.829.5016 • Fax 207.829.5692 • sme-engineers.com

DESIGN BY: CRR/SME
DRAWN BY: EES/SME
CHECKED BY: TMH/SME
APRVD BY: TMH/SME
DATE: 10/24/2025
SCALE: 1"=60'

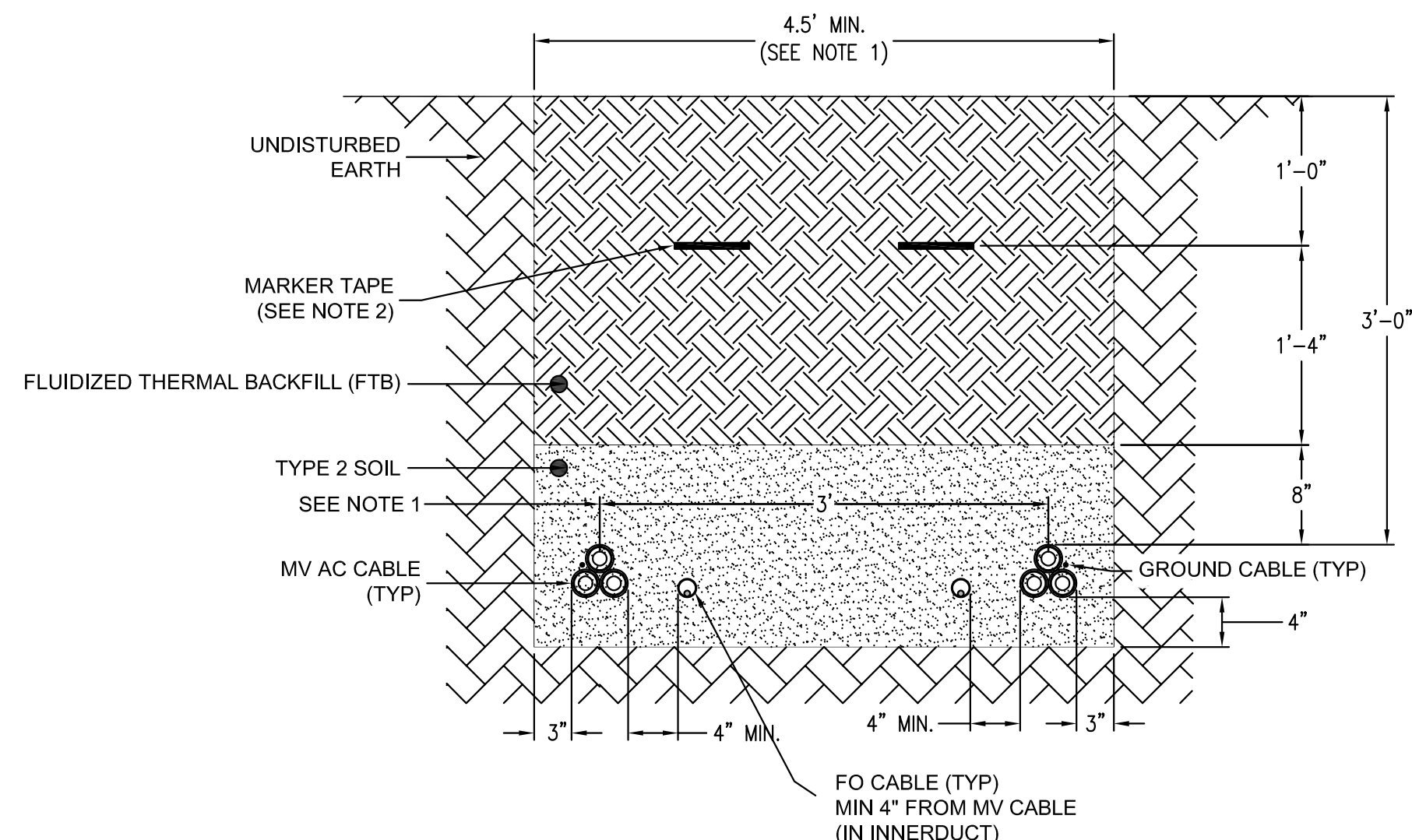
JOB NO. 250741 DWG FILE AW1-U-200

REV B



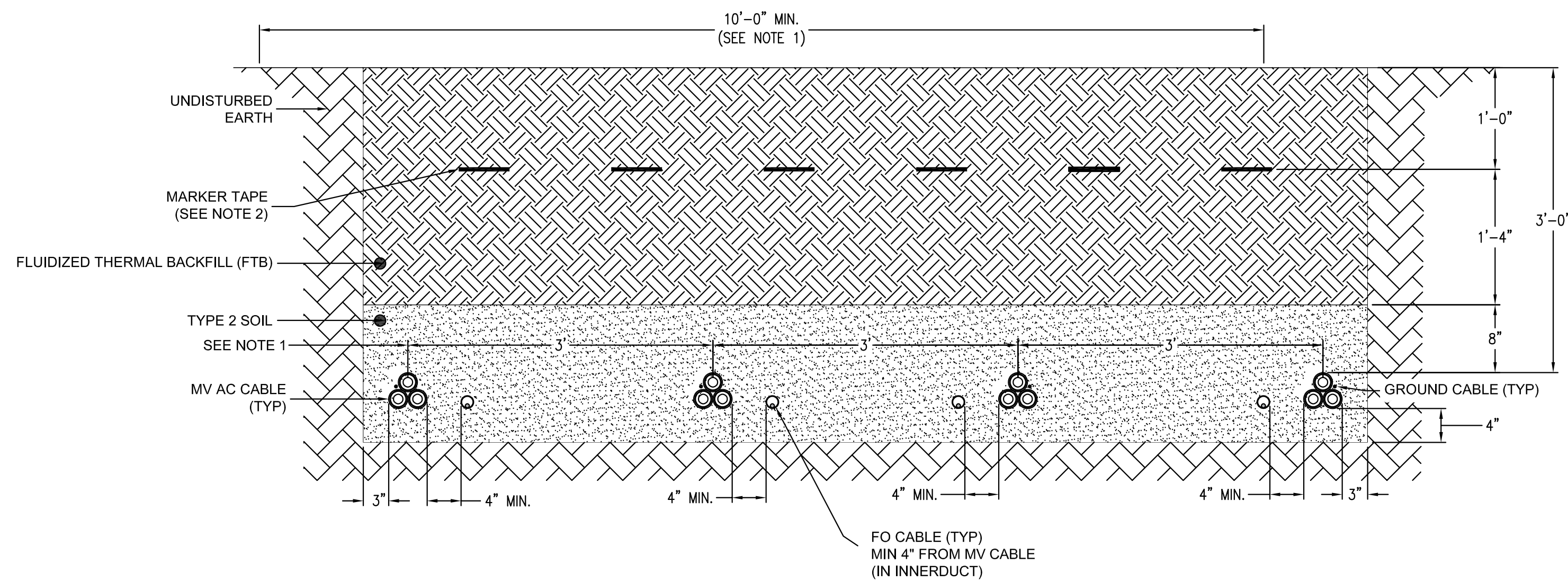
SINGLE CIRCUIT POWER CABLE TRENCH

SCALE: NTS
MVAC (3-1/C TRIPLEX)



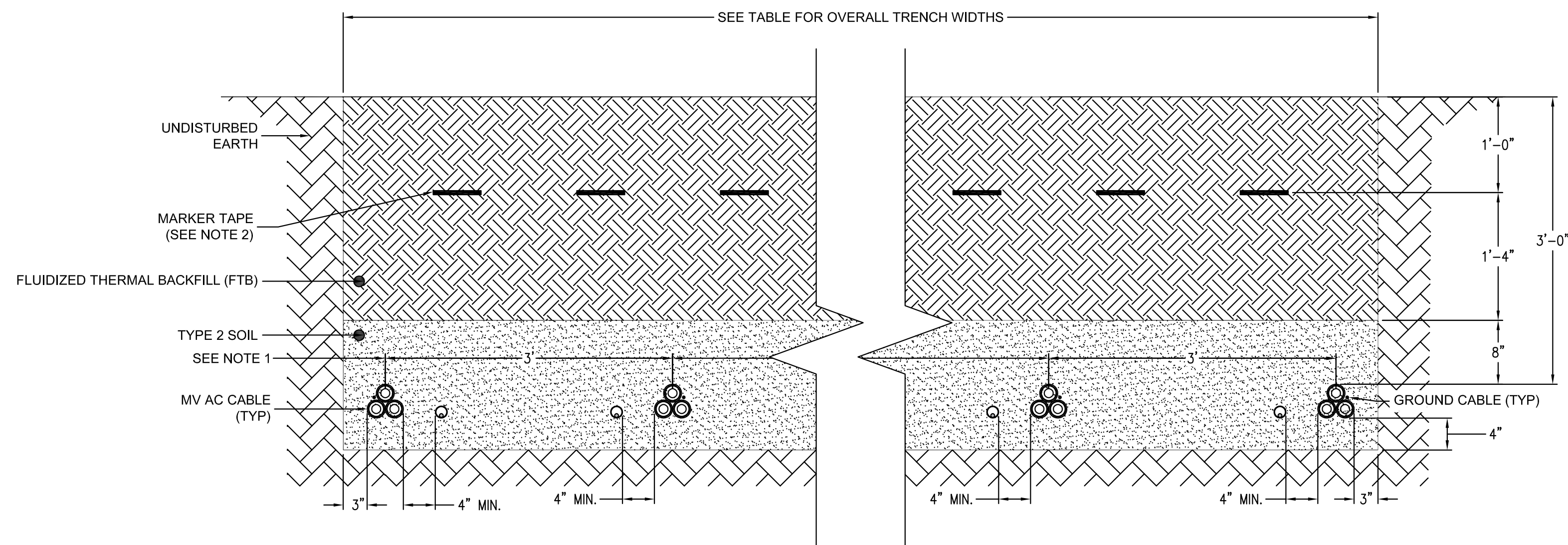
TWO CIRCUIT POWER CABLE TRENCH SPACING

SCALE: NTS
MVAC (3-1/C TRIPLEX)



FOUR CIRCUIT POWER CABLE TRENCH SPACING

SCALE: NTS
MVAC (3-1/C TRIPLEX)



MULTIPLE POWER CABLE TRENCH SPACING

SCALE: NTS
MVAC (3-1/C TRIPLEX)

- NOTES:**

1. THIS DRAWING IS DIAGRAMMATIC AND INTENDED TO SHOW THE TYPICAL LEVELS AND MINIMUM SPACING BETWEEN CABLES WITHIN THE TRENCH. THE EXACT TYPE OR NUMBER OF CABLES MAY VARY FROM WHAT IS SHOWN. NARROW OR WIDEN TRENCH AS NEEDED, TO DETERMINE WHERE CABLES ARE APPLICABLE ON THE SITE, REFERENCE ALL AC, GROUNDING, FIBER OPTIC AND ALL OTHER CABLING PLANS.
2. INSTALL 6" WIDE RED DETECTABLE MARKER TAPE IN ALL TRENCHES EVERY 18" ACROSS EXCAVATED AREA.
3. DIMENSIONS TO CABLE LAYERS ARE FROM FINISHED GRADE TO THE EDGE OF CABLES, EXCEPT WHERE NOTED.
4. BACKFILL SHALL BE COMPACTED TO A MINIMUM OF 85% OF THE MAXIMUM DRY DENSITY. AT ROAD CROSSINGS, BACKFILL SHALL BE COMPACTED TO A MINIMUM OF 95%. FILL LIFT SHALL NOT EXCEED 9". SEE PROJECT GEOTECHNICAL REPORT FOR SITE SPECIFIC REQUIREMENTS.
5. CLEAN FILL REQUIREMENTS:
 - 8A. TYPE 1: NATIVE SOIL, SHALL BE USED FOR BACKFILL AS SHOWN IN SECTIONS CONTAINING PARTICLES NO LARGER THAN 3" IN DIAMETER.
 - 8B. TYPE 2: FILL SHALL BE CLEAN MATERIAL CONTAINING PARTICLES NO LARGER THAN 3/8" IN DIAMETER IN THE AREA 8" ABOVE AND 4" BELOW.
6. TREFOIL CABLE SHALL BE SECURED AT INTERVALS NOT EXCEEDING 3'.

TRENCH WIDTH TABLE					
NUMBER OF CIRCUITS	5	6	7	10	12
TRENCH WIDTHS (FT)	15	18.5	22	32.5	39.5

ISSUED FOR REVIEW
NOT FOR CONSTRUCTION
11/17/2025

C	TMH/SME	11/17/2025	ISSUED FOR REVIEW
B	TMH/SME	10/24/25	ISSUED FOR REVIEW - INCORPORATING CLIENT COMMENTS (NOT FOR CONSTRUCTION)
A	TMH/SME	09/15/25	ISSUED FOR REVIEW (NOT FOR CONSTRUCTION)
REV.	BY	DATE	STATUS

LONGROAD ENERGY
AGAWAM ENERGY SUBSTATION
AGAWAM, MA

TRENCH DETAILS



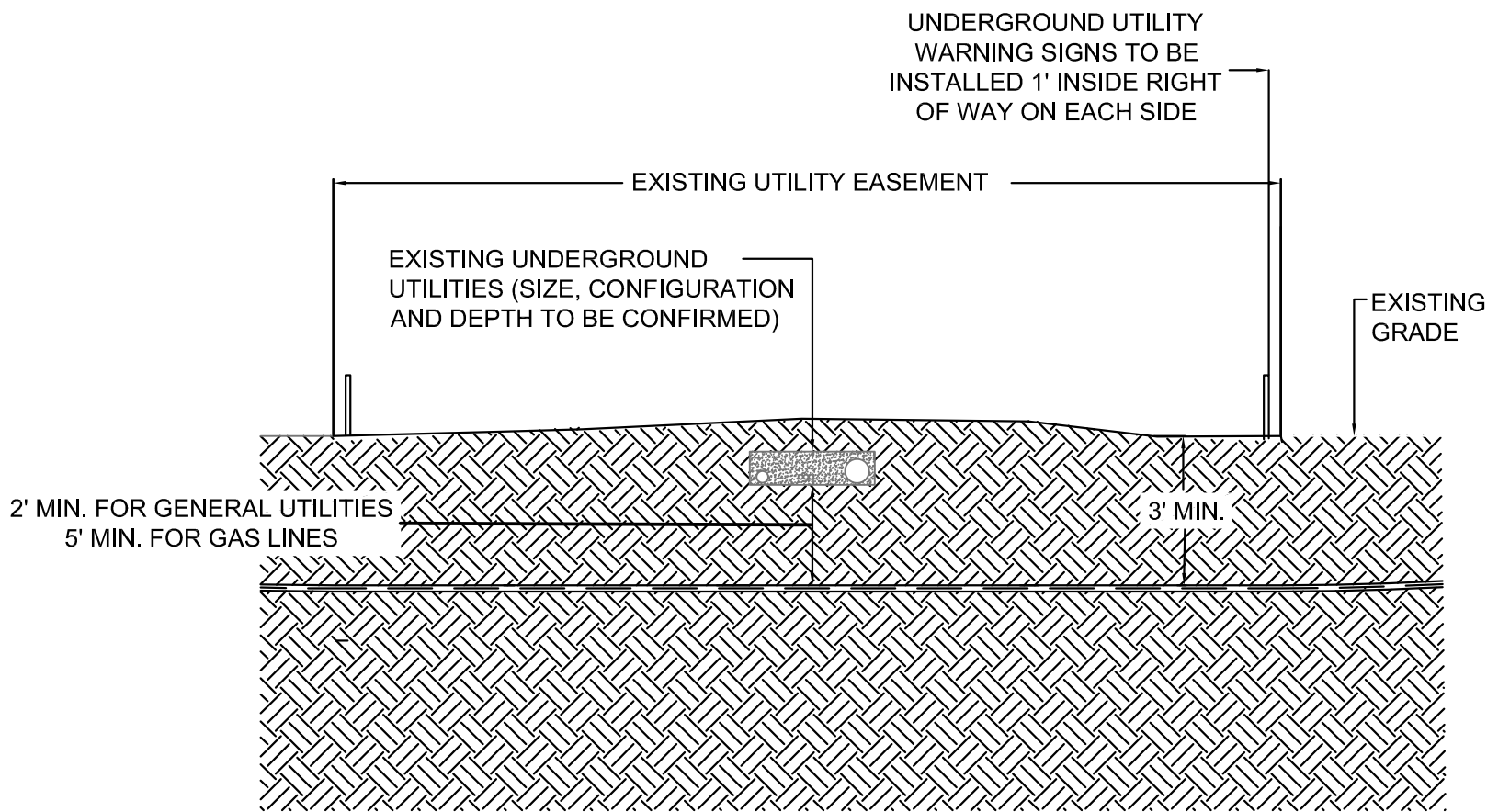
ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE
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DESIGN BY:	JJS/SM
DRAWN BY:	JJS/SM
CHECKED BY:	CLR/SM
APRV'D BY:	TMH/SM
DATE:	09/15/202
SCALE:	NOM

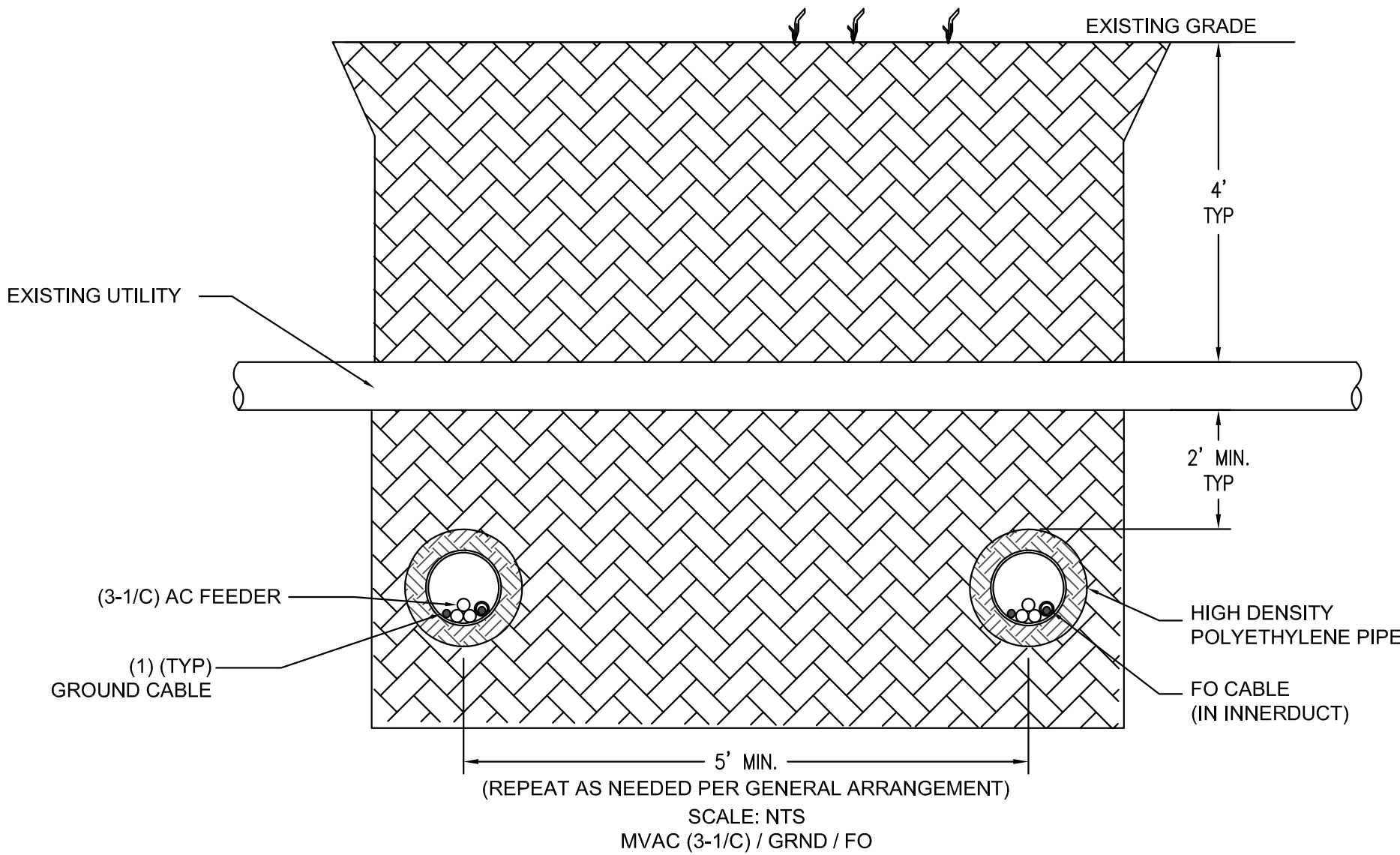
JOB NO. 250741.02 DWG FILE AW1-U-600

REV C

- NOTES:**
1. THIS DRAWING IS DIAGRAMMATIC AND INTENDED TO SHOW THE TYPICAL LEVELS AND MINIMUM SPACING BETWEEN CONDUITS AND EXISTING UTILITIES WITHIN THE EASEMENT. THE EXACT TYPE OR NUMBER OF CABLES MAY VARY FROM WHAT IS SHOWN.
 2. FOR UTILITY CROSSING LOCATIONS SEE DRAWING AW1-U-200.
 3. BORE DEPTH TO BE MINIMUM AS SHOWN OR PURSUANT TO CROSSING AGREEMENTS.
 4. CONSTRUCTION MEANS AND METHODS FOR UTILITY CROSSING TO BE DETERMINED DURING DETAILED DESIGN.



