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February 20, 2009

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

PROJECT NAME : Eight Point Sportsmen Club  
PROJECT MUNICIPALITY : Sterling  
PROJECT WATERSHED : Wachusett  
EEA NUMBER : 14367  
PROJECT PROPONENT : Eight Point Sportsmen Club  
DATE NOTICED IN MONITOR : January 21, 2009

Pursuant to the Massachusetts Environmental Policy Act (M.G. L. c. 30, ss. 61-62I) 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).

As described in the Environmental Notification Form (ENF), the project involves the dredging of a manmade trout pond at the Eight Point Sportsmen Club for maintenance purposes. The maintenance involves removing accumulated sediments from the pond and regrading of the side slopes. The trout pond at the project site is separated from the adjoining wetlands by a narrow berm around the top of the pond.

The ENF estimates wetland resource area impacts to be approximately one half an acre of Land Under Water. The overall amount of material to be dredged is estimated at less than 10,000 cubic yards (cy). Dredged materials are anticipated to be trucked to an upland disposal site.

### Jurisdiction

The project is undergoing review pursuant to Sections 11.03(3)(b)(1)(f) of the MEPA regulations because the project requires a State agency action and will result in the alteration of ½ or more acres of other wetlands. The project will require a Variance to the Watershed Protection Act from the Department of Conservation and Recreation (DCR). The project received an Order of Conditions from the Sterling Conservation Commission in August of 2008.

Because the Proponent is not seeking financial assistance from the Commonwealth for the project, MEPA jurisdiction extends to those aspects of the project that are within the subject matter of required or potentially required state permits and which may cause Damage to the Environment as defined in the MEPA regulations. In this case, MEPA jurisdiction exists over water supply and water quality.

### Review of the ENF

The project will result in impacts to approximately one half of an acre of Land Under Water. The overall amount of material to be dredged is estimated at less than 10,000 cubic yards according to the ENF.

Dredging will be performed using either mechanical or hydraulic options. Appropriate erosion and sedimentation controls consistent with dewatering uses will be utilized on-site. I advise the Proponent to utilize turbidity curtains and other Best Management Practices (BMPs) to reduce sedimentation impacts during the dredging operations. During the permit review process, the Proponent should finalize mitigation measures and submit an operation plan to minimize and contain turbidity.

I note that a 401 Water Quality Certificate from the Massachusetts Department of Environmental Protection (MassDEP) will not be required as long as the dredged spoils are not redeposited within the pond. Dredged spoils should be redeposited or stockpiled outside the pond and not within any adjacent Bordering or Isolated Vegetated Wetlands. Comments from DCR and MassDEP indicate that the Proponent must provide additional information within the variance application process.

The ENF states that the side slopes of the pond will be regraded as part of the maintenance work. During the variance process, the Proponent should provide more detailed information regarding whether or not the proposed regrading of the side slopes constitutes an alteration of Bank (310 CMR 10.54). If the work does constitute an alteration of Bank the Proponent should show during the variance process how the performance standards will be met at 310 CMR 10.54 and whether or not a Simplified or Detailed Wildlife Habitat Evaluation would be required pursuant to the Massachusetts Wildlife Protection Guidance for Inland Wetlands dated March of 2008.

Conclusion

Based on the information in the ENF and after consultation with relevant public agencies, I find that any outstanding issues can be sufficiently addressed during the DCR permitting process. No further MEPA review is required at this time. The project may proceed to State permitting.

February 20, 2009  
Date

  
for Ian A. Bowles

## Comments received:

02/09/2009 Massachusetts Department of Environmental Protection - SERO  
02/11/2009 Department of Conservation and Recreation

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