



# *The Commonwealth of Massachusetts*

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January 6, 2006

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## CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS ON THE ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : Long Pond Dam Rehabilitation Project  
PROJECT MUNICIPALITY : Ayer  
PROJECT WATERSHED : Nashua River  
EOEA NUMBER : 13685  
PROJECT PROPONENT : Town of Ayer  
DATE NOTICED IN MONITOR : December 7, 2005

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **does not require** the preparation of an Environmental Impact Report (EIR).

### **Project Description**

As described in the Environmental Notification Form (ENF), the proposed project involves the construction of structural improvements to the Long Pond Dam, which is located at the southern end of the 46-acre Long Pond in Ayer. Long Pond is a Great Pond with associated significant environmental resources within the Petapawag Area of Critical Environmental Concern (Petapawag ACEC). Long Pond Dam is an intermediate sized low hazard dam in poor condition. This project has been designed to address the continued erosion near the dam's stone masonry spillway. Because the continued erosion of this section of the dam could result in a breaching failure of the dam, it represents a potential hazard to important environmental resources located within the Petapawag ACEC. The Long Pond Dam project site is located within the 100-year flood zone.

The project includes the removal of vegetation along the upstream slope of the 270-foot-long earthen embankment, restructuring the existing stone spillway training walls and weir with reinforced concrete, re-leveling the crest of the dam with soil and rock fill, and installing riprap along the upstream slope of the existing earthen embankment.

**Permits and MEPA Jurisdiction:**

The project is undergoing review pursuant to Section 11.03 (11)(b) of the MEPA regulations, because the project is located within a designated ACEC. The project will require a Chapter 91 Waiver and a 401 Water Quality Certification from DEP, and a Chapter 253 Dam Safety Permit from the Department of Conservation and Recreation (DCR). The project will also require an Order of Conditions from the Ayer Conservation Commission (and hence a Superseding Order of Conditions from DEP if the local Orders were appealed). According to the project proponent, the proposed dam rehabilitation project will not result in an expansion or decrease in the impoundment capacity of Long Pond Dam.

**Wetlands and Water Resources :**

As described in the ENF, the cumulative wetland impacts from the reconstruction of the Long Pond Dam will not trigger any ENF thresholds or exceed wetlands thresholds. The impacts to Bordering Vegetated Wetland (BVW) are estimated to be approximately 580 square feet (sf); Bank approximately 280 linear feet; and Land Under Water approximately 1,350 sf. The Long Pond Dam project site is located within the 100-year flood zone. As currently proposed, the dam reconstruction project will impact approximately 5,400 sf of bordering land subject to flooding.

Based on the information provided by the proponent and consultation with relevant public agencies, I conclude that no further MEPA review is required. The review of the ENF has served adequately to disclose potential impacts and mitigation, and to demonstrate that project impacts do not warrant the preparation of an Environmental Impact Report. The proponent can resolve any remaining issues pertaining to wetland impacts, water resources, and site design in the permitting process.

January 6, 2006  
Date

  
Stephen R. Pritchard, Secretary

**Comments received:**

12/27/05 Natural Heritage and Endangered Species Program (NHESP)  
01/03/06 Department of Environmental Protection (DEP) - CERO  
12/27/05 Montachusett Regional Planning Commission

SRP/NCZ/ncz