THE MINIMUM VERTICAL CLEARANCE SHALL ACCOUNT FOR EXISTING FEATURES SUCH AS DITCHES, UNDERGROUND UTILITIES AND OTHER OBSTRUCTIONS, AND SHALL MEET ALL CLEARANCE REQUIREMENTS SET FORTH BY THE GOVERNING JURISDICTION. THE FULL CLEARANCE DEPTH MUST BE MAINTAINED THROUGHOUT THE ENTIRETY OF THE RIGHT OF WAY. THE LOCATION AND DEPTH OF EXISTING UTILITIES MUST BE DETERMINED PRIOR TO DRILLING.



TRENCHLESS SECTION - UTILITIES

ISSUED FOR REVIEW
NOT FOR CONSTRUCTION
11/17/2025

C	TMH/SME	11/17/2025	ISSUED FOR REVIEW
B	TMH/SME	10/24/25	ISSUED FOR REVIEW - INCORPORATING CLIENT COMMENTS (NOT FOR CONSTRUCTION)
A	TMH/SME	09/15/25	ISSUED FOR REVIEW (NOT FOR CONSTRUCTION)
REV.	BY	DATE	STATUS
		LONGROAD ENERGY AGAWAM ENERGY CENTER AGAWAM, MA	
		BORING DETAILS	
 ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE 4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021 Phone: 207.829.5016 • Fax: 207.829.5692 • sme-engineers.com		DESIGN BY:	JJS/SME
		DRAWN BY:	JJS/SME
		CHECKED BY:	CLR/SME
		APRVD BY:	TMH/SME
		DATE:	09/15/2025
		SCALE:	NONE
JOB NO.		250741.02	DWG FILE
		AW1-U-601	REV C

Custom Soil Resource Report Soil Map



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features

 Blowout

 Borrow Pit

 Clay Spot

 Closed Depression

 Gravel Pit

 Gravelly Spot

 Landfill

 Lava Flow

 Marsh or swamp

 Mine or Quarry

 Miscellaneous Water

 Perennial Water

 Rock Outcrop

 Saline Spot

 Sandy Spot

 Severely Eroded Spot

 Sinkhole

 Slide or Slip

 Sodic Spot

 Spoil Area

 Stony Spot

 Very Stony Spot

 Wet Spot

 Other

 Special Line Features

Water Features

 Streams and Canals

Transportation

 Rails

 Interstate Highways

 US Routes

 Major Roads

 Local Roads

Background

 Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Hampden County, Massachusetts, Central Part
Survey Area Data: Version 19, Sep 5, 2025

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 15, 2020—Oct 31, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background

Attachment B

Request for Determination of Applicability
Agawam Energy Center Project

Narrative

1.0 Introduction

On behalf of the applicant, Agawam Energy Center, LLC, BSC Group, Inc. (BSC) is submitting a Request for Determination of Applicability (RDA) to confirm the boundaries of wetland resource areas that have been identified at the property located at 769 Silver Street in Agawam, MA (the Site; G6_2_6) and to determine whether the Agawam Energy Center Project (the Project) is subject to jurisdiction under the Massachusetts Wetlands Protection Act (WPA). The enclosed Site plan (Attachment A) depicts boundaries of proposed Project activities relative to delineated wetland resource areas as defined by the Massachusetts Wetlands Protection Act (M.G.L. Ch. 131, Sec. 40) and implementing regulations at 310 CMR 10.00. Please also refer to Attachment A for the Site Locus map.

2.0 Project Description

Agawam Energy Center, LLC (Applicant) proposes to develop an approximately 250 megawatt (MW), 1,000 megawatt hour (MWh), battery energy storage system (BESS) on the 17.2 acre Site located at 769 Silver Street (Map G6, Block 2, Lot 6) in Agawam, Massachusetts (the Project). The Project will utilize lithium-ion (Li-ion) chemistry and will interconnect at Eversource's South Agawam 115 kV switchyard located to the southeast, approximately 600 feet from the Project.

The BESS Project is intended to charge during hours where electricity demand is low, such as in the middle of the night, and discharge energy to the electrical grid during seasonal peak periods and monthly peak hours. By strategically charging and discharging, the Project will serve to displace fossil fuel generation in the Northeast and reduce carbon intensity of generation in Massachusetts.

The proposed technology is Fluence's Smartstack, or equivalent Li-ion battery provider or technology, an air conditioning-integrated solution using Li-ion batteries and will include safety features such as sensors, alarms, a deflagration system, and a venting system. Regular maintenance will be conducted to ensure the safe operation of the BESS. The associated battery containers, transformers, and inverters will sit on concrete pads that will be enclosed by a fence that will act as a physical, visual, and sound barrier as detailed in the attached plans.

The work will be conducted completely outside of all Areas Subject to Protection under M.G.L. c. 131, Section 40 listed in 310 CMR 10.02(1), as well as all buffer zones associated with Areas Subject to Protection. During construction, various Best Management Practices (BMPs) including erosion controls will be utilized to prevent impacts to adjacent resource areas and buffer zones. Therefore, the Applicant is seeking a Negative Determination of Applicability for the Project.

4.0 Existing Site Conditions

The Site encompasses approximately 17.2 acres and contains a mix of existing buildings and storage structures, gravel and paved yard areas, a pond previously identified by NHESP as a Potential Vernal Pool, and a maintained field dominated by common mugwort (*Artemisia vulgaris*) in the northeastern portion of the property. Topography across most of the Site is relatively flat. However, the eastern edge slopes sharply into a steep ravine that supports a wetland and intermittent stream system within woodlands that extend along the eastern boundary. The majority of the wetland system is located off-site further to the east.

The property is located in an industrial area and is a former lumber yard with eight (8) existing buildings and a roadway network that were associated with the business. Of the eight (8) existing buildings on the Site, the two (2) along the southwest property line will be fully retained and a third, the one closest to Silver Street, will have its rear section demolished while the front portion will be retained for office and administrative uses. All areas within the Project Site have been previously developed and disturbed.

The US Natural Resources Conservation Service (NRCS) Web Soil Survey indicates Merrimac fine sandy loam, 0 to 3 percent slopes (254A) as occurring in the majority of the Site. The delineated BVW is mapped as Merrimac fine sandy loam, 8 to 15 percent slopes (254C). Inland bank associated with the delineated pond is mapped as Merrimac fine sandy loam, 3 to 8 percent slopes (254B). Other soils within the Project Site include 258B, Amostown fine sandy loam, 0 to 3 percent slopes, and 254B, Merrimac fine sandy loam, 3 to 8 percent slopes. The full NRCS soil map is contained in Attachment A.

5.0 State Jurisdictional Wetland Resource Areas

On April 17th, 2025, wetland scientists Rachel Towes and Jonathan Monderer of BSC Group, Inc. completed wetland delineations at 769 Silver Street to document all resource areas present on the Site. This delineation was conducted in accordance with Massachusetts Department of Environmental Protection (MassDEP) methodologies and the US Army Corps of Engineers (USACE) Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (2012). Wetlands and other resource areas located outside of the property at 769 Silver Street were estimated.

BSC placed sequentially numbered flagging tape for Bordering Vegetated Wetlands (BVW) and Inland Bank for all observable resources on the Site. After resources were flagged and delineated, the boundary and flag locations were recorded with a survey grade GPS. Locations of the delineated wetland resource areas are indicated on the project Site Plan provided in Attachment A (titled “Agawam Energy Center Environmental Resources Map” produced by BSC 11/24/2025).

Data were collected using the plot methodology established by the MassDEP handbook for "Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act" and the USACE regional supplement. The data were then used to complete a USACE wetland determination data form for both a wetland and upland plot.

The following wetland resource areas and jurisdictional areas were identified and established on the Site:

- Bordering Vegetated Wetlands (BVW)
- Inland Bank
- Land Under Water Bodies and Waterways (LUW)
- 100-foot Buffer Zone

The delineation flag numbering system shown on the Site plan represents the first two letters of town name, the resource type abbreviation, and the numbered series.

For example:

AG-W1-100 stands for Agawam – Wetland 1 – Flag 100 (used for BVW)

The delineated resource areas and the associated length of each boundary are estimated in the following table while the paragraphs provide a detailed overview of each area. Attachment C contains the USACE wetland determination forms and photographs representative of each wetland.

In total, one (1) BVW, one (1) pond, and two (2) interconnecting intermittent stream channels were delineated on-site.

Bordering Vegetated Wetlands

Wetland AG-W1

This BVW can be classified as a forested wetland and runs along the eastern side of the parcel. Two intermittent stream channels, AG-SB1 and AG-SB2, run through the BVW. Vegetative communities within the wooded area consist primarily of Eastern cottonwood (*Populus deltoides*), red maple (*Acer rubrum*), yellow birch (*Betula alleghaniensis*), American beech (*Fagus grandifolia*), quaking aspen (*Populus tremuloides*), northern red oak (*Quercus rubra*), highbush blueberry (*Vaccinium corymbosum*), arrowwood viburnum (*Viburnum dentatum*), and skunk cabbage (*Symplocarpus foetidus*). Soils in the wetland generally consist of a 12-inch layer of sandy loam with hue, value, and chroma of 10YR 2/1, followed by 6+ inches of 10YR 2/1 (sandy loam) with 20% redox concentrations of 7.5YR 4/4 hue, value, and chroma. Soils generally are saturated at 0 inches, surface water is present at a depth of 1 inch, and the water table is at 6 inches.

Waterbodies and Waterways

Intermittent Streams AG-SB1 and AG-SB2

Intermittent stream AG-SB1 flows out of an impounded pond via a culvert. This stream flows within wetland AG-W1 and generally flows north. It is approximately 4-10 feet wide and contained 1-3 inches of water during the Site visit.

Intermittent stream AG-SB2 flows out from a culvert (which likely originates off-site) and connects with stream AG-SB1. AG-SB2 flows north/northeast.

Within both streams, vegetation was dominated by skunk cabbage. Other vegetation present along the banks of both streams were yellow birch, red maple, silver maple (*Acer saccharinum*), as well as Asiatic bittersweet (*Celastrus orbiculatus*), multiflora rose (*Rosa multiflora*), and poison ivy (*Toxicodendron radicans*). These streams flow east off-site and are likely hydrologically connected to Tarkill Brook.

Waterbody AG-P1

Waterbody AG-P1 is located in the southeastern portion of the parcel and is mapped by the Natural Heritage and Endangered Species Program (NHESP) as Potential Vernal Pool (PVP) 287. AG-P1 was verified during the Site investigations to be a pond that was created as a water source for livestock and is most likely hydrologically connected with field-delineated wetland AG-W1 and intermittent stream AG-SB1 (no actual connection was observed in the field). AG-P1 is located within upland woods and is a deep, concave pond that was found to hold over 3 feet (approximately) of standing water on the date of the Site visit. The pond is approximately 100 feet in length and 50

feet wide. It appears that the pond may hold water year-round. The field evaluation concluded that AG-P1 is not likely a vernal pool, as shown in Table 1 below.

Duckweed (*Lemna sp.*) was observed along the southern and eastern edges of the pond. The substrate consisted of muck and leaf litter. Some dumping (tires and a plastic bucket) was observed within the pond along the southern edge. The water was clear and tannic, most likely due to the decaying leaf litter within the pond. Various aquatic insects were observed, suggesting healthy water quality conditions. Mayfly (Order *Ephemeroptera*) and damselfly (Suborder *Zygoptera*) nymphs and caddisfly (Order *Trichoptera*) larvae were among the aquatic insects observed while sampling. The pond is most likely hydrologically connected with field-delineated wetland AG-W1 and intermittent stream AG-SB1. There may be an outlet within the gaps in stone masonry located on the northeastern edge of the pond. No vegetation was observed growing within the pond, but surveyors noted woody debris, including branches suitable for salamanders to attach egg masses to within the pond. Tree canopy cover was approximately 25-30%. Dominant tree species surrounding the pond (and wetland AG-W1) include red maple, Northern red oak, American beech, quaking aspen, Eastern white pine (*Pinus strobus*), pin oak (*Quercus palustris*), black cherry (*Prunus serotina*), Eastern cottonwood, and yellow birch. Non-native species were observed throughout the Site, including common mugwort, black locust (*Robina pseudoacacia*), Autumn olive (*Elaeagnus umbellata*), multiflora rose, honeysuckle species (*Lonicera sp.*), purple loosestrife (*Lythrum salicaria*), and Asiatic bittersweet. No obligate indicator species or facultative species were observed during the survey within the pond. Two mallards (*Anas platyrhynchos*) and one snapping turtle (*Chelydra serpentina*) were observed within the pond and one Eastern garter snake (*Thamnophis sirtalis*) was observed along the southern bank.

Table 1. Summary of the Vernal Pool Survey Results

CVP or PVP #	Associate d Wetland ID	Priorit y Habita t	VP Type	Description	Indicato r Species
PVP 287	AG-P1 AG-W1	N/A	N/A	Likely not a vernal pool. No obligate indicator species observed. No facultative species observed. The pond appears to be present year-round. Presence of duckweed along the edges of the pond.	N/A

As a result of the vernal pool survey, field investigations determined that PVP 287 is not a Vernal Pool and exhibits more characteristics of a pond.

6.0 Other Environmental Resources

BSC reviewed applicable, publicly available MassGIS data-layers to determine the presence of other environmental resources. The Site contains an area mapped by NHESP as Priority and Estimated Habitat for state-listed species along the northeast/east border of the Site. The Site does not contain any NHESP-mapped Certified Vernal Pools and is not located in a watershed for Outstanding Resource Waters, an Area of Critical Environmental Concern, Wellheads, or any FEMA flood zones.

7.0 Proposed Impacts

The proposed Project has been designed to avoid impacts to the adjacent wetland resource areas. All components of the Project, including the BESS components, substation, electrical interconnections, above- and below-ground utilities, access roads, and proposed stormwater management features are located entirely outside the delineated resource areas and the 100-foot Buffer Zone. A stormwater management plan, as well as operational and emergency response plans for the BESS, are being developed to ensure activities during construction and operation will not adversely affect nearby resource areas. Based on this design, the Project is not expected to result in any impacts to areas subject to protection under the Massachusetts Wetlands Protection Act.

8.0 Proposed Avoidance and Minimization Measures

Construction Sequencing and Limits of Work

Prior to any ground disturbance occurring on-site, the limits of work will be marked with stakes or construction fencing, and erosion and sediment controls will be installed around the perimeter of the Project area. These perimeter controls will ensure that no earth disturbance occurs outside of the planned Project area and that no sedimentation enters jurisdictional areas. During construction, soil stockpiling and equipment staging will be avoided near resource areas to prevent any pollutant or sediment discharges into jurisdictional areas. Erosion and sediment controls around the perimeter of the work area will remain in place until work is complete and all disturbed areas have been stabilized by vegetation or other means.

Stormwater Management

A Stormwater Management Plan has been developed for the Project in accordance with the Massachusetts Stormwater Handbook and accompanying Checklist. The proposed system has been designed to ensure that construction and long-term Project operations do not increase stormwater runoff or introduce pollutants to nearby resource areas.

Stormwater generated on-site will be managed through a combination of infiltration and detention practices. A stormwater detention basin will be constructed to capture, detain, and treat runoff in compliance with the Stormwater Standards. Where feasible, stormwater will infiltrate on-site; any remaining runoff will be conveyed to the detention basin through properly stabilized drainage features. The basin has been sized to attenuate peak flows and provide water-quality treatment prior to discharge.

These stormwater controls will minimize potential erosion, reduce downstream flow impacts, and ensure that stormwater is managed entirely outside jurisdictional wetland resource areas. The design will be implemented and maintained in accordance with the approved plans, providing long-term protection to adjacent resource areas and compliance with the Wetlands Protection Act.

Erosion and Sediment Controls

Prior to the start of any construction activities, appropriate erosion and sedimentation control (ESC) measures will be installed to prevent the transport of sediment toward adjacent resource areas or catch basins. These controls may include, but are not limited to, silt fencing, straw bales, fiber rolls, and/or straw wattles, depending on Site conditions and final construction sequencing. All ESCs will be installed in accordance with the Massachusetts Erosion and Sediment Control Guidelines and manufacturer specifications.

ESCs will be maintained throughout the duration of construction and inspected regularly, particularly after significant precipitation events. Any damaged or compromised controls will be repaired or replaced immediately to ensure continued effectiveness. Disturbed areas will be stabilized as soon as practicable. Upon completion of construction and stabilization of exposed soils, all temporary ESCs will be removed, and any accumulated sediment will be properly disposed of.

Vehicle Refueling and Maintenance

All vehicle refueling, lubrication, and routine maintenance activities will occur only in designated areas located on stable, impervious surfaces and situated well away from all environmentally sensitive resource areas, including wetlands, storm drain inlets, culverts, and wells. These designated areas will be selected to ensure that any accidental drips, spills, or equipment leaks are contained and do not migrate toward adjacent jurisdictional areas.

During refueling operations, contractors will employ appropriate spill-prevention practices, including the placement of absorbent pads, drip pans, or secondary containment devices beneath fuel tanks and hoses as needed. Spill kits will be maintained on-site and immediately accessible. Any spills will be cleaned up promptly and contaminated materials disposed of in accordance with applicable regulations.

Contractors will inspect refueling and maintenance areas regularly to ensure equipment is functioning properly and that no leaks are present. Should a vehicle exhibit persistent fluid leaks, it will be removed from service until repaired. These measures will minimize the risk of pollutant discharge and ensure protection of nearby wetland resource areas throughout the construction period.

Restoration

The Project has been designed to ensure that all temporarily disturbed areas will be restored and stabilized upon completion of construction activities. Any areas disturbed during clearing, grading, or equipment staging that are not required for permanent facilities will be loamed, seeded with an appropriate erosion-control or native seed mix, and stabilized to prevent erosion and sedimentation. All construction debris, excess materials, and temporary erosion and sediment controls will be removed from the Site once disturbed soils have been adequately stabilized. The Contractor will ensure the Site is cleaned of all waste and regraded as necessary to achieve positive drainage and stable ground conditions. Permanent stormwater management features will be installed and maintained in accordance with the approved stormwater design to ensure long-term protection of adjacent resource areas.

9.0 Conclusion

Based on the information provided in this Request for Determination of Applicability, Agawam Energy Center, LLC respectfully requests that the Agawam Conservation Commission issue a **Negative Determination of Applicability – Type 1**, indicating that *“the work described in the Request is not within an area subject to jurisdiction under the Wetlands Protection Act, including the Buffer Zone.”* As all proposed work is located outside the limits of jurisdictional wetland

*Request for Determination of Applicability
Narrative
Agawam, Massachusetts*

resource areas and the 100-foot Buffer Zone, it is the Applicant's understanding that the Project does not require the filing of a Notice of Intent.

The Applicant further requests that the Commission affirm the delineated resource area boundaries as shown on the accompanying Site Plan. Approval of these boundaries and the proposed Project will allow the Applicant to proceed with construction in compliance with the Massachusetts Wetlands Protection Act.

