



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Deval L. Patrick
GOVERNOR

Timothy P. Murray
LIEUTENANT GOVERNOR

Ian A. Bowles
SECRETARY

Tel: (617) 626-1000
Fax: (617) 626-1181
<http://www.mass.gov/envir>

February 6, 2009

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : Williston Pond Restoration Project
PROJECT MUNICIPALITY : Easthampton
PROJECT WATERSHED : Connecticut River
EOEA NUMBER : 14357
PROJECT PROPONENT : Williston Northampton School
DATE NOTICED IN MONITOR : January 7, 2009

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62I) and Section 11.06 of the MEPA regulations (30 1 CMR 1 1.00), 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 Williston Northampton School, the Proponent, proposes to maintenance dredge approximately 3,000 cubic yards (cy) of accumulated sediment and organic infill material from Williston Pond in Easthampton. Williston Pond is a man-made impoundment formed by a small dam across Wilton Brook and is located entirely within the central campus grounds of the Williston Northampton School. The pond water surface area is approximately 3.0 acres and is surrounded by a combination of open space, college campus buildings and athletic fields. At Williston Pond, the Wilton Brook drains an estimated 674 acres of mostly developed land comprised of steep topography and relatively erosive soils. Sedimentation within the pond has resulted from the inflows of Wilton Brook and the build-up of organic growth and filling.

Permits and Jurisdiction

The project is undergoing review pursuant to Section 11.03(3)(b)(I)(f) of the MEPA regulations because it will result in the alteration of more than one acre of "any other wetlands" (3.0 +/- acres of Land Under Water). The project requires a National Pollutant Discharge Elimination System (NPDES) General Construction Permit from the U.S. Environmental Protection Agency (EPA); a 401 Water Quality Certificate (WQC) from the Department of Environmental Protection (MassDEP); a possible Section 404 Dredging Permit from the U.S. Army Corps of Engineers (ACOE); an Order of Conditions from the Easthampton Conservation Commission (and a Superseding Order of Conditions in the event the local Order is appealed); and compliance with the City of Easthampton Stormwater Ordinance.

The Proponent is not seeking financial assistance from the Commonwealth. Therefore, MEPA jurisdiction applies to those aspects of the project within the subject matter of required or potentially required state permits that may cause Damage to the Environment as defined in the MEPA Regulations. In this case, MEPA jurisdiction extends to wetlands.

REVIEW OF THE ENF

Wetlands

The following wetland resource areas are associated with Williston Pond and Wilton Brook: Bordering Vegetated Wetlands (BVW), Inland Bank, Land Under Water (LUW), Riverfront Area and Bordering Land Subject to Flooding (BLSF). The project will result in impacts to approximately 3.0 acres of LUW due to the dredging of the pond and approximately 2,230 linear feet (lf) of Bank for temporary drawdown and construction access. The Proponent will file a Notice of Intent (NOI) for the dredging project with the Easthampton Conservation Commission under the limited project provisions of the Wetlands Protection Act. As described in the ENF submittal, the preferred alternative involves the complete drawdown of the western portion of the pond and the in-place dewatering, excavation and removal of the dredged sediments.

The preferred project alternative will have some short-term impacts to pond aquatic habitat and will present some potential for introduction of turbidity to the pond water column. However, these short-term impacts are outweighed however by the permanence of the proposed maintenance dredging project and the avoidance of the negative environmental impacts associated with the herbicide treatment alternative for the pond. The dredged sediment material will be transported off-site to be used as grading material at an approved upland location in accordance with the 401 Water Quality Certificate.


In its comments on the ENF, MassDEP has indicated that the project may be eligible as a "resource area improvement" under 310 CMR 10.53(4). The Proponent may be required to specify how the work will improve the natural capacity of a resource area(s) in accordance with regulation. In addition, the Proponent may also be required to provide additional information to MassDEP pertaining to the boundary delineation of Land Under Water Bodies and Waterways.

According to the information provided in the ENF, laboratory testing conducted on sediment samples from the pond indicated that concentrations were below the most stringent soil standard criteria standards of the Massachusetts Contingency Plan; (MCP Method 1 S-1/GW-1). The final sediment reuse location will be determined as part of MassDEP's review of the Proponent's 401 Water Quality Certification application. I anticipate that MassDEP's review process will identify and avoid approved Zone II areas for the Barnes Aquifer as possible sediment reuse locations.

Conclusion

Based on a review of the information provided by the Proponent and after consultation with the relevant public agencies, I find that the potential impacts of the proposed project do not warrant the preparation of an EIR. I am confident the Proponent can resolve any remaining issues regarding compliance with the Wetlands regulations during permitting for this project. No further MEPA review is required at this time.

February 6, 2009
DATE



Ian A. Bowles, Secretary

Comments received:

01/27/09 MA Department of Environmental Protection (MassDEP) – WERO
01/27/09 Pioneer Valley Planning Commission (PVPC)

ENF #14357
IAB/NCZ/ncz