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April 10, 2009

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

PROJECT NAME : Robinson Pond Dredging Project
PROJECT MUNICIPALITY : North Street – Agawam
PROJECT WATERSHED : Westfield River
EOEA NUMBER : 14377
PROJECT PROPONENT : Department of Conservation and Recreation (DCR)
DATE NOTICED IN MONITOR : March 11, 2009

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

According to the Environmental Notification Form (ENF), the project consists of the dredging of approximately 3,000 cubic yards (cy) of sediment from Robinson Pond. The excess sediment was caused by many years of infilling. The goal of the project is to improve wildlife habitat, enhance pond storage capacity, improve water quality, and limit the spread of invasive species. The Department of Conservation and Recreation (DCR) will drawdown the pond by opening the gate valve outlet structure and shutting off groundwater well inputs to the greatest extent possible. The dredged material will be excavated into piles (not exceeding 5,000 square feet (sf) in total bottom area) within the pond for dewatering. Water from the dewatering will be collected and pumped to the existing gate valve outlet for discharge to the Westfield River. The Pond's current storage capacity is about 1.79 million gallons, and the dredging would increase storage capacity to about 2.34 million gallons. The pond is used for passive and active recreation (there is a small beach area on the northern bank) in the John C. Robinson State Park. Robinson Pond is approximately 2.06 acres in area.

The project is subject to review pursuant to Section 11.03(3)(b)(1)(f) of the MEPA regulations because the project alters 0.5 or more acres of any other wetland. A 401 Water Quality Certificate will be required from the Department of Environmental Protection (MassDEP). The project may have to comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site and dewatering activities. An Order of Conditions will be required for the project from the Agawam Conservation Commission. The annual drawdown of the pond will require another Order of Conditions. The project may be considered a "limited" project in accordance with the Wetlands Protection Act. Because the project is being undertaken by a state agency, MEPA jurisdiction is broad and extends to all aspects of the project that may cause Damage to the Environment, as defined in the MEPA regulations.

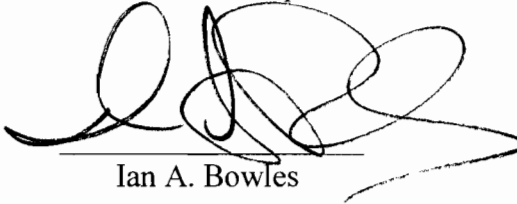
The project will affect approximately 20 lf of Bank (temporary). Approximately 89,550 sf area of Land under Water (LUW) (temporary) will be impacted by the drawdown and dredging. The proponent is proposing these temporary impacts and in-place restoration of resource areas. The 3,000 cy of dredged material will be dewatered and beneficially used on-site for nonstructural fill and landscaping. The pond drawdown would occur between November 1 and December 1. The removal of sediment would be scheduled during one season to reduce impacts. The pond refill would be completed by April 1. During drawdown, downstream flow rates from the pond will increase to the Westfield River. The drawdown occurs on an annual basis as a maintenance measure. The pond does not contain any fisheries resources.

On March 25, 2009, DCR submitted a draft wildlife habitat evaluation and a rare species survey to the MEPA Office. The wildlife habitat evaluation demonstrated that there will be no adverse effects on wildlife habitat. The rare species survey indicated that no rare species are found within Robinson Pond. The project is designed to be consistent with the "Eutrophication and Aquatic Plant Management Final Generic Environmental Impact Report", "The Practical Guide to Lake and Pond Management in Massachusetts", and the "Guidance for Aquatic Management in Lakes and Ponds As It Relates to the Wetland Protection Act (2004, MassDEP). The drawdown will not exceed 3-inches of pond elevation per day, which is consistent with MasssDEP guidance. DCR will utilize hay bales, silt fences, and turbidity curtains as its erosion control measures for sediment dewatering. As an extra measure of protection against the migration of suspended sediments out of the pond during dredging, DCR will provide a turbidity curtain or "floc" logs beyond the pond discharge culvert that flows into the Westfield River. I recommend that DCR comply with the Massachusetts Stormwater Management Regulations for the project site.

Based on a review of the information provided by the proponent, a review of the comment letters, and after consultation with the relevant public agencies, I find that the potential impacts of this project do not warrant the preparation of an EIR. MassDEP and the Agawam

Conservation Commission have sufficient permitting authority to resolve any potential environmental impacts. No further MEPA review is required.

April 10, 2009
Date



Ian A. Bowles

Comments received:

ESS Group, 3/20/09

ESS Group, 3/25/09

MassWildlife/Natural Heritage & Endangered Species Program, 3/31/09

Massachusetts Department of Environmental Protection/Western Regional Office, 3/31/09

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