Attachment C

Request for Determination of Applicability
Agawam Energy Center Project

MassDEP Data Forms
Site Photographs

WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: 769 Silver St City/County: Agawam Sampling Date: April 17, 2025
 Applicant/Owner: Agawam Energy Center, LLC Investigator(s): Jonathan Monderer, Rachel Toews State: MA Sampling Point: AG-W1 wet
 Landform (hillslope, terrace, etc.): Toe Slope Local relief (concave, convex, none): Concave Slope(%): 1-2%
 Subregion (LRR or MLRA): LRR R, MLRA 145 Lat: 42.0519 Long: -72.6495 Datum: WGS 84 Soil Map Unit Name: Merrimac
fine sandy loam, 8 to 15 percent slopes NWI classification: PFO-1E

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No (If no, explain in Remarks.)
 Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes X No
 Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic vegetation Present? Yes <u>X</u> No <u> </u> Hydric Soil Present? Yes <u>X</u> No <u> </u> Wetland Hydrology Present? Yes <u>X</u> No <u> </u>	Is the Sampled Area within a Wetland? Yes <u>X</u> No <u> </u> If yes, optional Wetland Site ID: <u>AG-W1</u>
Remarks: (Explain alternative procedures here or in a separate report.)	

HYDROLOGY

Wetland Hydrology Indicators: Primary Indicators (minimum of one is required; check all that apply) ☒ Surface Water (A1) ☒ High Water Table (A2) ☒ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift Deposits (B3) ☐ Algal Mat or Crust (B4) ☒ Iron Deposits (B5) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Sparsely Vegetated Concave Surface (B8) ☐ Water-Stained Leaves (B9) ☐ Aquatic Fauna (B13) ☐ Marl Deposits (B15) ☐ Hydrogen Sulfide Odor (C1) ☐ Oxidized Rhizospheres on Living Roots (C3) ☐ Presence of Reduced Iron (C4) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Thin Muck Surface (C7) ☐ Other (Explain in Remarks)		Secondary Indicators (minimum of two required) ☐ Surface Soil Cracks (B6) ☐ Drainage Patterns (B10) ☐ Moss Trim Lines (B16) ☐ Dry-Season Water Table (C2) ☐ Crayfish Burrows (C8) ☐ Saturation Visible on Aerial Imagery (C9) ☐ Stunted or Stressed Plants (D1) ☐ Geomorphic Position (D2) ☐ Shallow Aquitard (D3) ☒ Microtopographic Relief (D4) ☒ FAC-Neutral Test (D5)
Field Observations: Surface Water Present? Yes <u>X</u> No <u> </u> Depth (inches): <u>1</u> Water Table Present? Yes <u>X</u> No <u> </u> Depth (inches): <u>6</u> Saturation Present? Yes <u>X</u> No <u> </u> Depth (inches): <u>0</u> (includes capillary fringe)	Wetland Hydrology Present? Yes <u>X</u> No <u> </u>	
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available: Remarks:		

VEGETATION – Use scientific names of plants.

 Sampling Point: AG-W1

	Absolute Cover %	Dominant Species?	Indicator Status	
Tree Stratum (Plot size: <u>30</u>)				Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>4</u> (A) Total Number of Dominant Species Across All Strata: <u>4</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100</u> (A/B) Prevalence Index worksheet: Total % Cover of: _____ Multiply by _____ OBL species <u>63</u> X 1 = 63 FACW species <u>51.5</u> X 2 = 103 FAC species <u>20.5</u> X 3 = 61.5 FACU species _____ X 4 = _____ UPL species _____ X 5 = _____ Column Totals: <u>135</u> (A) <u>227.5</u> (B) Prevalence Index = B/A = <u>1.69</u> Hydrophytic Vegetation Indicators: ☐ 1 - Rapid Test for Hydrophytic Vegetation ☒ 2 - Dominance Test is >50% ☒ 3 - Prevalence Index is ≤3.0 ¹ ☐ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks) ☐ 5 - Problematic Hydrophytic Vegetation ¹ ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
1. <u>Acer rubrum (Red Maple)</u>	<u>20.5</u>		<u>FAC</u>	
2. _				
3. _				
4. _				
5. _				
6. _				
7. _				
<u>20.5</u> = Total Cover				
Sapling/Shrub Stratum (Plot size: <u>15</u>)				
1. <u>Sambucus nigra (Black Elder)</u>	<u>20.5</u>		<u>FACW</u>	
2. <u>Lindera benzoin (Northern Spicebush)</u>	<u>20.5</u>		<u>FACW</u>	
3. _				
4. _				
5. _				
6. _				
7. _				
<u>41</u> = Total Cover				
Herb Stratum (Plot size: <u>5</u>)				
1. <u>Symplocarpus foetidus (Skunk Cabbage)</u>	<u>63</u>		<u>OBL</u>	
2. <u>Impatiens capensis (Jewelweed)</u>	<u>10.5</u>		<u>FACW</u>	
3. _				
4. _				
5. _				
6. _				
7. _				
<u>73.5</u> = Total Cover				
Woody Vine Stratum (Plot size: <u>30</u>)				
1. _				
2. _				
3. _				
4. _				
<u>0</u> = Total Cover				
Remarks: (Include photo numbers here or on separate sheet.)				

SOIL

Sampling Point: AG-W1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
<u>0-12"</u>	<u>10YR 2/1</u>	<u>100</u>		<u>100</u>			<u>Sandy Loam</u>	<u>Saturated</u>
<u>12-18"+</u>	<u>10YR 2/1</u>	<u>80</u>	<u>7.5YR 4/4</u>	<u>20</u>	<u>Concentration (C)</u>	<u>Pore Lining</u>	<u>Sandy Loam</u>	<u>Coarse sandy loam</u>
	<u>1</u>							

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.

²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- | | |
|---|--|
| ☐ Histosol (A1) | ☐ Polyvalue Below Surface (S8) (LRR R, MLRA 149B) |
| ☐ Histic Epipedon (A2) | ☐ Thin Dark Surface (S9) (LRR R, MLRA 149B) |
| ☐ Black Histic (A3) | ☐ Loamy Mucky Mineral (F1) (LRR K, L) |
| ☐ Hydrogen Sulfide (A4) | ☐ Loamy Gleyed Matrix (F2) |
| ☐ Surface Water (A5) | ☐ Depleted Matrix (F3) |
| ☒ Depleted Below Dark Surface (A11) | ☐ Redox Dark Surface (F6) |
| ☐ Thick Dark Surface (A12) | ☐ Depleted Dark Surface (F7) |
| ☐ Sandy Mucky Mineral (S1) | ☐ Redox Depressions (F8) |
| ☐ Sandy Gleyed Matrix (S4) | |
| ☐ Sandy Redox (S5) | |
| ☐ Stripped Matrix (S6) | |
| ☐ Dark Surface (S7) (LRR R, MLRA 149B) | |

Indicators for Problematic Hydric Soils³:

- | |
|--|
| ☐ 2 cm Muck (A10) (LRR K, L, MLRA 149B) |
| ☐ Coast Prairie Redox (A16) (LRR K, L, R) |
| ☐ 5 cm Mucky Peat or Peat (S3) (LRR K, L, R) |
| ☐ Dark Surface (S7) (LRR K, L) |
| ☐ Polyvalue Below Surface (S8) (LRR R, MLRA 149B) |
| ☐ Thin Dark Surface (S9) (LRR K, L) |
| ☐ Iron-Manganese Masses (F12) (LRR K, L, R) |
| ☐ Piedmont Floodplain Soils (F19) (MLRA 149B) |
| ☐ Mesic Spodic (TA6) (MLRA 144A, 145, 149B) |
| ☐ Red Parent Material (F21) |
| ☐ Very Shallow Dark Surface (TF12) |
| ☐ Other (Explain below) |

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches) : _____

Hydric Soil Present? Yes X No

Remarks:

WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: 769 Silver St Agawam City/County: Agawam Sampling Date: April 17, 2025
Applicant/Owner: Agawam Energy Center, LLC Investigator(s): Jonathan Monderer, Rachel Toews State: MA Sampling Point: AG-W1 upl
Landform (hillslope, terrace, etc.): Back Slope Local relief (concave, convex, none): None Slope(%): 20
Subregion (LRR or MLRA): LRR R, MLRA 145 Lat: 42.0519 Long: -72.6496 Datum: WGS 84 Soil Map Unit Name: Merrimac
fine sandy loam, 8 to 15 percent slopes NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)

Are Vegetation __, Soil __, or Hydrology __ significantly disturbed?

Are "Normal Circumstances" present? Yes X No X

Are Vegetation __, Soil __, or Hydrology __ naturally problematic?

(If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic vegetation Present? Yes ____ No <u>X</u>	Is the Sampled Area within a Wetland? Yes ____ No ____ If yes, optional Wetland Site ID: _____
Hydric Soil Present? Yes ____ No <u>X</u>	
Wetland Hydrology Present? Yes ____ No <u>X</u>	
Remarks: (Explain alternative procedures here or in a separate report.)	

HYDROLOGY

Wetland Hydrology Indicators: Primary Indicators (minimum of one is required; check all that apply)		Secondary Indicators (minimum of two required)
☐ Surface Water (A1)	☐ Water-Stained Leaves (B9)	☐ Surface Soil Cracks (B6)
☐ High Water Table (A2)	☐ Aquatic Fauna (B13)	☐ Drainage Patterns (B10)
☐ Saturation (A3)	☐ Marl Deposits (B15)	☐ Moss Trim Lines (B16)
☐ Water Marks (B1)	☐ Hydrogen Sulfide Odor (C1)	☐ Dry-Season Water Table (C2)
☐ Sediment Deposits (B2)	☐ Oxidized Rhizospheres on Living Roots (C3)	☐ Crayfish Burrows (C8)
☐ Drift Deposits (B3)	☐ Presence of Reduced Iron (C4)	☐ Saturation Visible on Aerial Imagery (C9)
☐ Algal Mat or Crust (B4)	☐ Recent Iron Reduction in Tilled Soils (C6)	☐ Stunted or Stressed Plants (D1)
☐ Iron Deposits (B5)	☐ Thin Muck Surface (C7)	☐ Geomorphic Position (D2)
☐ Inundation Visible on Aerial Imagery (B7)	☐ Other (Explain in Remarks)	☐ Shallow Aquitard (D3)
☐ Sparsely Vegetated Concave Surface (B8)		☐ Microtopographic Relief (D4)
		☐ FAC-Neutral Test (D5)
Field Observations: Surface Water Present? Yes ____ No <u>X</u> Depth (inches): _____ Water Table Present? Yes ____ No <u>X</u> Depth (inches): _____ Saturation Present? Yes ____ No <u>X</u> Depth (inches): _____ (includes capillary fringe)		Wetland Hydrology Present? Yes __ No <u>X</u>
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:		
Remarks:		

VEGETATION – Use scientific names of plants.

 Sampling Point: AG-W1 upl

	Absolute Cover %	Dominant Species?	Indicator Status	
Tree Stratum (Plot size: <u>30</u>) 1. _ 2. _ 3. _ 4. _ 5. _ 6. _ 7. _				Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>0</u> (A) Total Number of Dominant Species Across All Strata: <u>1</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>0</u> (A/B)
<u>0</u> = Total Cover				
Sapling/Shrub Stratum (Plot size: <u>15</u>) 1. _ 2. _ 3. _ 4. _ 5. _ 6. _ 7. _				Prevalence Index worksheet: Total % Cover of: _____ Multiply by _____ OBL species _____ X 1 = 0 FACW species <u>10.5</u> X 2 = 21 FAC species _____ X 3 = FACU species <u>20.5</u> X 4 = 82 . UPL species 85.5 _____ X 5 = 427.5 Column Totals: <u>116.5</u> <u>530.5</u> (B) (A) _____ Prevalence Index = B/A = <u>4.55</u>
<u>0</u> = Total Cover				Hydrophytic Vegetation Indicators: ☐ 1 - Rapid Test for Hydrophytic Vegetation ☐ 2 - Dominance Test is >50% ☐ 3 - Prevalence Index is ≤3.0 ¹ ☐ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks) ☐ 5 - Problematic Hydrophytic Vegetation ¹ ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
Herb Stratum (Plot size: <u>5</u>) 1. <u>Artemisia vulgaris</u> (Mugwort) <u>85.5</u> <u>UPL</u> 2. <u>Alliaria petiolata</u> (Garlic Mustard) <u>20.5</u> <u>FACU</u> 3. <u>Impatiens capensis</u> (Jewelweed) <u>10.5</u> <u>FACW</u> 4. _ 5. _ 6. _ 7. _				
<u>116.5</u> = Total Cover				
Woody Vine Stratum (Plot size: <u>30</u>) 1. _ 2. _ 3. _ 4. _				
<u>0</u> = Total Cover				Hydrophytic Vegetation Present? ☐ Yes ☒ No
Remarks: (Include photo numbers here or on separate sheet.)				

SOIL

Sampling Point: AG-W1 upl**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
<u>0-6"</u>	<u>10YR 3/3</u>	<u>100</u>					<u>Sandy Loam</u>	
<u>6-12"+</u>	<u>10YR 4/4</u>	<u>100</u>					<u>Sandy Loam</u>	
	<u>1</u>							

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.²Location: PL=Pore Lining, M=Matrix.**Hydric Soil Indicators:**

- | | |
|---|--|
| ☐ Histosol (A1) | ☐ Polyvalue Below Surface (S8) (LRR R, MLRA 149B) |
| ☐ Histic Epipedon (A2) | ☐ Thin Dark Surface (S9) (LRR R, MLRA 149B) |
| ☐ Black Histic (A3) | ☐ Loamy Mucky Mineral (F1) (LRR K, L) |
| ☐ Hydrogen Sulfide (A4) | ☐ Loamy Gleyed Matrix (F2) |
| ☐ Surface Water (A5) | ☐ Depleted Matrix (F3) |
| ☐ Depleted Below Dark Surface (A11) | ☐ Redox Dark Surface (F6) |
| ☐ Thick Dark Surface (A12) | ☐ Depleted Dark Surface (F7) |
| ☐ Sandy Mucky Mineral (S1) | ☐ Redox Depressions (F8) |
| ☐ Sandy Gleyed Matrix (S4) | |
| ☐ Sandy Redox (S5) | |
| ☐ Stripped Matrix (S6) | |
| ☐ Dark Surface (S7) (LRR R, MLRA 149B) | |

Indicators for Problematic Hydric Soils³:

- | |
|--|
| ☐ 2 cm Muck (A10) (LRR K, L, MLRA 149B) |
| ☐ Coast Prairie Redox (A16) (LRR K, L, R) |
| ☐ 5 cm Mucky Peat or Peat (S3) (LRR K, L, R) |
| ☐ Dark Surface (S7) (LRR K, L) |
| ☐ Polyvalue Below Surface (S8) (LRR R, MLRA 149B) |
| ☐ Thin Dark Surface (S9) (LRR K, L) |
| ☐ Iron-Manganese Masses (F12) (LRR K, L, R) |
| ☐ Piedmont Floodplain Soils (F19) (MLRA 149B) |
| ☐ Mesic Spodic (TA6) (MLRA 144A, 145, 149B) |
| ☐ Red Parent Material (F21) |
| ☐ Very Shallow Dark Surface (TF12) |
| ☐ Other (Explain below) |

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.**Restrictive Layer (if observed):**

Type: _____

Depth (inches) : _____

Hydric Soil Present? Yes ___ No X

Remarks:



Photo 1: Overview of Potential Vernal Pool (PVP) 287, which was determined during field investigations not to meet the criteria to be considered a Vernal Pool. This pond is located on the southeast/eastern edge of the parcel within an upland wooded area. It is a large, deep, concave pond that was found to hold over 3 feet (approximately) of standing water on the date of the site visit. The pool is approximately 100 ft in length and 50 ft wide. No obligate indicator species or facultative species were observed. *Facing north. Surveyed 4/17/2025.*



Photo 2: View of stone masonry along the northeastern edge of the pond. There may be an outlet within the gaps in stone masonry likely hydrologically connecting the pond with field-delineated wetland AG-W1 and intermittent stream AG-SB1. No field indicators were present of an actual connection. *Facing northeast. Surveyed 4/17/2025.*



Photo 3: View of wetland AG-W1 and intermittent stream AG-SB1, near the pond. *Facing southwest. Surveyed 4/17/2025.*



Photo 4: View of wetland AG-W1 and intermittent stream AG-SB1, near the pond. *Facing north. Surveyed 4/17/2025.*



Photo 5: View of the back of the site, photo taken from the middle of the site. *Facing east. Surveyed 10/17/2025.*



Photo 6: View of proposed substation area in the southeast corner of the site. *Facing southeast. Surveyed 11/19/2025.*



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

MAURA T. HEALEY
Governor

REBECCA L. TEPPER
Secretary

KIMBERLEY DRISCOLL
Lieutenant Governor

BONNIE HEIPLE
Commissioner

DATE: March 5, 2026

Municipality AGAWAM
(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: AMERESCO, INC.

Owner: TIMOTHY ZIELINSKI

Address: 20 WINTHROP SQUARE
BOSTON, MA 02110

Address: 85026 BARSONAGE CT
FERNANDINA BEACH, FL, 32034

LOCUS: 311 SHOEMAKER LANE

This project has been assigned the following file # : WE 087-0711

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] The commission might review the approved wetlands delineation (since expired as the OOC received a COC) from file number 087-0628, near the boundary with this lot. That file number did approve Riverfront alteration when the OOC was issued though the applicant in this case is attempting to overcome the perennial presumption. Guidance will be provided to the commission regarding overcoming said perennial presumption.

[2] The commission should make sure the correct map/parcel ID is correct.

[3] The applicant is only requesting approval of BVW and Bank (for the 100 foot buffer).

[4] Regarding the July 16, 2016 dry observation date, that date was considered to be in a drought watch, therefore it could not be used. Please review <https://www.mass.gov/info-details/history-of-drought-declarations-in-massachusetts#drought-tables-before-2019>

[5] Much of the field does show hydric soil like conditions. See Section 4.0 of the narrative. Aerial photos will be provided.

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>
Printed on Recycled Paper

AMERESCO, INC.
20 WINTHROP SQUARE
BOSTON, MA 02110

[6] To help ensure that conservation commissions have sufficient expertise available to address specific issues regarding an applicant's filing, M.G.L. c. 44, section 53g gives Commissions authority to charge a fee for the employment of outside consultants that allow for the use of the fee to ensure that they have the necessary information for them to make a decision pursuant to the Wetlands Protection Act, M.G.L. c. 131, sec. 40 and 310 CMR 10.00.

If you have any questions regarding this letter, please contact: MARK STINSON @ (413)-961-9583

Cc: Agawam Conservation Commission, DPW Inspection Services 1000 Suffield Street, Agawam, MA, 01001
Owner: Timothy Zielinski, 85026 Barsonage CT, FERNANDINA BEACH, FL, 32034
Representative: Fleetwood Environmental Solutions, LLC, 84 Russell Street, HADLEY, MA, 01035

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>
Printed on Recycled Paper

WESTFIELD ST

PARCEL 2B SHOEMAKER LN
G4_1_11
DEMAKER LN
SHOEMAKER LN

G4_1_9

281 SHOEMA
G2_1_1



ELDER ST

MAKER LN

MAKER LN

G4_1_9

***Abbreviated Notice of Resource Area
Delineation***

Related to Property ID:

G4_1_11

at

**311 Shoemaker Lane
Agawam, Massachusetts**

February 24, 2026

Prepared on Behalf of:

Ameresco, Inc.
20 Winthrop Square
Boston, MA 02110
npollis@ameresco.com

Prepared by:



84 Russell Street
Hadley, MA 01035
413.325.7372
www.fleetwoodenv.com



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 4A – Abbreviated Notice of
Resource Area Delineation
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Agawam
 City/Town

A. General Information

1. Project Location (**Note:** electronic filers will click on button for GIS locator):

311 Shoemaker Lane

a. Street Address

Agawam

b. City/Town

01001

c. Zip Code

Latitude and Longitude:

42.041429

d. Latitude

-72.653405

e. Longitude

G4

f. Assessors Map/Plat Number

1_11

g. Parcel /Lot Number

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



2. Applicant:

Nikki

a. First Name

Pollis

b. Last Name

Ameresco, Inc.

c. Organization

20 Winthrop Square

d. Mailing Address

Boston

e. City/Town

MA

f. State

02110

g. Zip Code

508.598.3254

h. Phone Number

i. Fax Number

npollis@ameresco.com

j. Email Address

3. Property owner (if different from applicant):

Timothy

a. First Name

Zielinski

b. Last Name

c. Organization

85026 Barsonage CT

d. Mailing Address

Fernandina Beach

e. City/Town

FL

f. State

32034

g. Zip Code

413.246.7311

h. Phone Number

i. Fax Number

timzie218@gmail.com

j. Email Address

Note: Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

4. Representative (if any):

David

a. Contact Person First Name

Cameron

b. Contact Person Last Name

Fleetwood Environmental Solutions, LLC

c. Organization

35 Russell Street

d. Mailing Address

Hadley

e. City/Town

MA

f. State

01035

g. Zip Code

413.325.7372

h. Phone Number

i. Fax Number

david@fleetwoodenv.com

j. Email Address

Fees will be calculated for online users.

