



Andrew Gottlieb  
Executive Director

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**RE: Cape Cod Canal Bridges Program DEIS**

Thomas A. Cohn

Dear Ms. Paiewonsky and Mr. Miller:

John Cumbler

Jamie Demas

The Association to Preserve Cape Cod (APCC) has reviewed the Cape Cod Canal Bridges Program Draft Environmental Impact Statement (DEIS) and submits the following comments.

Betsy Gladfelter

Pat Hughes

Founded in 1968, APCC is the Cape region's leading nonprofit environmental advocacy and education organization, working for the adoption of laws, policies and programs that protect, preserve and restore Cape Cod's natural resources. APCC focuses our efforts on the protection of groundwater, surface water, and wetland resources, preservation of open space, the promotion of responsible, planned growth and the achievement of an environmental ethic.

Steve Hurley

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Kris Ramsay

In conducting this important project to replace the two Cape Cod Canal bridges, it is vital that details of the proposed project be carefully studied to identify and understand potential impacts to local and regional environmental resources, to refine the identified preferred alternative to avoid adverse impacts and, when avoidance is not possible, to minimize impacts to the greatest extent possible and to provide appropriate mitigation.

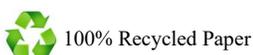
Dottie Smith

Becca Solomont

Marcie Truesdale

Land Clearing: The DEIS states that the project will result in approximately 306 acres of land alteration, which includes approximately 52 acres of increased impervious area

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for new roadways and shared-use paths (SUP) and 132 acres of tree clearing. To restore temporary impacts, the project includes a proposed landscaping plan for over 200 acres consisting of landscape restoration and reforestation, street tree, buffer and roundabout planting, and lawn reseeded. APCC urges the Massachusetts Department of Transportation (MassDOT) to work to further minimize the number of acres to be cleared, both permanently and temporarily, and to utilize regionally appropriate native plantings to recreate natural landscapes within the project area. APCC also recommends that project planning strive to significantly reduce reliance on landscaped turf areas and replace those areas with naturalized landscaping. Loss of tree coverage should be mitigated with appropriate-scale tree planting to replace lost habitat and to mitigate loss of carbon sequestration.

Open Space: According to calculations taken from the DEIS, an estimated 21.1 acres of open space, park, or recreation land will be impacted either permanently or temporarily by the bridges project. This land consists of a mix of federally-owned, state-owned and municipally-owned lands, including land under the state's Article 97 protection. The DEIS provides little information about specific mitigation for impacts to these lands. APCC looks to the Final Environmental Impact Statement (FEIS) for a more detailed discussion of proposed mitigation for federal, state and municipal land impacts, including compensation to replace permanently impacted Article 97 lands with land of equal or greater size and quality, as required by the state's Public Lands Preservation Act. Replacement land should be contiguous with other permanently protected land to maximize the quality of open space areas. For temporary impacts to protected lands, the FEIS should provide specific information on appropriate restoration mitigation.

However, APCC stresses that impacts to protected open space and Article 97 lands should, first and foremost, be avoided whenever possible, and encourages MassDOT to continue to study project plans for opportunities to reduce open space, park and recreational land impacts.

Rare Species: There are five federally-listed protected species potentially present in the study area and 10 state-listed species and associated Massachusetts Natural Heritage and Endangered Species Program's mapped Priority Habitat for rare species in the terrestrial study area. Potentially suitable habitat for state-listed wildlife species is present in both Sagamore South and Bourne South quadrants, and the DEIS discusses the potential for rare species and/or habitat take resulting from project impacts. APCC urges MassDOT to continue project planning efforts to avoid potential impacts to rare species and habitat. If impacts cannot be avoided, APCC recommends that the FEIS demonstrate how every effort is being made to minimize impacts. APCC looks to the FEIS for more definitive information on the likelihood of impacts to rare species and plans for appropriate mitigation.

Stormwater: Project planning in the DEIS calls for improvements to the treatment and quality of stormwater runoff by using low-impact green infrastructure, including rain gardens and infiltration basins that will comply with the Massachusetts Stormwater Management Standards. APCC commends MassDOT for its commitment to using green infrastructure for stormwater management and encourages final project planning to strive for exceeding relevant stormwater treatment standards.

Wetlands: Permanent impacts to wetlands and floodplains include 285 linear feet of wetland bank, 1,065 square feet to Land Under Water, 2,960 square feet to Bordering Land Subject to Flooding, 2,040 square feet of Bordering Vegetated Wetlands, and 25,107 square feet of Land Under Ocean.

APCC recommends that the FEIS show more details for the proposed stormwater pollution prevention plan described in the DEIS, including efforts to protect wetland resources from potential construction impacts.

In locations where wetland impacts from the project are permanent, MassDOT proposes to mitigate impacts by reproducing wetland resources at or near each site. Many of the impacts appear to occur at Nightengale Pond, where proposed project activity includes roadway widening, additional lanes, and accommodations for a SUP that would affect the wetland area. Although many wetland impacts are primarily under state jurisdiction, APCC recommends that the FEIS propose ways to further avoid permanent project impacts to wetlands and wetland buffers, including potentially altering the SUP location near Nightengale Pond. Where impacts are still unavoidable, impacts should be effectively minimized and mitigated to preserve the quality and function of the wetland resources.

The project applicant should also continue to study potential refinement to project plans to minimize impacts to coastal resource areas to the maximum extent possible and to also review and revise mitigation plans in the FEIS, as appropriate.

Water Supply Protection: Appropriate measures should be further studied and proposed in the FEIS to ensure avoidance of impacts to the two water supply areas within the Plymouth/Carver Sole Source Aquifer in the Bourne North construction quadrant as well as the Cape Cod Sole Source Aquifer located south of the canal. It is imperative that the project avoid any new stormwater discharges to Wellhead Protection Areas and relocate any existing discharges originating from associated roadways within the project study area that could impact groundwater quality. It is equally important that project planning includes the adoption of an effective spill prevention plan to avoid impacts to drinking water resources.

Transportation Impacts: The DEIS states that, *“it is not anticipated that there would be a significant increase in the number of trips that would otherwise not travel to Cape Cod due to congestion ... [and]... the total number of daily vehicle trips are not anticipated to increase as a result of the Cape Cod Bridges Program...”* APCC continues to question this conclusion based on a logical assumption that increased bridge capacity combined with improved travel times would be an attractive incentive for more regionally-based tourism to come to the Cape, as well as for Cape residents to be more willing to travel off-Cape more often. APCC is therefore disappointed by the absence of discussion in the DEIS about utilizing planning for the bridges construction project to incorporate opportunities and incentives for reducing bridge traffic through public transit, rail, etc., as opposed to personal automobile use. We commend MassDOT for project plans to incorporate designated pedestrian and bicycle infrastructure that will connect the bridges to area roadways, but these measures alone will not significantly decrease vehicle trips traveling over the bridges.

Despite statements in the DEIS to the contrary, APCC also still has concerns about the potential for

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increased bridge capacity and improvements to connecting roadways generating secondary commercial and residential growth in the canal region and beyond. The DEIS does not offer a proposed plan to address the potential for an indirect impact of this nature, if it should occur.

Thank you for this opportunity to provide comments.

Sincerely,



Andrew Gottlieb  
Executive Director