5. Total WPA Fee Paid (from attached ANRAD Wetland Fee Transmittal Form):

\$2,000.00

a. Total Fee Paid

\$987.50

b. State Fee Paid

\$1012.50

c. City/Town Fee Paid



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
**WPA Form 4A – Abbreviated Notice of
 Resource Area Delineation**
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

 MassDEP File Number

 Document Transaction Number

 Agawam
 City/Town

B. Area(s) Delineated

1. Bordering Vegetated Wetland (BVW) ~ 5,762
Linear Feet of Boundary Delineated
2. Check all methods used to delineate the Bordering Vegetated Wetland (BVW) boundary:
 - a. ☐ MassDEP BVW Field Data Form (attached)
 - b. ☒ Other Methods for Determining the BVW boundary (attach documentation):
 1. ☒ 50% or more wetland indicator plants
 2. ☒ Saturated/inundated conditions exist
 3. ☐ Groundwater indicators
 4. ☒ Direct observation
 5. ☒ Hydric soil indicators
 6. ☒ Credible evidence of conditions prior to disturbance
3. Indicate any other resource area boundaries that are delineated:

Bank (off-site - just for the purposes of Buffer Zone projections)	~1,082
a. Resource Area	b. Linear Feet Delineated
c. Resource Area	d. Linear Feet Delineated

C. Additional Information

Applicants must include the following plans with this Abbreviated Notice of Resource Area Delineation. See instructions for details. **Online Users:** Attach the Document Transaction Number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☒ ANRAD (Delineation Plans only)
2. ☒ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
3. ☒ Plans identifying the boundaries of the Bordering Vegetated Wetlands (BVW) (and/or other resource areas, if applicable).
4. ☒ List the titles and final revision dates for all plans and other materials submitted with this Abbreviated Notice of Resource Area Delineation.

D. Fees



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
**WPA Form 4A – Abbreviated Notice of
 Resource Area Delineation**
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

 MassDEP File Number

 Document Transaction Number

 Agawam
 City/Town

The fees for work proposed under each Abbreviated Notice of Resource Area Delineation must be calculated and submitted to the Conservation Commission and the Department (see Instructions and Wetland Fee Transmittal Form).

1. ☐ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to the attached Wetland Fee Transmittal Form) to confirm fee payment:

254

2. Municipal Check Number

255

4. State Check Number

David

6. Payor name on check: First Name

2/9/26

3. Check date

2/9/26

5. Check date

Cameron

7. Payor name on check: Last Name

E. Signatures

I certify under the penalties of perjury that the foregoing Abbreviated Notice of Resource Area Delineation and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
**WPA Form 4A – Abbreviated Notice of
 Resource Area Delineation**
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

 MassDEP File Number

 Document Transaction Number

 Agawam
 City/Town

understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

I hereby grant permission, to the Agent or member of the Conservation Commission and the Department of Environmental Protection, to enter and inspect the area subject to this Notice at reasonable hours to evaluate the wetland resource boundaries subject to this Notice, and to require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.

I acknowledge that failure to comply with these certification requirements is grounds for the Conservation Commission or the Department to take enforcement action.

 1. Signature of Applicant

 2. Date

 3. Signature of Property Owner (if different)

 4. Date

 5. Signature of Representative (if any)

 6. Date

For Conservation Commission:

Two copies of the completed Abbreviated Notice of Resource Area Delineation (Form 4A), including supporting plans and documents; two copies of the ANRAD Wetland Fee Transmittal Form; and the city/town fee payment must be sent to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Abbreviated Notice of Resource Area Delineation (Form 4A), including supporting plans and documents; one copy of the ANRAD Wetland Fee Transmittal Form; and a copy of the state fee payment must be sent to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery. (E-filers may submit these electronically.)

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
ANRAD Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Important:
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Applicant Information

1. Location of Project:

311 Shoemaker Lane

a. Street Address

Agawam

b. City/Town

\$987.50

c. Fee amount

255

d. Check number

2. Applicant:

Nikki

a. First Name

Pollis

b. Last Name

Ameresco, Inc.

c. Company

20 Winthrop Square

d. Mailing Address

Boston

e. City/Town

MA

f. State

02110

g. Zip Code

508.598.3254

h. Phone Number

3. Property Owner (if different):

Timothy

a. First Name

Zielinski

b. Last Name

c. Company

85026 Barsonage CT

d. Mailing Address

Fernandina

e. City/Town

FL

f. State

32034

g. Zip Code

413.246.7311

h. Phone Number

B. Fees

The fee is calculated as follows for each Resource Area Delineation included in the ANRAD (check applicable project type). The maximum fee for each ANRAD, regardless of the number of Resource Area Delineations, is \$200 activities associated with a single-family house and \$2,000 for any other activity.

Bordering Vegetated Wetland Delineation Fee:

1. ☐ single family house project

a. feet of BVW

2

x \$2.00 =

b. Fee for BVW

2. ☒ all other projects

5,762

a. feet of BVW

x \$2.00 =

11,524

b. Fee for BVW

Other Resource Area (e.g., bank, riverfront area, etc.):

3. ☐ single family house project

a. linear feet

x \$2.00 =

b. Fee

4. ☒ all other projects

1,082

a. linear feet

2

x \$2.00 =

2,164

b. Fee

\$2,000

Fee

Total Fee for all Resource Areas:

State share of filing fee:

\$987.50

5. 1/2 of total fee **less** \$12.50

City/Town share of filing fee:

1012.50

6. 1/2 of total fee **plus** \$12.50

☐ **Online users:** check box if fee exempt.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
ANRAD Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

C. Submittal Requirements

- a.) Send a copy of this form, with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts, to:

Department of Environmental Protection
Box 4062
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Abbreviated Notice of Resource Area Delineation; a **copy** of this form; and the city/town fee payment.
- c.) **To DEP Regional Office:** Send one copy of the Abbreviated Notice of Resource Area Delineation (and any additional documentation required as part of a Simplified Review Buffer Zone Project); a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 4A – Abbreviated Notice of
Resource Area Delineation

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Agawam
 City/Town

understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

I hereby grant permission, to the Agent or member of the Conservation Commission and the Department of Environmental Protection, to enter and inspect the area subject to this Notice at reasonable hours to evaluate the wetland resource boundaries subject to this Notice, and to require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.

I acknowledge that failure to comply with these certification requirements is grounds for the Conservation Commission or the Department to take enforcement action.

1. Signature of Applicant

Timothy Ziehlman Trustee

3. Signature of Property Owner (if different)

5. Signature of Representative (if any)

2/20/2026

2. Date

2-5-2026

4. Date

6. Date

For Conservation Commission:

Two copies of the completed Abbreviated Notice of Resource Area Delineation (Form 4A), including supporting plans and documents; two copies of the ANRAD Wetland Fee Transmittal Form; and the city/town fee payment must be sent to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Abbreviated Notice of Resource Area Delineation (Form 4A), including supporting plans and documents; one copy of the ANRAD Wetland Fee Transmittal Form; and a copy of the state fee payment must be sent to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery. (E-filers may submit these electronically.)

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



Taryn Egerton, Conservation Officer
Conservation Commission
1000 Suffield Street
Agawam, MA 01001

February 24, 2026

Subject: *Abbreviated Notice of Resource Area Delineation for 311 Shoemaker Lane, Agawam, MA.*

Dear Ms. Egerton:

On behalf of Ameresco, Inc., Fleetwood Environmental Solutions, LLC (“Fleetwood”) conducted a field evaluation of resource areas subject to the Massachusetts Wetlands Protection Act (“WPA”) at the address referenced above. The following provides the background of this Abbreviated Notice of Resource Area Delineation (“ANRAD”), as well as Fleetwood’s methods and findings regarding the evaluation.

BACKGROUND

Fleetwood understands the subject property (“property”, “parcel” or “Site”) is presently designated as Assessors Map G4 Lot 1_11 (see site locus at Figure 1, below). The parcel is 36.4 acres in size, and owned by Timothy Zielinski (see Site Plan at Appendix B). The parcel is presently and has been an agricultural field for many decades. This ANRAD is seeking confirmation of the Resource Areas delineated on the parcel.

Figure 1. USGS Topographic/Site Locus Map (asterisk denotes Site location)



84 Russell Street
Hadley, MA 01035
413.325.7372

EVALUATION METHODS

During September and October of 2025, Fleetwood conducted a visual inspection of the Site, which entailed a meander survey throughout the parcel. These field investigations were preceded by a desktop evaluation of publicly-accessible maps, historic aerial images and related resources. A detailed description of the methods employed are outlined in the Wetland Delineation report provided at Appendix C.

Previous Evaluations

In 2015 and 2016 the property owner retained GZA to conduct a natural resources evaluation, including a streamflow assessment for a small stream immediately west of the subject parcel. The report that summarizes the methods and findings of that investigation is provided at Appendix D.

FINDINGS

The investigation resulted in the identification of the parcel being a large cornfield (Figure 2, below).

Figure 2. 2023 Aerial Image of Site



Three separate areas along its periphery were flagged as Resource Area boundaries: 1) a man-made ditch along the eastern and southern limits of the cornfield, which was designated as a linear Bordering Vegetated Wetland (“BVW”); 2) another BVW along much of the cornfield’s western boundary; and 3) the Bank of an intermittent stream just off-site to the west, which partially projects 100-foot Buffer Zone onto the subject parcel. This stream was determined to have no flow at least four days within a consecutive 12-month period through an evaluation conducted by GZA in 2015 and 2016, and documentation of these conditions is provided in the aforementioned report at Appendix D. Ameresco is seeking the Commission’s confirmation of the BVW boundaries, and those portions of Buffer Zone from the off-site stream that project into the parcel.

Thank you for your attention to this ANRAD. Do contact me with any questions.

Sincerely,

David Cameron

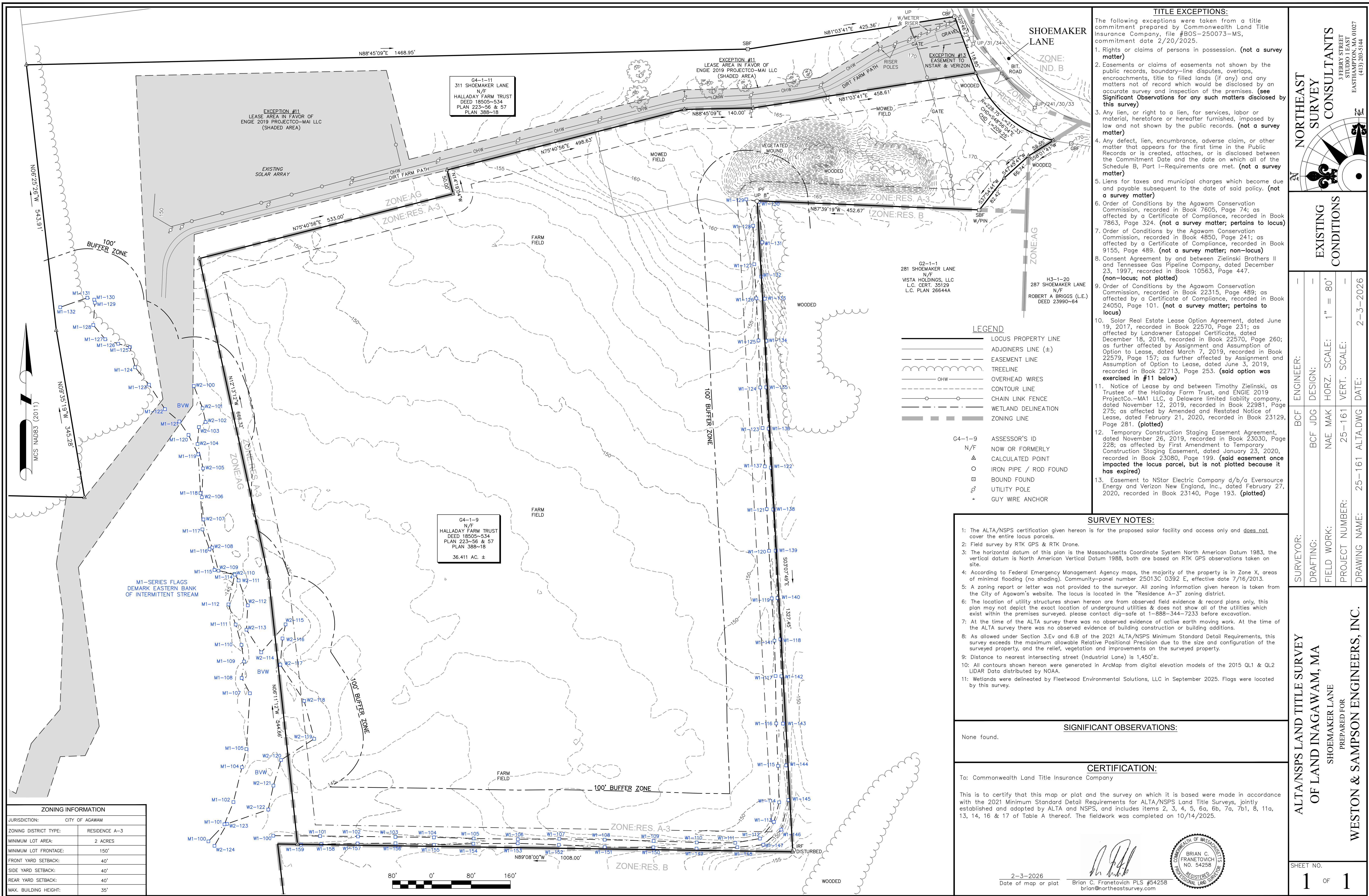
David Cameron, PWS, Principal
Fleetwood Environmental Solutions, LLC

Copy: Nikki Pollis, Ameresco, Inc.
MassDEP, WERO

84 Russell Street
Hadley, MA 01035
413.325.7372

APPENDIX B

Site Plan



APPENDIX C
Wetland Delineation Report

Natural Resources Evaluation and Wetland Determination Report

for

**311 Shoemaker Lane
Agawam, Massachusetts**

October 25, 2025

Prepared for:

Ameresco
20 Winthrop Square
Boston, MA 02110

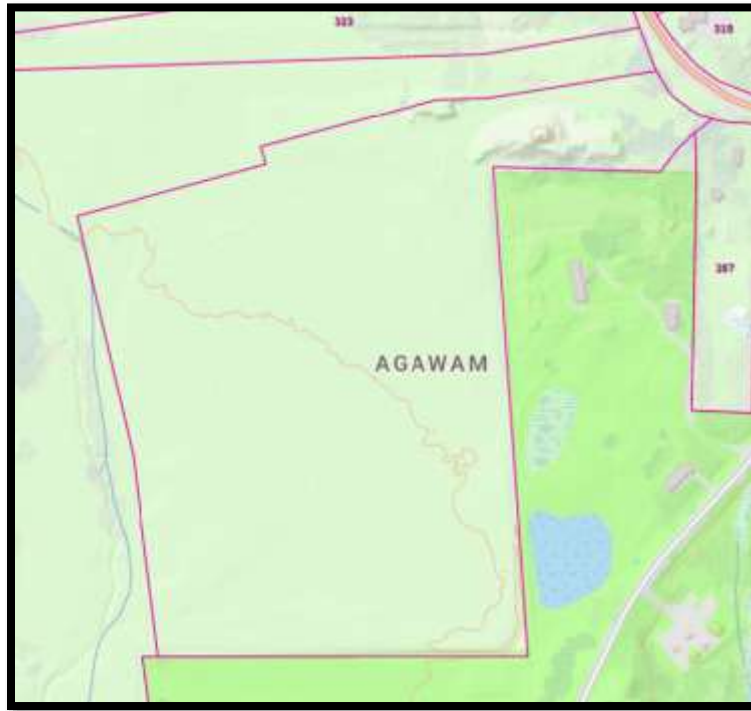
Prepared by:



84 Russell Street
Hadley, MA 01035
413.325.7372
www.fleetwoodenv.com

1.0 INTRODUCTION AND BACKGROUND

Per Ameresco’s request, Fleetwood Environmental Solutions, LLC (“Fleetwood”) conducted a natural resources-based evaluation for a parcel of land at 311 Shoemaker Lane in Agawam, Massachusetts, identified by MassMapper as property G4_1_9 per MassMapper (screenshot below, with parcel centered):



This property (the “Site”, “parcel” or “property”) is 36.4 acres in size. Ameresco is assessing the feasibility of a developing commercial solar array project at the Site, which is currently in agricultural use. The assessment was intended to provide detail regarding jurisdictional wetland determinations conducted by Fleetwood and the wetlands permitting implications for development at the Site.

2.0 REVIEW METHODS

2.1 *Desktop Analysis*

Fleetwood initially conducted a desktop investigation for the Site. The following project file was provided by Ameresco for Fleetwood’s use:

- Conceptual design plan (Sheet E-100), prepared by Ameresco and dated May 9, 2024 (Appendix A).

Fleetwood additionally consulted historic and contemporary aerial imagery and resource maps depicting topography, elevation, land use, wetlands, floodplains, hydrologic connections, linear [hydrographic] features soils, Estimated Habitats of Rare Wildlife (“EH”), Priority Habitats of Rare Species (“PH”), Certified Vernal Pools (“CVPs”), Potential Vernal Pools (“PVP”), Areas of Critical Environmental Concern (“ACECs”), Outstanding Resource Waters (“ORWs”), Coldwater Fisheries Resources (“CFRs”), and the U.S. Geological Survey’s (“USGS”) StreamStats Program, as part of the desktop exercise.

2.2 *Field-Based Analysis*

Field evaluations were conducted by Fleetwood on September 12, 2025; September 26, 2025; and October 21, 2025. These evaluations initially entailed a meander survey to search for Resource Areas regulated under the Massachusetts Wetlands Protection Act (“WPA”) and its implementing regulations (310 CMR 10.00), followed by the placement of survey flags along jurisdictional wetland features discovered on and immediately adjacent to the parcel. The requisite state and federal criteria were followed in order to delineate jurisdictional features, including plant communities, soils, and indicators of hydrology. Approximately 45 acres (“Study Area”) were visually inspected during the field survey.

3.0 **FINDINGS**

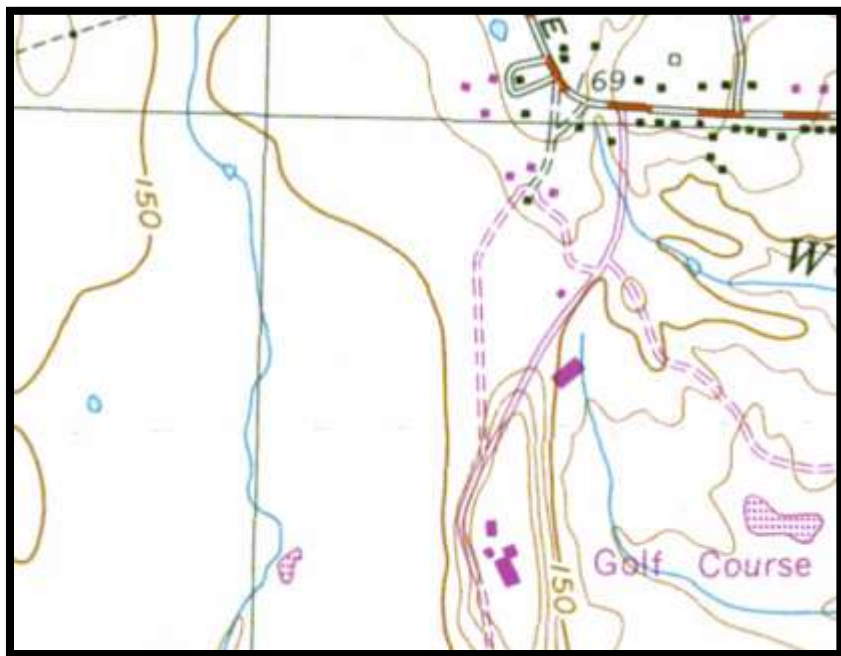
3.1 *General*

According to MassMapper data the Site is comprised of one parcel totaling 36.4 acres and is owned by Timothy Zielinski. Mr. Zielinski also owns the parcel to the immediate west. The Site consists of a large agricultural field, which was serving as an active corn crop during the time of the field evaluation.

3.2 *Historic and Contemporary Aerial Imagery, Topography, Elevation, and Land Use*

Elevation at this property is relatively homogenous, and ranges from 44-46 meters (~144-151) feet, with elevation gains occurring mainly from southwest to northeast. Based upon review of historic aerial images and maps, as well as anecdotal information provided by the property owner, the Site has been in substantially the same state (i.e., agricultural land) for at least several decades.

Current USGS topographic maps depict one stream very close to the western boundary of the Site, originating from the northwest and flowing off-site toward the south, ultimately discharging to Philo Brook. An image is provided below depicting an asterisk near the center of the subject parcel.

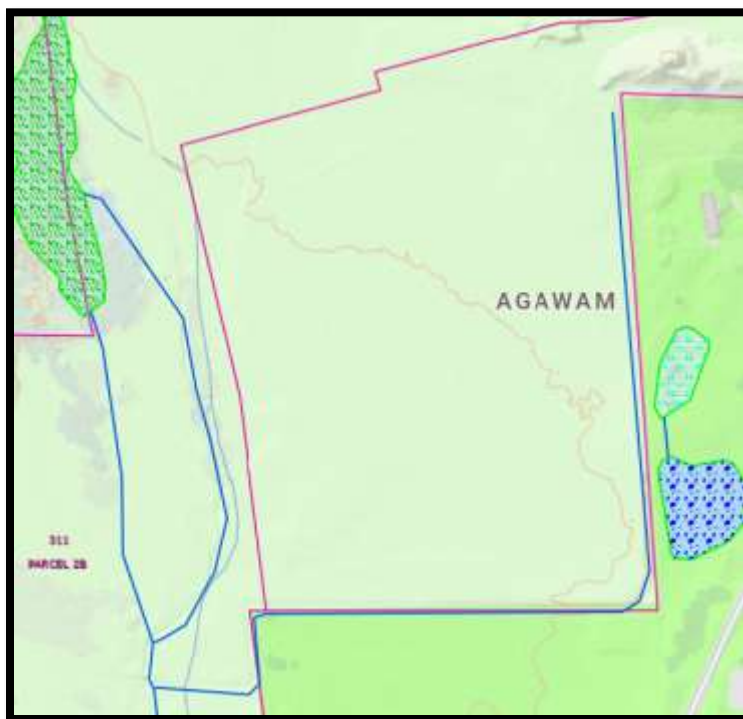


3.3 *Wetlands and Hydrologic Connections*

According to MassMapper’s “DEP Wetlands” data layer the Study Area contains two wetland features:

- A hydrologic connection [stream] that wraps the property's eastern and southern boundaries; and
- Another stream along the property's western boundary

These features are depicted in the image below:



MassMapper does not indicate any polygons of “Wetlands Change” or “2005 Human Altered Areas” that have been detected on the Site, meaning no illicit alterations of wetlands have been detected by state regulatory agencies via remote sensing.

Based on Fleetwood’s on-site investigations, the following additional information was obtained:

- The wetland features identified by USGS mapping and MassMapper exist and are located generally consistent with said mapping;
- The stream depicted by MassMapper along the eastern and southern property boundaries is a made-made drainage swale that is maintained as mowed herbaceous plants along its channel bottom and embankments. Given it is primarily a long, linear vegetated feature with no scoured channel bottom, it would be best characterized as a linear Bordering Vegetated Wetland (“BVW”), given it discharges to the aforementioned stream near the property’s southwestern corner. This feature has an associated 100-foot Buffer Zone;
- An additional wetland along the western edge of the property was discovered, and is composed exclusively of herbaceous plant species, since it is within an active pasture. This wetland is hydrologically connected to the stream to the immediate west, and thus qualifies as a BVW, with an associated 100-foot Buffer Zone; and
- An isolated wetland near the northwestern corner of the parcel that was not flagged by Fleetwood.

The field-located and verified wetlands and streams were flagged accordingly:

- **Wetland 1:** BVW which is the grassy swale along the eastern and southern property boundaries (pink wire pin flags labeled W1-100 through W1-160);

- **Wetland 2:** BVW between the corn field and stream along the property's western boundary (pink tape flags affixed to fiberglass rods labeled W2-100 through W2-124); and
- **Stream:** the apparent Bank/mean annual high-water line ("MAHWL") along the eastern side of the stream was flagged with blue tape and blue wire pin flags labeled M1-100 through M1-132.

3.4 Floodplain

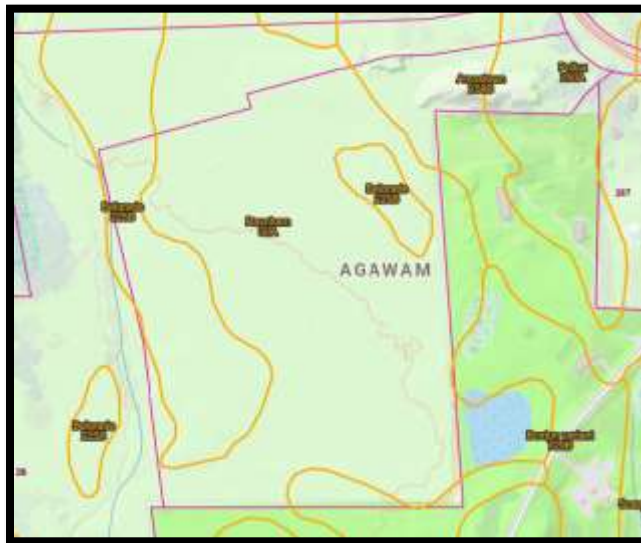
MassGIS does not depict any portion of the project footprint as encompassed by a 100-year [i.e., "Zone A"] floodplain. Neither does the corresponding Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), Panel (Appendix C). This means that none of the conceptual solar array would fall within Bordering Land Subject to Flooding ("BLSF")---a Resource Area regulated under the WPA, short of credible documentation being provided by the Agawam Conservation Commission ("Commission") or a third party.

3.5 Soils

Four distinct soil types are mapped on the portion of the Site which encompasses the anticipated solar array footprint, per the Natural Resources Conservation Service's Hampden County Soil Survey (Central Part) and MassMapper, as summarized in Table 3-1, and depicted in the image, below.

Table 3-1. Soil Types Mapped within the Vicinity of the Anticipated Proposed Solar Project Footprint

Map Symbol and Unit Name	Portion of Site	Slopes	Hydric?	Prime or Statewide Important Farmland?	Drainage Class
250A Pollux fine sandy loam	northeastern	0-3%	No	Yes	Well drained
258B Amostown fine sandy loam	northeastern	0-6%	No	Yes	Moderately well drained
225B Belgrade silt loam	western	0-8%	No	Yes	Moderately well drained
30A Raynham silt loam	majority of project site	0-3%	Yes	No	poorly drained



Fleetwood's opinion is that the soil survey mapping appears to match the conditions observed in the field, but for the fact that the Raynham soil unit did not display contemporary hydrology (surface water nor groundwater), and was comprised primarily of a healthy corn crop---an agricultural commodity that is generally stunted when growing in wetlands at the margins of corn fields. This may be the result of the significant drainage that has occurred at the property due to the grassy swale.

3.6 *Estimated Habitats of Rare Wildlife*

According to MassGIS there is no EH on the Site.

3.7 *Priority Habitats of Rare Species*

According to MassGIS there is no PH on the Site.

3.8 *Certified Vernal Pools*

According to MassGIS there are no CVPs on the Site.

3.9 *Potential Vernal Pools*

According to MassGIS there are no PVPs on the Site.

3.10 *Areas of Critical Environmental Concern*

According to MassGIS the Site is not within or encompassed by any ACECs.

3.11 *Outstanding Resource Waters*

According to MassGIS there are no ORWs on the Site.

3.12 *Coldwater Fisheries Resources*

According to MassGIS there are no CFRs on the Site.

3.13 *U.S. Geological Survey's StreamStats Program*

StreamStats was consulted to assess the contributing drainage area and percentage of underlying stratified drift soils associated with the stream along the property's western boundary. The StreamStats report for this watercourse is provided at Appendix D, and these data indicate the contributing watershed to the stream is 0.60 square mile with 55% underlying stratified drift. While there is a presumptive perennial status for this stream, a previous streamflow monitoring evaluation by others (GZA) documented at least four days within a consecutive, non-drought period whereupon the stream exhibited no flow. Thus, it does not have an associated 200-Foot Riverfront Area.

Representative Site photographs are provided at Appendix E.

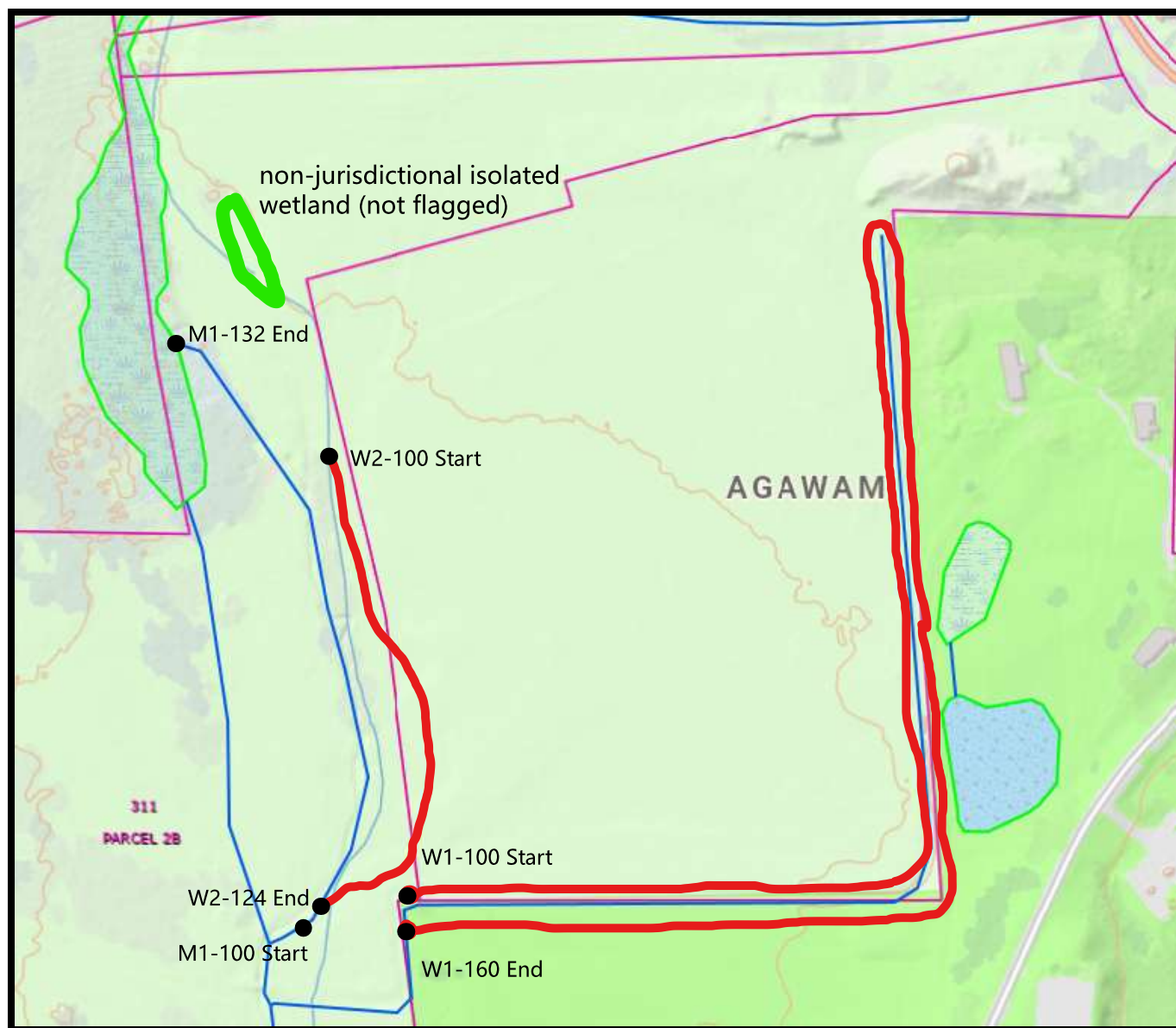
4.0 DISCUSSION AND RECOMMENDATIONS

It is important to note the hydric soil characterization over much of the site, despite it being able to sustain a robust corn crop. As previously discussed, Fleetwood did not flag the majority of this site as a wetland, given: 1) the lack of such a characterization on MassMapper by DEP; 2) the grass swale (Wetland 1) that was constructed to provide significant drainage of the farm field; and 3) anecdotal information from the property owner indicating a significant soils and hydrology investigation was conducted by the Agawam Conservation Commission in the past ruling out the field is a wetland.

APPENDIX B

Wetland Delineation Sketch

Approximate location of wetland flags placed at 311 Shoemaker Lane by Fleetwood Environmental Solutions, LLC - September 2025



W1 Flags = pink wire pin flags on either side of grassy swale [BVW] that are labeled "WETLAND DELINEATION"

W2 Flags = pink tape flags affixed to fiberglass driveway edge stakes that are labeled "WETLAND BOUNDARY" that demarcate the eastern edge of a Bordering Vegetated Wetland ("BVW")

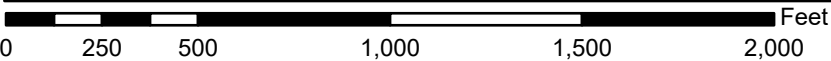
M1 flags = blue wire pin and tape flags that demarcate the eastern mean annual high-water line of an unnamed tributary to Philo Brook

APPENDIX C
Flood Insurance Rate Map

National Flood Hazard Layer FIRMMette



72°39'28"W 42°2'52"N



1:6,000

72°38'51"W 42°2'25"N

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

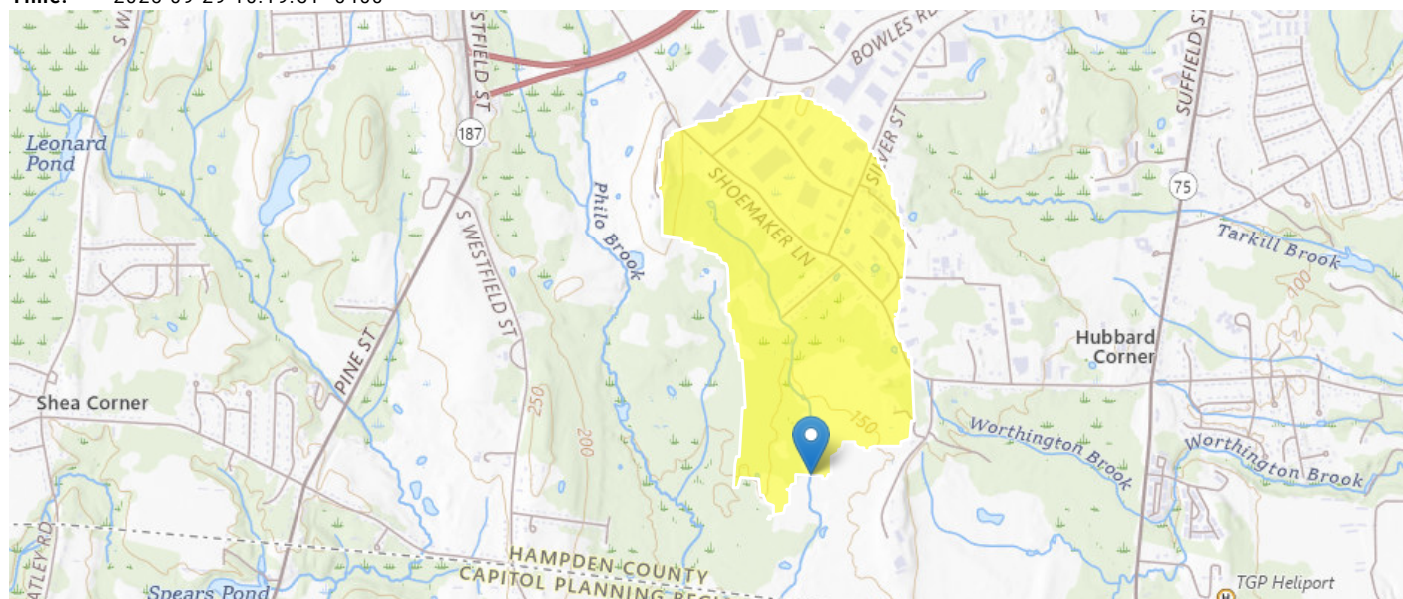
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **10/24/2025 at 8:34 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

APPENDIX D
USGS StreamStats Report

StreamStats Report

Region ID: MA
Workspace ID: MA20250929141929673000
Clicked Point (Latitude, Longitude): 42.03902, -72.65579
Time: 2025-09-29 10:19:51 -0400



Collapse All

Basin Characteristics

Parameter Code	Parameter Description	Value	Unit
DRNAREA	Area that drains to a point on a stream	0.6	square miles
PCTSDNGRV	Percentage of land surface underlain by sand and gravel deposits	54.65	percent

USGS Data Disclaimer: Unless otherwise stated, all data, metadata and related materials are considered to satisfy the quality standards relative to the purpose for which the data were collected. Although these data and associated metadata have been reviewed for accuracy and completeness and approved for release by the U.S. Geological Survey (USGS), no warranty expressed or implied is made regarding the display or utility of the data for other purposes, nor on all computer systems, nor shall the act of distribution constitute any such warranty.

USGS Software Disclaimer: This software has been approved for release by the U.S. Geological Survey (USGS). Although the software has been subjected to rigorous review, the USGS reserves the right to update the software as needed pursuant to further analysis and review. No warranty, expressed or implied, is made by the USGS or the U.S. Government as to the functionality of the software and related material nor shall the fact of release constitute any such warranty. Furthermore, the software is released on condition that neither the USGS nor the U.S. Government shall be held liable for any damages resulting from its authorized or unauthorized use.

USGS Product Names Disclaimer: Any use of trade, firm, or product names is for descriptive purposes only and does not imply endorsement by the U.S. Government.

Application Version: 4.29.3
StreamStats Services Version: 1.2.22
NSS Services Version: 2.2.1

APPENDIX E

Site Photographs from September 26, 2025



Representative view of property---view southeast



Wetland 1 (farm ditch) at eastern edge of Site---view south



Wetland 1 (farm ditch) at southern edge of Site---view west



Stream near where it enters the property toward northwestern corner of Site---view west



Isolated wetland (not flagged) toward northwestern corner of Site---view north



Stream along the parcel's western property boundary---view downstream/southwest



Wetland 2 along the edge of cornfield near Site's western property boundary---view north



Wetland 2 near southwestern corner of property---view north

APPENDIX D

GZA Streamflow Monitoring Report



Proactive by Design

GEOTECHNICAL
ENVIRONMENTAL
ECOLOGICAL
WATER
CONSTRUCTION
MANAGEMENT

1350 Main Street
Suite 1400
Springfield, MA 01103
413.726.2100
www.gza.com



5/31/2017

GZA File No.: 15.0166503.00

Note: annotations in red were made by Fleetwood Environmental Solutions, LLC upon confirmation of typos/errors in the original report upon discussion with the field scientist (Steven Riberdy) that conducted the evaluation.

Tim Zielinski
218 Shoemaker Lane
Agawam, MA 01001

Re: Shoemaker Lane-Intermittent Stream Monitoring 2014-2016

Dear Tim:

This letter report documents our on-site observations of the stream on your Shoemaker Lane property (see Figure 1) in order to document no-flow conditions in support of overturning the DEP map-based presumption of perennial status. The site was visited 5 occasions between August 2014 and July 2016 (8/15/14, 9/8/15, 9/9/15, 9/10/15, and 7/7/16). Figure 1 also depicts the location of stream monitoring stations that were visited during this timeframe. Photos of each station by date are included in this report.

(This was intended to say "within a consecutive 12-month period" vs. "calendar year.")
In summation, during the course of our site survey the stream was observed completely dry on three consecutive days between 9/8/15 and 9/19/15 as well as a fourth date within the same calendar year on 7/7/16. Low flow was observed on our first observation in August 2014. The site was also visited on other occasions between 8/2014 and 7/2016 when some steam flow was observed. In general the upper portions of the stream (up-gradient of Station 6) were observed dry on other dates however the lower sections were observed wet and flowing, albeit in diminished capacity. There is a change in soil type between stations 5 and 7 where sandy soils of the upper stream reach transitions to glacio-lacustrine soils and hold water longer and contribute base-flow for longer in the year.

If you have any questions or concerns, please contact our office at your convenience.

Very truly yours,

GZA, Inc.

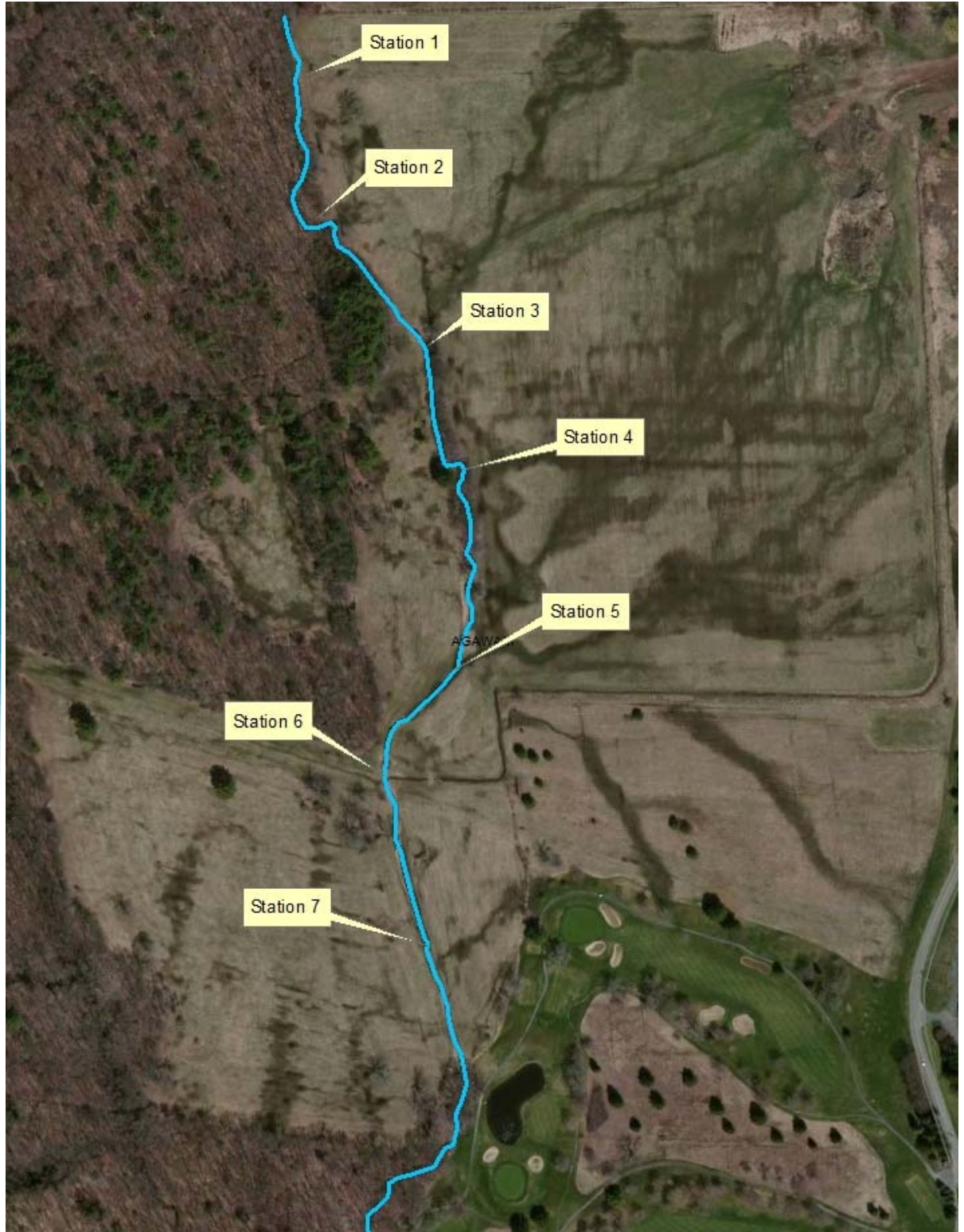
Steven D. Riberdy, MS, PWS, CWB, CE
Senior Ecologist

Attached: Figure 1: Stream Monitoring Stations

Site Photos



Proactive by Design



SITE PHOTOS



8/15/14 Station 1: Wet



8/15/14 Station 2: Wet

SITE PHOTOS



8/15/14 Station 3: Wet



8/15/14 Station 4: Wet

SITE PHOTOS



8/15/14 Station 6: Wet



8/15/14 Station 7 downstream: wet

SITE PHOTOS



8/15/14 Station 7 Upstream: Wet



9/8/15 Station 1: Dry

SITE PHOTOS



9/8/15 Station 2: Dry



9/8/15 Station 2: Dry

SITE PHOTOS



9/8/15 Station 3 Upstream: Dry



9/8/15 Station 3 Downstream: Dry

SITE PHOTOS



9/8/15 Station 4: Dry



9/8/15 Station 4: Dry

SITE PHOTOS



9/8/15 Station 5: Dry



9/8/15 Station 5: Dry

SITE PHOTOS



9/8/15 Station 6: Dry



9/8/15 Station 7: Dry

SITE PHOTOS



9/9/17 Station 1: Dry (caption should be 9/9/15)



9/9/17 Station 2: Dry (caption should be 9/10/15)

SITE PHOTOS



9/9/17 Station 3: Dry (caption should be 9/9/15)



9/9/17 Station 3: Dry (caption should be 9/9/15)

SITE PHOTOS



9/9/17 Station 4: Dry (caption should be 9/9/15)



9/9/17 Station 4: Dry (caption should be 9/9/15)

SITE PHOTOS



9/9/17 Station 5: Dry (caption should be 9/9/15)



9/9/17 Station 6: Dry (caption should be 9/9/15)

SITE PHOTOS



9/10/16 Station 1: Dry (caption should be 9/10/15)



9/10/16 Station 2: Dry (caption should be 9/10/15)

SITE PHOTOS



9/10/16 Station 2: Dry (caption should be 9/10/15)



9/10/16 Station 2: Dry (caption should be 9/10/15)

SITE PHOTOS



9/10/16 Station 3: Dry (caption should be 9/10/15)



9/10/16 Station 3: Dry (caption should be 9/10/15)

SITE PHOTOS



9/10/16 Station 4: Dry (caption should be 9/10/15)



9/10/16 Station 4: Dry (caption should be 9/10/15)

SITE PHOTOS



9/10/16 Station 5: Dry (caption should be 9/10/15)



9/10/16 Station 5: Dry (caption should be 9/10/15)

SITE PHOTOS



9/10/16 Station 6: Dry (caption should be 9/10/15)



9/10/16 Station 7: Dry (caption should be 9/10/15)

SITE PHOTOS



9/10/16 Station 7: Dry



7/7/16 Station 1: Dry

SITE PHOTOS



7/7/16 Station 2: Dry



7/7/16 Station 2: Dry

SITE PHOTOS



7/7/16 Station 3: Dry



7/7/16 Station 4: Dry

SITE PHOTOS



7/7/16 Station 5: Dry



7/7/16 Station 5: Dry

SITE PHOTOS



7/7/16 Station 6: Dry



7/7/16 Station 7: Dry

APPENDIX E

Certified Abutters List and Abutter Notification

Town of Agawam

Assessor's Office

36 Main St, Agawam, MA 01001-1837
Tel: 413-786-0400 x 8701 Fax: 413-726-2828
Email: assessor@agawam.ma.us

CERTIFIED LIST OF ABUTTERS

SUBJECT PROPERTY MAP, BLOCK + LOT	LOCATION OF SUBJECT PROPERTY	OWNERS AND MAILING ADDRESS
G4-01-0009	311 Shoemaker Ln.	Timothy Zielenski Tr Halladay Farm Trust 85026 Barsonage Ct. Fernandina Beach, FL 32034

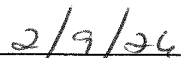
PLEASE SEE ATTACHED LIST OF ABUTTERS

Per the Assessors records I certify that the attached lists of persons are the abutters of record for the subject properties within 100 feet of the outer perimeter.

To the best of our knowledge, this list represents the most current owners of the properties. The accuracy of this listing is based solely on the information currently available in our database.

**Please note that this parcel borders another community. Some of the abutters are not located in Agawam, and are not listed in the enclosed report. You will need to contact the bordering community for any additional abutter information required.*

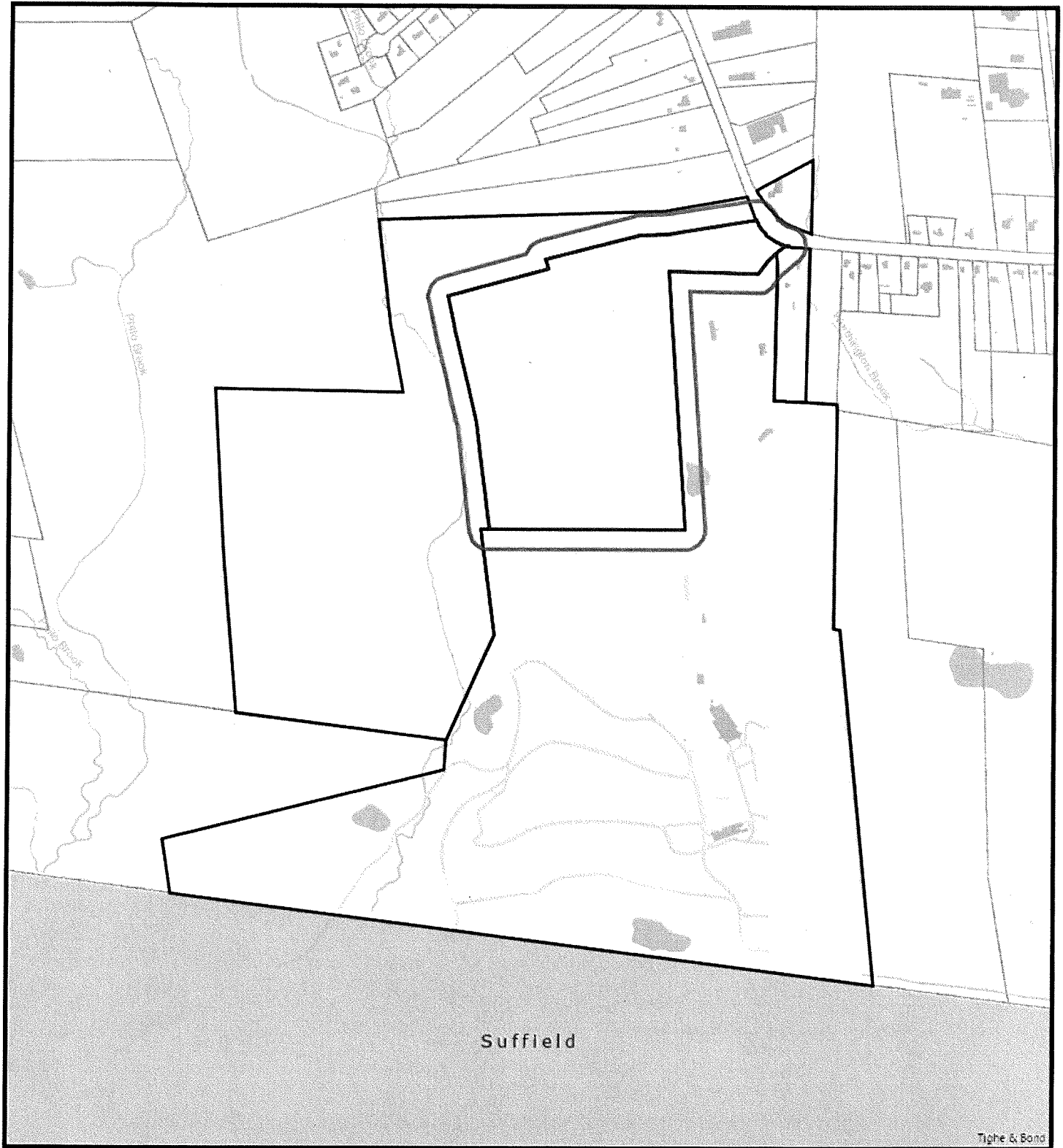

Kelly McCormick, MAA
Agawam Assessor


Date

311 SHOEMAKER LN

100'

Parcel ID	Address	Owner	Owner 2	Owner Address	City	State	Zip
H3 1 20	287 SHOEMAKER LN	BRIGGS ROBERT A L/E		287 SHOEMAKER LN	AGAWAM	MA	01001
H4 2 15	318 SHOEMAKER LN	SMUS PETER J		318 SHOEMAKER LN	AGAWAM	MA	01001
G2 1 1	281 SHOEMAKER LN	VISTA HOLDINGS LLC		281 SHOEMAKER LN	AGAWAM	MA	01001
G4 1 11	PARCEL 2B SHOEMAKER LN	ZIELINSKI TIMOTHY TR	HALLADAY FARM TRUS	85026 BARSONAGE CT	FERNANDINA BEACH	FL	32034



311 SHOEMAKER LN 100'

2/3/2026 10:15:47 AM

Scale: 1"=700'

Scale is approximate

The information depicted on this map is for planning purposes only.
It is not adequate for legal boundary definition, regulatory
interpretation, or parcel-level analyses.



**Notification to Abutters
Under the Massachusetts Wetlands Protection Act**

This is a notification required by law. You are receiving this notification because you have been identified as the owner of land abutting another parcel of land for which certain activities are proposed. Those activities require a permit under the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40).

In accordance with the second paragraph of the Massachusetts Wetlands Protection Act, and 310 CMR 10.05(4)(a) of the Wetlands Regulations, you are hereby notified that:

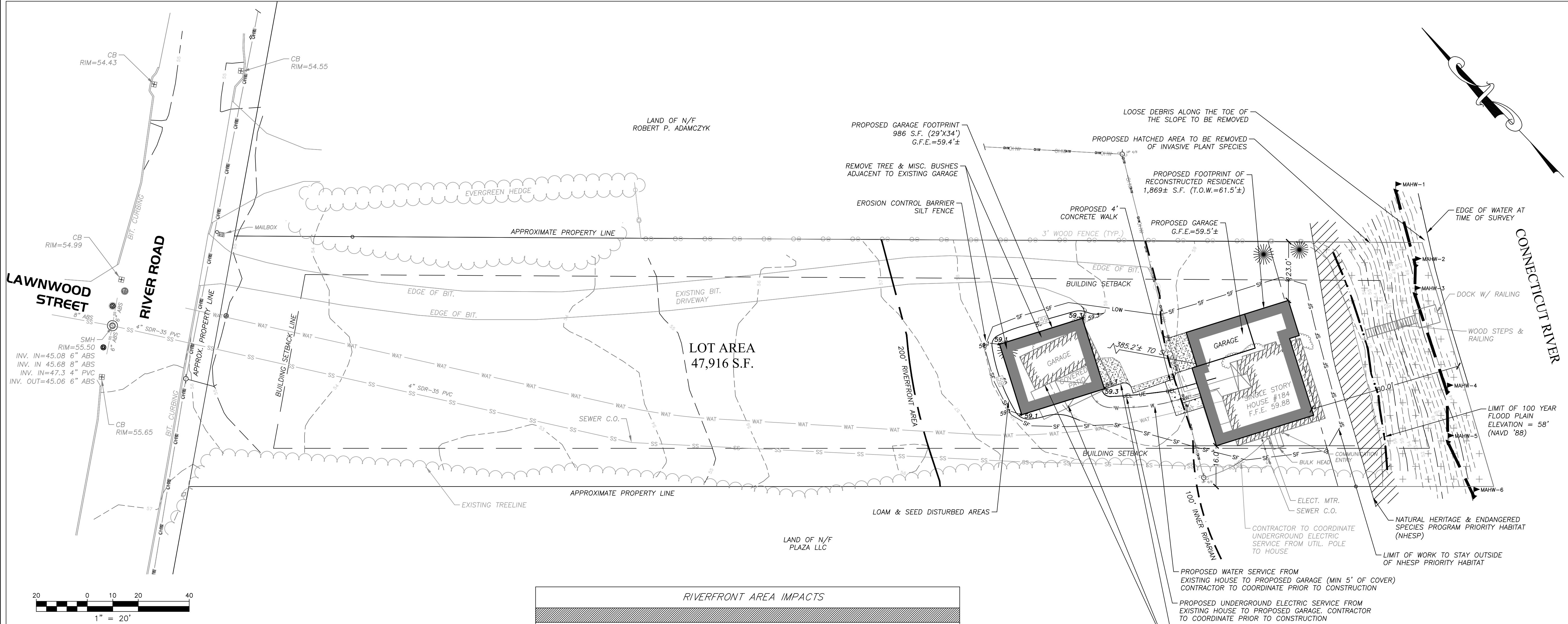
- A. An Abbreviated Notice of Resource Area Delineation (“ANRAD”) was filed with the Agawam Conservation Commission on February 24, 2026 seeking confirmation of the boundaries of areas subject to protection under M.G.L. c. 131 §40.). The work proposed is:

No work proposed at this time.

- B. The name of the applicant is: Ameresco, Inc.
- C. The address of the land where the activity is proposed is: 311 Shoemaker Lane.
- D. Copies of the ANRAD may be examined at the Public Works Municipal Annex, 1000 Suffield Street, between the hours of 9:00 a.m. and 3:00 p.m., Monday – Friday, and online at: www.agawam.ma.us/169/Conservation-Commission (see “Pending Applications”).
- E. Copies of the ANRAD may be obtained from the applicant’s representative (Fleetwood Environmental Solutions, LLC) by calling 413.325.7372. An administrative fee may be applied for providing copies of the ANRAD and plans.
- F. Information regarding the date, time, and place of the public hearing may be obtained by calling the Conservation Officer at 413.786.0400 x. 8245. Conservation Commission agendas are also posted at: www.agawam.ma.us/169/Conservation-Commission

Notification provided pursuant to the above requirement does not automatically confer standing to
the recipient to request Departmental Action for the underlying matter. See 310 CMR
10.05(7)(a)4.

S:\Projects\2011\110503_Kaneberg_River_Rd_Agawam\Design\Drawg\110503 - SITE.dwg



NOTES

- THE RECORD OWNER OF THE SUBJECT PARCEL IS HOWARD A. KANEGBERG. SEE HAMPDEN COUNTY REGISTRY OF DEEDS BOOK 11038 PAGE 192.
- THE PROPERTY LINES SHOWN HEREON ARE BASED UPON THE TOWN OF AGAWAM GIS AND ARE APPROXIMATE.
- THE EXISTING BUILDING(S) SHOWN HEREON ARE BASED ON AN APPROXIMATE MEASUREMENT OF THE OUTSIDE PERIMETER OF THE EXISTING STRUCTURES. THE ACTUAL LOCATION OF THE EXISTING BUILDING WALLS AND CORNERS SHOULD BE VERIFIED IN THE FIELD PRIOR TO ANY CONSTRUCTION WORK THAT WOULD ABUT OR TAKE PLACE ADJACENT TO THE EXISTING BUILDING(S). IF THE PLAN HEREON IS USED FOR CONSTRUCTION LAYOUT PURPOSES, THE PARTIES CONDUCTING LAYOUT SHALL CONTACT R. LEVESQUE ASSOCIATES INC. PRIOR TO SAID LAYOUT TO DETERMINE PROPER CONTROL. PLEASE NOTE WHILE THE BUILDING(S) ARE SHOWN TO BE SQUARE, IT SHOULD NOT BE ASSUMED THAT THE WALLS ARE SQUARE OR PLUMB. R. LEVESQUE ASSOCIATES TAKES NO RESPONSIBILITY FOR THIRD PARTY LAYOUT OF THE PLAN SHOWN HEREON.
- THIS PLAN HAS BEEN PREPARED FOR SITE PERMITTING PURPOSES AND SHALL NOT BE USED FOR THE CONVEYANCE OF LAND OR FOR ANY OTHER USE.
- SUBJECT PARCEL CONTAINS 47,916 S.F.
- THE SUBJECT PROPERTIES SHOWN HEREON MAY BE SUBJECT TO RIGHTS AND EASEMENTS AS CONTAINED IN THE VARIOUS DEEDS OF RECORD DESCRIBING SAID PROPERTIES. THE LOCATION AND EXTENT OF ANY SUCH RIGHTS AND EASEMENTS IS NOT THE SUBJECT OF THIS PLAN.
- THE MEAN ANNUAL HIGH WATER (M.A.H.W.) OF THE CONNECTICUT RIVER WAS DELINEATED BY R. LEVESQUE ASSOCIATES IN THE SPRING OF 2011.
- THE EXISTING CONDITIONS INFORMATION SHOWN IS BASED UPON A TOPOGRAPHIC SURVEY PERFORMED BY R. LEVESQUE ASSOCIATES, INC. IN THE SPRING OF 2011.
- THE UNDERGROUND UTILITIES SHOWN HEREON HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION, AVAILABLE RECORD DATA, AND THE TOWN OF AGAWAM GIS INFORMATION. R. LEVESQUE ASSOCIATES, INC. MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN HEREON COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. R. LEVESQUE ASSOCIATES, INC. FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN HERE ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM AVAILABLE INFORMATION.
- ADJACENT PROPERTY LINES AND ABUTTERS SHOWN HEREON ARE REFERENCED FROM THE TOWN OF AGAWAM GIS.
- SUBJECT PARCEL IS ZONED RESIDENCE A-2 ACCORDING TO THE TOWN OF AGAWAM ZONING MAP.
- A PORTION OF THE SUBJECT PARCEL IS LOCATED WITHIN SPECIAL FLOOD ZONE AE: ELEVATION 58' (NAVD '88) ACCORDING TO FLOOD INSURANCE RATE MAP NUMBER 2501C0411E - EFFECTIVE DATE: 7/16/2013.
- THE SUBJECT PROPERTY IS PARTIALLY LOCATED WITHIN NATURAL HERITAGE & ENDANGERED SPECIES PROGRAM (NHESP) JURISDICTION.

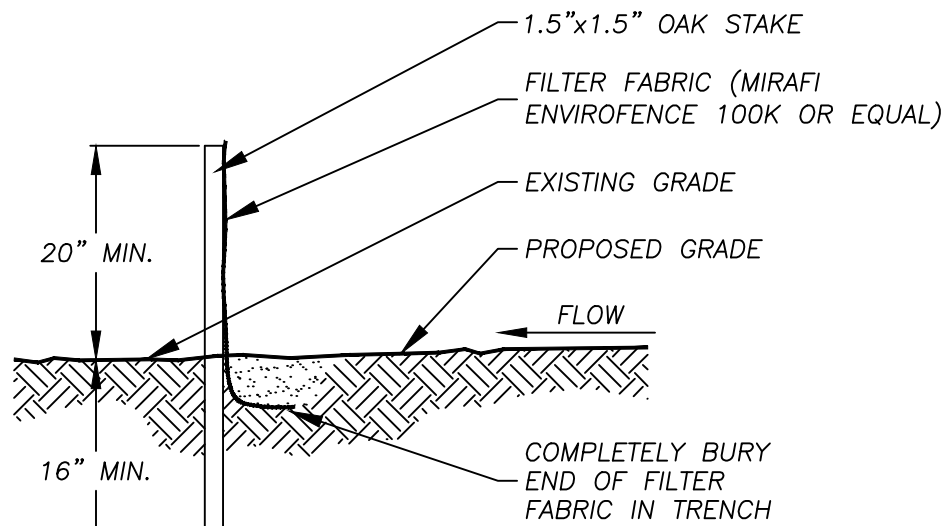
RIVERFRONT AREA IMPACTS			
TOTAL RIVERFRONT AREA ON SITE			
20,726± S.F.			
	EXISTING	PERMITTED IN 2011	PROPOSED
100-200' RIVERFRONT AREA IMPROVEMENTS:	2,814± S.F.	3,162± S.F.	3,215± S.F.
0-100' INNER RIPARIAN ZONE IMPROVEMENTS:	1,329± S.F.	1,480± S.F.	2,036± S.F.
TOTAL RIVERFRONT AREA IMPROVEMENTS:	4,143± S.F.	4,642± S.F.	5,251± S.F.

NOTE:

THE PROPOSED RESIDENTIAL STRUCTURE SHOWN HEREON IS DIFFERENT FROM THE BUILDING ENVELOPE SHOWN ON THE ORIGINAL NOTICE OF INTENT FILING PLAN. THE WETLAND IMPACT INFORMATION TABLE HAS BEEN UPDATED TO REFLECT THE NEW FOOTPRINT AREAS AND ASSOCIATED IMPACTS. OWNER/CONTRACTOR SHALL SECURE APPROVAL FOR SAID CHANGES UNDER THE CURRENT ORDER OF CONDITIONS OR SHALL FILE A NEW PERMIT APPLICATION WITH THE LOCAL CONSERVATION COMMISSION AND MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION.

GENERAL NOTES:

- THIS PLAN HAS BEEN CREATED BY R. LEVESQUE ASSOCIATES, INC. FOR WETLAND FILING PURPOSES ONLY AND SHALL NOT BE USED FOR LAND CONVEYANCE OR OTHER PURPOSES.
- THE CONTRACTOR SHALL CALL DIG SAFE AT 1-800-344-7233 PRIOR TO ANY CONSTRUCTION ACTIVITY IN ORDER TO MARK UTILITIES. THE CONTRACTOR SHALL ALSO NOTIFY LOCAL UTILITY COMPANIES TO MARK APPLICABLE UTILITIES.
- SEDIMENTATION CONTROL BARRIERS SHALL BE IN PLACE PRIOR TO AND DURING ALL PHASES OF CONSTRUCTION.
- SEE DETAIL 1 FOR EROSION CONTROL AND OTHER SPECIFICATIONS.
- THE EC BARRIERS SHOWN ON THE PLAN SHALL ALSO BE THE LIMIT OF WORK LINES DURING AND AFTER CONSTRUCTION. THUS, NO ACTIVITY OTHER THAN NORMAL MAINTENANCE SHALL OCCUR OUTSIDE OF THESE LINES WITHOUT THE APPROVAL OF THE AGAWAM CONSERVATION COMMISSION (ACC).
- ALL EC BARRIERS SHALL BE MAINTAINED IN FUNCTIONING CONDITION UNTIL ALL DISTURBED AREAS HAVE BEEN STABILIZED TO PREVENT EROSION AND SILTATION TO RESOURCE AREAS.
- IF SILTATION TO THE RESOURCE AREAS OCCURS, THE OWNER SHALL IMMEDIATELY NOTIFY THE ACC, REMOVE THE SILT, AND RESTORE THE AREA TO PRE-EXISTING CONDITION.
- SCHEDULE ALL WORK IN A CAREFUL MANNER WITH ALL NECESSARY CONSIDERATION FOR NEIGHBORS AND THE PUBLIC.



SILT FENCE DETAIL

NO SCALE

SILT FENCE INSTALLATION NOTES

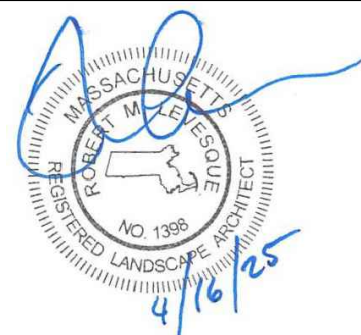
- THIS SEDIMENT BARRIER UTILIZES MIRAFI ENVIROFENCE (100X) OR EQUAL. IT IS DESIGNED FOR SITUATIONS IN WHICH ONLY SHEET OR OVERLAND FLOWS ARE EXPECTED.
- THE HEIGHT OF THE BARRIER SHALL NOT EXCEED 36 INCHES (HIGHER BARRIERS MAY IMPOUND VOLUMES OF WATER SUFFICIENT TO CAUSE FAILURE OF THE STRUCTURE). IDEALLY THE FILTER FENCE SHALL BE PLACED 10 FEET AWAY FROM THE TOE OF SLOPE.
- WHEN JOINTS ARE NECESSARY, FILTER FABRICS SHALL BE SPICED TOGETHER ONLY AT A SUPPORT STAKES WITH A MINIMUM 6-INCH OVERLAP, AND SECURELY SEALED. SEE MANUFACTURER'S RECOMMENDATION.
- STAKES SHALL BE SPACED A MAXIMUM OF 10 FEET APART AT THE BARRIER LOCATION AND DRIVEN SECURELY INTO THE GROUND (MINIMUM OF 12 INCHES). IN APPLICATIONS WHERE HEAVY FLOWS ARE EXPECTED SUCH AS IN-STREAM INSTALLATIONS STAKE SPACING SHALL BE PER MANUFACTURER'S RECOMMENDATIONS AND/OR THE ENGINEERS RECOMMENDATIONS.
- A TRENCH SHALL BE EXCAVATED APPROXIMATELY 6 INCHES WIDE AND 6 INCHES DEEP ALONG THE LINE OF STAKES AND UPSLOPE FROM THE BARRIER IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
- THE PRE ASSEMBLED SILT FENCE SYSTEM SHALL BE UNROLLED, POSITION THE STAKES ON THE DOWNHILL SIDE OF THE TRENCH AND HAMMER THE STAKES AT LEAST 12 INCHES INTO THE GROUND.
- THE BOTTOM SIX (6) INCHES OF THE FABRIC SHALL BE LAID INTO THE TRENCH TO PREVENT UNDERMINING BY STORM WATER RUNOFF.
- BACKFILL THE TRENCH OVER THE FILTER FABRIC AND COMPACT SUFFICIENTLY TO PREVENT THE RUNOFF FROM ERODING THE BACKFILL.
- THE FABRIC SHALL NOT EXTEND MORE THAN 36 INCHES ABOVE THE ORIGINAL GROUND SURFACE. FILTER FABRIC SHALL NOT BE STAPLED TO EXISTING TREES OR SUPPORTS OTHER THAN THE STANDARD STAKES.
- INSTALLED SILT FENCE BARRIERS SHALL BE MAINTAINED ON A REGULAR SCHEDULE WHICH MAY BE PRESCRIBED BY THE LOCAL, STATE OF FEDERAL REGULATORY AUTHORITY; BUT, AT MINIMUM SHALL BE CHECKED WEEKLY AS WELL AS AFTER EACH STORM EVENT. MAINTENANCE SHALL CONSIST OF AN INSPECTION OF THE ENTIRE LENGTH OF THE BARRIER TO DETERMINE IF IT IS FUNCTIONING AS INTENDED. ALL BREAKS, DETACHED FABRIC, SLUMPED FABRIC, CLOGGED FABRIC, AND UNDERMINED AREAS SHALL BE FIXED THE DAY THAT THEY ARE DISCOVERED.
- WHEN A MAXIMUM OF SIX (6) INCHES OF SEDIMENT HAS ACCUMULATED BEHIND THE SILT FENCE THIS SEDIMENT SHALL BE REMOVED AND THE FENCE SHALL BE INSPECTED FOR TEARS, CLOGGING OF BREAKS. ALL DEFICIENCIES SHALL BE CORRECTED IMMEDIATELY EITHER BY REPAIR OR REPLACEMENT OF THE SILT FENCE BARRIER AND/OR STAKES AS NEEDED.
- SILT FENCE BARRIERS SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFUL PURPOSE, BUT NOT BEFORE THE UPSLOPE AREA HAS BEEN CLEANED OF SILT AND PERMANENTLY STABILIZED.

PERMITTING
NOT FOR CONSTRUCTION

RLA
R LEVESQUE ASSOCIATES INC.
Landscape Architects
Civil Engineers - Land Surveyors
Environmental Consultants
ph: 413.568.0985 fax: 413.568.0986
40 School Street
Westfield, MA 01085
rlaland.com

REVISED NOTICE OF INTENT FILING PLAN

184 RIVER ROAD
AGAWAM, MA 01001
PARCEL ID L5-6-6



PREPARED FOR:

Howard Kaneberg
184 River Rd
Agawam, MA 01001

ISSUANCE DATE: April 16, 2026

REVISIONS:	DATE:

DRAFTED BY: J.M.T.

UNAUTHORIZED ALTERATION OF THIS DOCUMENT IS A VIOLATION OF MASSACHUSETTS STATE LAW

SCALE: As Noted

RLA PROJ. NUMBER: 110503

DRAWING#	REV.
W-1	-

Amended Order of Conditions (DEP File #087-0582)

Under Massachusetts Wetlands Protection Act 310 CMR 10.00

Proposed Residential Construction

Project Location:

184 River Road
Agawam, Massachusetts 01001
(Parcel ID: L5-6-6)

Submitted To:

Town of Agawam Conservation Commission
1000 Suffield Street
Agawam, Massachusetts 01001

Applicant & Property Owner:

Howard Kangesberg
184 River Road
Agawam, Massachusetts 01001

RLA Project File No. 110503

April 16, 2026

R LEVESQUE ASSOCIATES, INC
A LAND PLANNING SERVICES COMPANY

40 School Street, Westfield, MA 01085
p 413.568.0985 · f 413.568.0986 · www.rlaland.com



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2. COPY OF PREVIOUS PERMIT
 - 2.1 ORDER OF CONDITIONS – 087-0582
3. FIGURES
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 - 3.2 FIGURE 2 – FEMA FLOODPLAIN MAP
 - 3.3 FIGURE 3 – NRCS SOILS MAP
4. ADMINISTRATIVE FORMS
 - 5.1 ABUTTER LIST – 100'
 - 5.2 ABUTTER NOTIFICATION LETTER (TO BE SENT UPON CONFIRMATION OF HEARING)

LIST OF APPENDICES

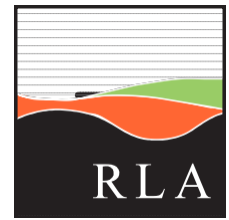
APPENDIX A: SITE PLAN

I. REQUEST TO AMEND ORDER OF CONDITIONS

R LEVESQUE ASSOCIATES, INC.

40 School Street, P.O. BOX 640, Westfield, MA 01085

p 413.568.0985 · f 413.568.0986 · www.rlaland.com



April 16, 2026

Henry A. Kozloski, Chairman
Town of Agawam Conservation Commission
1000 Suffield Street
Agawam, Massachusetts 01001

RE: Request to Amend Order of Conditions (DEP File #087-0582)
184 River Road
Agawam, Massachusetts 01001
RLA Project File No. 110503

Dear Chairman Kozloski and Commissioners:

On behalf of the applicant and property owner, Howard Kangesberg, R Levesque Associates, Inc. is submitting a request to amend an Order of Conditions. The applicant previously received an Order of Conditions from the Town of Agawam Conservation Commission (DEP File #087-0582) for the proposed reconstruction of a residential dwelling and garage within the 200' Riverfront Area to the Connecticut River.

This request is submitted to reflect revisions to the building plans, specifically modifications to the architectural plans of the proposed house and the foundation footprint. The revised design results in a minor increase in disturbance/impervious surface area within Riverfront Area as compared to what was previously permitted, however no additional vegetation clearing is proposed since the project will remain within maintained lawn area. The project will remain in the same general area of the existing home as previously reviewed and approved.

The Applicant respectfully submits that approving this amendment at this time is reasonable and consistent with the intent of the Wetlands Protection Act and the Wetlands Program Policy 85-4: Amended Orders, as it allows for a minor revision to an already approved project. The overall project intent, use, and functional design remain consistent with the original filing, and the revised plans continue to incorporate erosion and sedimentation controls and other impact minimization measures as previously approved. The requested amendment reflects plan revisions that do not alter the underlying findings of the original Order.

As required, a copy of this Request for Amended Order of Conditions has been submitted electronically via email to the Town of Agawam Conservation Commission and MassDEP. We are requesting to be

A LAND PLANNING SERVICES COMPANY

R LEVESQUE ASSOCIATES, INC.

40 School Street, P.O. BOX 640, Westfield, MA 01085

p 413.568.0985 · f 413.568.0986 · www.rlaland.com



placed on the Commission's next available agenda. Should you have any questions or comments regarding this filing, please contact me at ryann@rlaland.com

Sincerely,

R LEVESQUE ASSOCIATES, INC.



Ryan Nelson

Wetland/Soil Scientist & Project Manager

A LAND PLANNING SERVICES COMPANY

2. COPY OF PREVIOUS PERMIT

2.1 ORDER OF CONDITIONS – 087-0582

08-06-2014 @ 12:54p



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

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

Provided by MassDEP:

87-0582

MassDEP File #

eDEP Transaction #

Agawam

City/Town

A. General Information

Important:
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. From: Agawam
 Conservation Commission

2. This issuance is for (check one):
 a. ☒ Order of Conditions b. ☐ Amended Order of Conditions

3. To: Applicant:

Howard

a. First Name

Kanegsberg

b. Last Name

c. Organization

184 River Road

d. Mailing Address

Agawam

e. City/Town

MA

f. State

01001

g. Zip Code

4. Property Owner (if different from applicant):

a. First Name

b. Last Name

Howard Kanegsberg and Marianne A. St. Andre

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

5. Project Location:

184 River Road

a. Street Address

Agawam

b. City/Town

L5

6/6

c. Assessors Map/Plat Number

d. Parcel/Lot Number

Latitude and Longitude, if known:

42.04956d

m

72.60925d

m



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

87-0582

MassDEP File #

eDEP Transaction #

Agawam

City/Town

A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):
 Hampden
- | | |
|-----------|--|
| a. County | b. Certificate Number (if registered land) |
| 11038 | 192 |
| c. Book | d. Page |
| 7-18-11 | 8-25-11 |
7. Dates: a. Date Notice of Intent Filed 8-25-11 b. Date Public Hearing Closed 8-25-11 c. Date of Issuance
8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):
 Notice of Intent Filing Plan, Kanegsberg Property, Parcel L5 6 6, 184 River Road, Agawam, MA
- | | |
|--------------------------------------|--------------------------|
| R. Levesque Associated | Robert M. Levesque, RLA |
| b. Prepared By | c. Signed and Stamped by |
| 8-10-11 | 1" = 20' |
| d. Final Revision Date | e. Scale |
| f. Additional Plan or Document Title | g. Date |

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:

- | | | |
|--|--|--|
| a. ☐ Public Water Supply | b. ☐ Land Containing Shellfish | c. ☒ Prevention of Pollution |
| d. ☐ Private Water Supply | e. ☐ Fisheries | f. ☐ Protection of Wildlife |
| g. ☐ Groundwater Supply | h. ☒ Storm Damage Prevention | i. ☐ Flood Control |

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

- a. ☒ the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

87-0582

MassDEP File #

eDEP Transaction #

Agawam

City/Town

B. Findings (cont.)

Denied because:

- b. ☐ the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. ☐ the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**

Inland Resource Area Impacts: Check all that apply below. (For Approvals Only)

3. ☐ Buffer Zone Impacts: Shortest distance between limit of project disturbance and Bank or Bordering Vegetated Wetland boundary (if available) a. linear feet

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. ☐ Bank	a. linear feet	b. linear feet	c. linear feet	d. linear feet
5. ☐ Bordering Vegetated Wetland	a. square feet	b. square feet	c. square feet	d. square feet
6. ☐ Land Under Waterbodies and Waterways	a. square feet	b. square feet	c. square feet	d. square feet
	e. c/y dredged	f. c/y dredged		
7. ☐ Bordering Land Subject to Flooding	a. square feet	b. square feet	c. square feet	d. square feet
Cubic Feet Flood Storage	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
8. ☐ Isolated Land Subject to Flooding	a. square feet	b. square feet		
Cubic Feet Flood Storage	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

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

Provided by MassDEP:

87-0582

MassDEP File #

eDEP Transaction #

Agawam

City/Town

B. Findings (cont.)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
9. ☒ Riverfront Area	499	499		
	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	151	151		
	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	348	348		
	g. square feet	h. square feet	i. square feet	j. square feet

Coastal Resource Area Impacts: Check all that apply below. (For Approvals Only)

10. ☐ Designated Port Areas
11. ☐ Land Under the Ocean
12. ☐ Barrier Beaches
13. ☐ Coastal Beaches
14. ☐ Coastal Dunes
15. ☐ Coastal Banks
16. ☐ Rocky Intertidal Shores
17. ☐ Salt Marshes
18. ☐ Land Under Salt Ponds
19. ☐ Land Containing Shellfish
20. ☐ Fish Runs
21. ☐ Land Subject to Coastal Storm Flowage
- Indicate size under Land Under the Ocean, below
- a. square feet b. square feet
- c. c/y dredged d. c/y dredged
- Indicate size under Coastal Beaches and/or Coastal Dunes below
- a. square feet b. square feet c. nourishment d. nourishment
- a. square feet b. square feet c. nourishment d. nourishment
- a. linear feet b. linear feet
- a. square feet b. square feet
- a. square feet b. square feet c. square feet d. square feet
- a. square feet b. square feet
- c. c/y dredged d. c/y dredged
- a. square feet b. square feet c. square feet d. square feet
- Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above
- a. c/y dredged b. c/y dredged
- a. square feet b. square feet



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

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

Provided by MassDEP:

87-0582

MassDEP File #

eDEP Transaction #

Agawam

City/Town

B. Findings (cont.)

22. ☐ Restoration/Enhancement:

a. square feet of BVW

b. square feet of salt marsh

23. ☐ Stream Crossing(s):

a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects.

1. 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.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. the work is a maintenance dredging project as provided for in the Act; or
 - b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on _____ unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

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

Provided by MassDEP:

87-0582

MassDEP File #

eDEP Transaction #

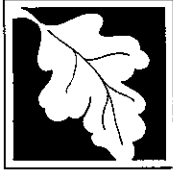
Agawam

City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]
"File Number 87-0582 "
11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #12 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

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

Provided by MassDEP:

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Agawam

City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.

NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS

19. The work associated with this Order (the "Project") is (1) ☐ is not (2) ☒ subject to the Massachusetts Stormwater Standards. If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:

a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.

b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:

- i. all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
- ii. as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
- iii. any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;
- iv. all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;
- v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

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

Provided by MassDEP:

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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following: *i.*) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and *ii.*) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.
- d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.
- e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.
- f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.



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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- g) The responsible party shall:
1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions (if you need more space for additional conditions, please attach a text document):

SEE ATTACHED CONDITIONS



TOWN OF AGAWAM, MASSACHUSETTS
CONSERVATION COMMISSION
ORDER OF CONDITIONS

#87-0582 - Kangeesberg - River Road

20. This Order supersedes all previous Orders of Conditions issued for this work.
21. The Order of Conditions applies only to the work permitted by this Order. Any other work to be done within the area of statutory interests of Wetlands Protection shall require the filing of a new Notice of Intent or Request for Determination.
22. During the construction phase, the applicant shall be responsible for maintaining a copy of these Orders at the site. The applicant shall be responsible for compliance with the conditions of these Orders.
23. Prior to the start of construction, adequate erosion and sedimentation control measures shall be implemented, and shall be maintained throughout the entire construction phase and until the site has become stabilized with permanent vegetative cover.
24. The Commission shall be notified at least seventy-two hours prior to the start of construction and after erosion control measures are in place to enable the Commission to ensure compliance with these Orders.
25. The erosion and sedimentation barrier shall serve as the alteration limit line. Said barrier shall fully protect the adjacent wetland/resource area, and no work shall be permitted beyond this limit line. No machinery shall be operated beyond this limit line.
26. There shall be no discharge or spillage of oil, fuel, any petroleum product or any other pollutant into any area of statutory interest.
27. At no time shall any construction materials, soils, fills, sediments, dredging or any other substances be stockpiled or stored in any area of statutory interest.
28. All work within the area of statutory interest shall be performed so as to create minimum disturbance to the existing vegetative cover and contours.
29. The construction site shall be left in a stable condition at the close of each day. Erosion and sedimentation controls shall be continuously monitored to ensure proper operation.
30. If any alteration of the wetland/resource area does occur, the Commission shall impose such measures as it finds necessary to protect and restore the areas of statutory interest.

31. Whether from on-site or off-site, any fill used in connection with this project shall be clean fill as described here:

The fill material shall be clean coarse washed sand or other clean granular material essentially free of clay, fines, dust, organic matter, large stones, masonry, stumps, frozen clumps of earth, wood tree branches and waste material. Before the fill is put in place, all trees, brush and stumps shall be removed from the area to be filled. Topsoil, peat and other impervious materials shall be removed from all areas to be filled prior to the placement of the fill material.

32. This parcel shall carry the following restrictions, and a covenant so noted on its deed:

"This lot contains certain areas or abuts areas protected by Chapter 131, Section 40 of the General Laws of Massachusetts known as the Wetlands Protection Act and comes under the jurisdiction of the Agawam Conservation Commission. No cutting of trees, clearing of brush, digging, filling in with soil or debris, or the building of bridges is permitted within one hundred (100) feet of the designated wetland areas or within 200' of any designated river without specific approval granted by the Conservation Commission."

33. The Commission reserves the right to impose additional conditions on any or all portions of this work to minimize the impact of potential site erosion or noticeable degradation of water quality discharging from the site at any time.

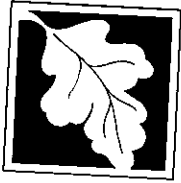
34. Members and Agents of the Agawam Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the construction site to evaluate compliance with the order and to require the submittal of any additional information deemed necessary.

35. This order shall apply to all successor or assignee in interest or control of the subject property. Any conveyance of interest or control in the subject property shall make reference to this order by stating that the conveyance is subject to the provisions of an Order of Conditions under the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, and by giving the book and page reference in the Hampden County Registry of Deeds where this order is recorded.

36. The petitioner shall have recorded in the Hampden County Registry of Deeds an "Order of Conditions Form" provided by this Commission. The Commission will not allow work to begin until proof of recording is provided the Conservation Commission.

37. A construction sequence is to be submitted to the Conservation Commission and shall include a description of when and where the silt fence/silt sock is to be placed.

38. Improvements and mitigation shall include removal of invasive species from entire bank down to the River; and removal of debris from tow of bank to the River. This work is to be done by hand - no excavation or machinery is allowed.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

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

Provided by MassDEP:
87-0582

MassDEP File #

eDEP Transaction #

Agawam
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D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? ☐ Yes ☐ No
2. The Conservation Commission hereby finds (check one that applies):

- a. ☐ that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:

1. Municipal Ordinance or Bylaw

2. Citation

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.

- b. ☐ that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:

1. Municipal Ordinance or Bylaw

2. Citation

3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.
- The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File #

eDEP Transaction #

City/Town

E. Signatures

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

Please indicate the number of members who will sign this form.

This Order must be signed by a majority of the Conservation Commission.

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

8-25-11
1. Date of Issuance

4
2. Number of Signers

Signatures:

Henry G. Fright
John Messeri
Sheryl Baker

Margie Galeator

☐ by hand delivery on

☒ by certified mail, return receipt requested, on

Date

Date

F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request of Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

87-0582

MassDEP File #

eDEP Transaction #

Agawam

City/Town

G. Recording Information

This Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

Agawam

Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

Agawam

Conservation Commission

Please be advised that the Order of Conditions for the Project at:

184 River Road

Project Location

87-0582

MassDEP File Number

Has been recorded at the Registry of Deeds of:

Hampden

County

Book

Page

for:

Property Owner

and has been noted in the chain of title of the affected property in:

Book

Page

In accordance with the Order of Conditions issued on:

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

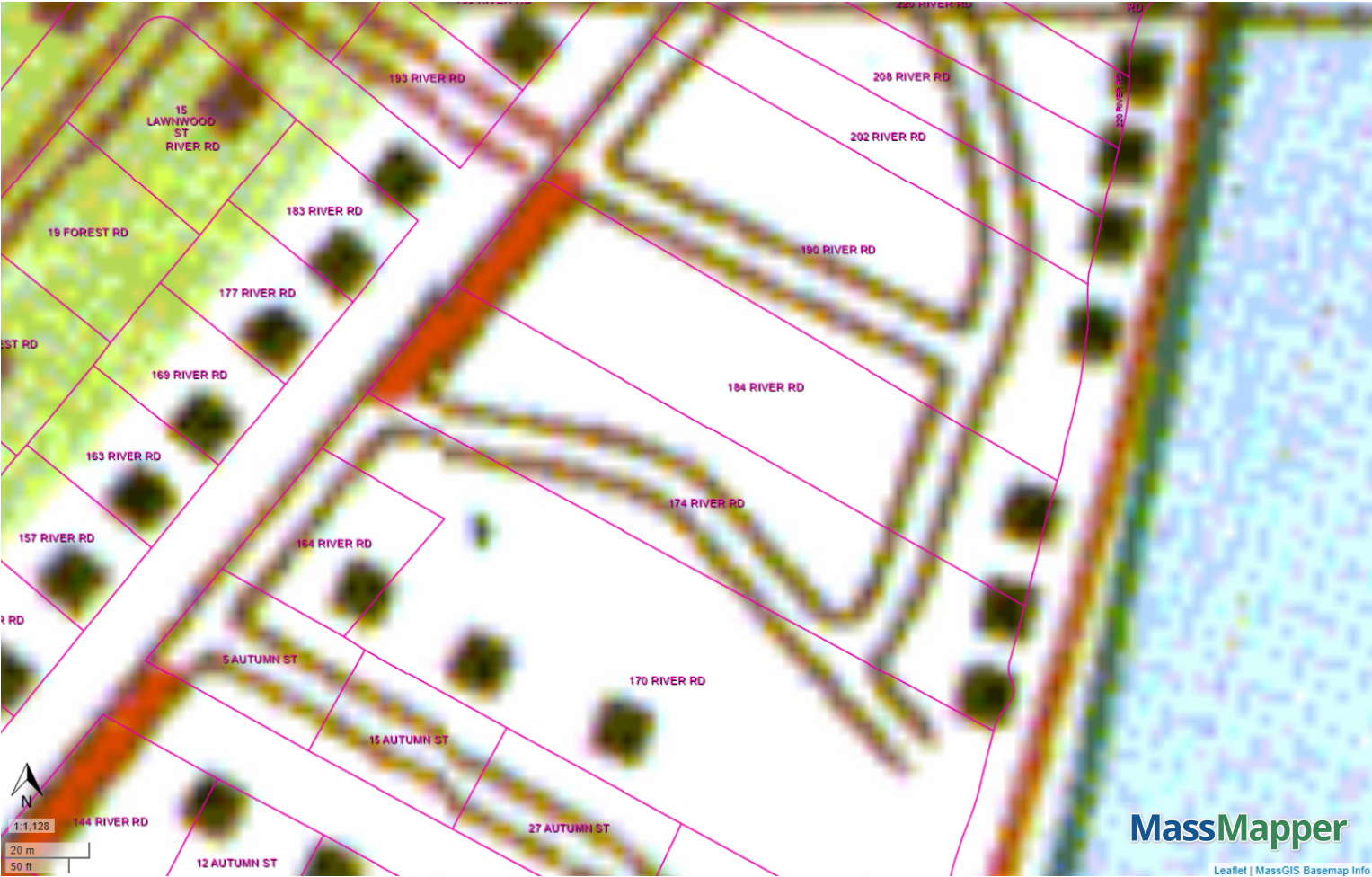
Signature of Applicant

DONALD E. ASHE, REGISTER
HAMPDEN COUNTY REGISTRY OF DEEDS

3. FIGURES

- 3.1 FIGURE 1 – USGS TOPOGRAPHIC MAP
- 3.2 FIGURE 2 – FEMA FLOODPLAIN MAP
- 3.3 FIGURE 3 – NRCS SOILS MAP

USGS Topographic Map

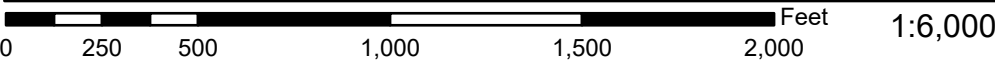
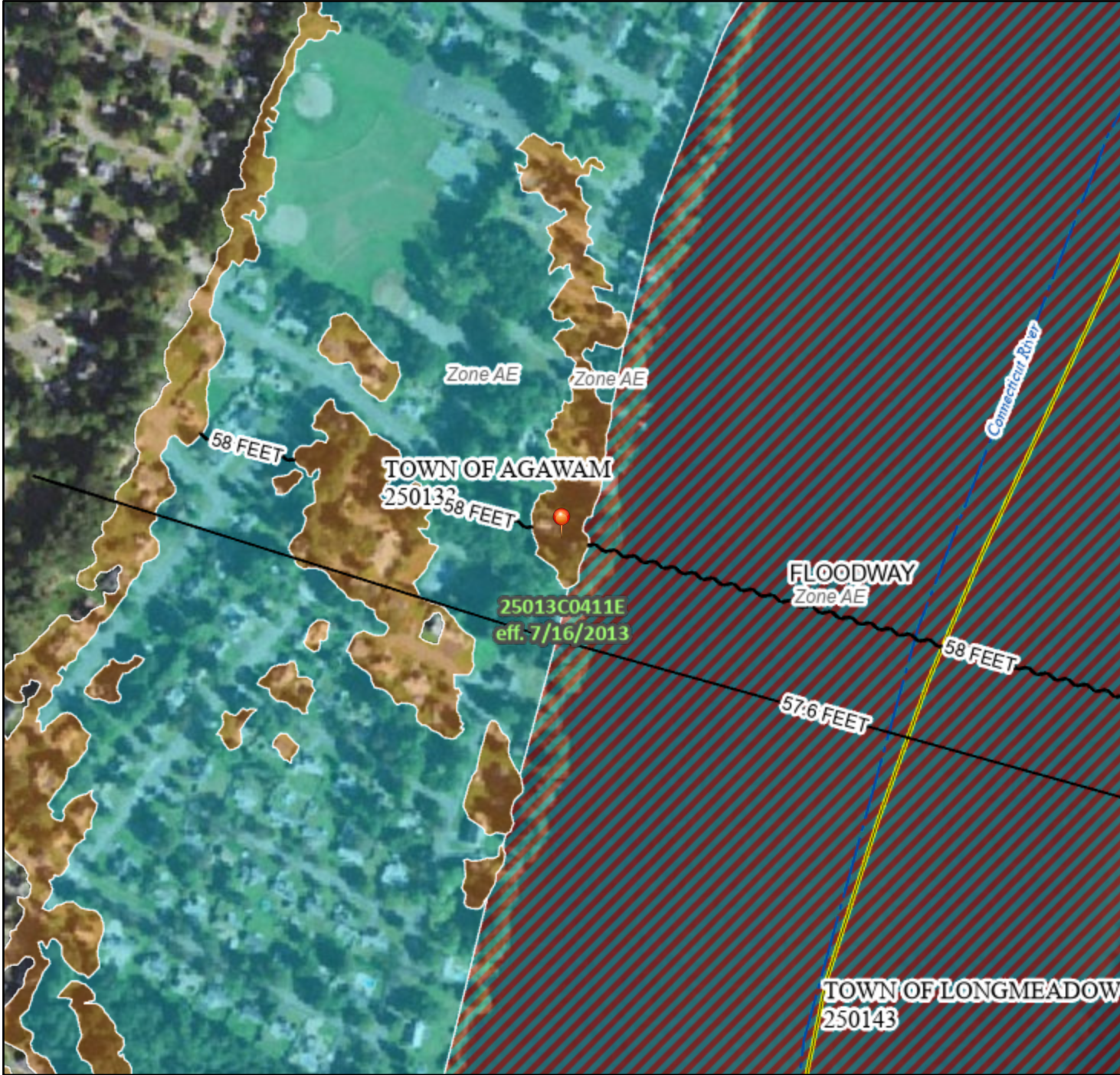


Property Tax Parcels
USGS Topographic Maps

National Flood Hazard Layer FIRMette



72°36'52"W 42°3'14"N



Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

Without Base Flood Elevation (BFE)
Zone A, V, A99

With BFE or Depth Zone AE, AO, AH, VE, AR

Regulatory Floodway

0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X

Future Conditions 1% Annual Chance Flood Hazard Zone X

Area with Reduced Flood Risk due to Levee. See Notes. Zone X

Area with Flood Risk due to Levee Zone D

OTHER AREAS OF FLOOD HAZARD

NO SCREEN Area of Minimal Flood Hazard Zone X

Effective LOMRs

Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES

Channel, Culvert, or Storm Sewer

Levee, Dike, or Floodwall

OTHER FEATURES

Cross Sections with 1% Annual Chance Water Surface Elevation

Coastal Transect

Base Flood Elevation Line (BFE)

Limit of Study

Jurisdiction Boundary

Coastal Transect Baseline

Profile Baseline

Hydrographic Feature

MAP PANELS

Digital Data Available

No Digital Data Available

Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 3/30/2026 at 3:09 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Page 190 of 198

Soil Map—Hampden County, Massachusetts, Central Part
(GISDATA_L3_TAXPAR_POLY_ASSESSPolygon)



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Hampden County, Massachusetts, Central Part

Survey Area Data: Version 19, Sep 5, 2025

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 15, 2020—Oct 31, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
96A	Hadley very fine sandy loam, 0 to 3 percent slopes	0.7	69.5%
98A	Winooski silt loam, 0 to 3 percent slopes, occasionally flooded	0.3	30.5%
Totals for Area of Interest		1.1	100.0%

4. ADMINISTRATIVE FORMS

5.1 ABUTTER LIST – 100’

5.2 ABUTTER NOTIFICATION LETTER (TO BE SENT UPON CONFIRMATION OF HEARING)

L5 6 5
ADAMCZYK ROBERT P
190 RIVER RD
AGAWAM, MA 01001 2816

L6 5 7
CAPUTO DOUGLAS J
199 RIVER RD
AGAWAM, MA 01001

L5 6 6
KANEGBERG HOWARD A TR
184 RIVER RD
AGAWAM, MA 01001

L5 6 6
KANEGBERG HOWARD A TR
184 RIVER RD
AGAWAM, MA 01001

L5 2 12
LEDOUX FREDERICK W
183 RIVER RD
AGAWAM, MA 01001 2813

L5 6 7
PLAZA LLC
170 RIVER RD
AGAWAM, MA 01001

L6 5 6
POIRIER MILDRED K
193 RIVER RD
AGAWAM, MA 01001 2815

L5 6 8
PRIVEDENYUK PETR
170 RIVER RD
AGAWAM, MA 01001 2816

L5 2 11
STARNES JONNIE M
177 RIVER RD
AGAWAM, MA 01001

APPENDIX A: SITE PLAN

SITE PLAN ENTITLED "REVISED NOTICE OF INTENT FILING PLAN"

PREPARED FOR HOWARD KKANEGSBERG

PREPARED BY R LEVESQUE ASSOCIATES, INC.

DATED APRIL 16, 2026

AGAWAM CONSERVATION COMMISSION
April 9, 2026

MEMBERS PRESENT:

Jill Ward
Frank Meagher
Magda Galiatsos
Keven Brown
Laura Fallon

MEMBERS ABSENT:

Henry Kozloski, Chair
Sheryl Becker

ALSO PRESENT:

Stefanie Kesecker

Ms. Ward called the meeting to order at 6:00pm.

1. Public Hearing Cont.-Notice of Intent-699 Silver Street-MSR Properties, LLC

Mike Bowan, R. Levesque Associates was present for this agenda item. He stated since the last public hearing, approval had been given from the Engineering Department. The members had no further questions or concerns.

Motion was made by Mr. Brown and seconded by Ms. Galiatsos to close the Public Hearing for the Notice of Intent on 699 Silver Street-MSR Properties, LLC.

VOTE 5-0-0

Motion was made by Mr. Brown and seconded by Ms. Galiatsos to write the Order of Conditions for 699 Silver Street at the April 23, 2026 meeting.

VOTE 5-0-0

2. Public Hearing Cont.-Abbreviated Notice of Resource Area Delineation-311 Shoemaker Lane-Ameresco, Inc. (previously continued to April 23, 2026)

3. Request for Determination Cont.-769 Silver Street-Agawam Energy Center, LLC

The Conservation Commission received a request to continue this agenda item to the April 23, 2026 meeting.

Motion was made by Mr. Meagher and seconded by Mr. Brown to continue the Request for Determination for 769 Silver Street-Agawam Energy Center, LLC to the April 23, 2026 meeting as requested.

VOTE 5-0-0

4. Approval of Minutes-March 26, 2026

Motion was made by Mr. Brown and seconded by Ms. Galiatsos to approve the March 26, 2026 minutes as written.

VOTE 5-0-0

5. Correspondence and Complaints

64 Thalia Drive-Erosion at the back of the property near Robinson State Park. Engineering and the Commission went onsite and will contact someone from the State since it's their property.

242 River Road-The Commission received a complaint of tree cutting, placing stones and stairs to the River. The complaint was forwarded to Natural Heritage as it is priority habitat for endangered species.

Motion was made by Ms. Galiatsos and seconded by Mr. Brown to adjourn the meeting.

VOTE 5-0-0

Meeting adjourned at 6:10pm.