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July 24, 2009

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

PROJECT NAME: Restoration of Manchaug Pond & Dam Removal  
PROJECT MUNICIPALITY: Douglas and Sutton  
PROJECT WATERSHED: Blackstone River  
EEA NUMBER: 14435  
PROJECT PROPONENT: Manchaug Reservoir Corp.  
DATE NOTICED IN THE MONITOR: June 24, 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 hereby determine that this project **requires** the preparation of an Environmental Impact Report (EIR).

Background

According to the Environmental Notification Form (ENF) filed by the proponent, the proposed project consists of the removal of the Manchaug Pond Dam and restoration of the historic natural boundaries of Manchaug Pond. The 350-acre Manchaug Pond (the "Pond") is located in the Towns of Sutton and Douglas, and the dam itself is located in Sutton. The Pond was artificially impounded with an earthen dam sometime around 1836 to provide storage and flow regulation for process water used by the mills located downstream. The dam is owned, operated and maintained by the proponent, Manchaug Reservoir Corp., which is a subsidiary of Interface Global, Inc.; however, with the closure of the Interface Fabric Mill in Douglas, there are no longer any mills using process water. The proponent states in the ENF that, because the dam no longer serves its original purpose, it wishes "to divest itself of any and all responsibility and liability for the ownership and operation of the dam".

In response to the ENF I have received numerous letters providing detailed comments on the proposed project. Commenters include state agencies, state Legislators, local officials from the Towns of Sutton and Douglas, environmental advocacy organizations, abutters to the Manchaug Pond, commercial and recreational users of the Pond and other concerned citizens. The comment letters have generally questioned the need for the proposed project and have expressed nearly universal concern about the project's potential environmental impacts, which include a substantial reduction in the size of the pond. The project is predicted, by both the proponent and the concerned commenters, to have significant consequences for wetland resource areas, species habitat, and downstream water flows, which may in turn adversely impact nearby water supplies, wastewater treatment facilities and/or septic systems. In addition, commenters have stressed that this dramatic change to the size of existing pond would threaten to severely curtail recreational uses of the Pond, reduce the value of abutting properties, and harm nearby businesses that rely on this heavily used public recreational resource.

The ENF indicates that proposed project is being undertaken to address a potential safety hazard associated with operation of the dam at current water levels, which the proponent contends are unsafe. However, comments I have received from the Department of Conservation and Recreation Office of Dam Safety (ODS) state that the dam was in satisfactory condition as recently as December 2008, and that the ODS has not determined the dam to be in unsafe condition. Therefore, as outlined in the Scope provided below, all feasible project alternatives, including in particular the no action alternative, will need to be comprehensively evaluated in the Draft EIR (DEIR). The alternatives analysis must clearly document the need for the proposed project in light of both its potential for significant environmental consequences and the ODS' statement that the dam has not been determined to be unsafe. In addition, all potential direct and indirect environmental impacts, and all feasible measures to avoid, minimize and mitigate these impacts, will need to be fully explored in Draft and Final EIRs before the project will be allowed to proceed to state permitting.

As I have already noted, the proposed project has garnered widespread opposition from the public and from officials at both the state and local level. However, many of the comment letters I received have also suggested that the potential exists for the proponent to come together with other interested parties to find a middle ground. It has been suggested that there are municipal or other local community interests that may be willing to accept responsibility for the Manchaug Dam in order to avoid the need for the project altogether. Such an arrangement could serve to prevent significant adverse environmental impacts to Manchaug Pond and provide for the continued use of this recreational fishery of state-wide importance by the boating and fishing public. I encourage the proponent, the Towns of Sutton and Douglas, and other interested stakeholders in the strongest possible terms to explore all feasible avenues for the transition of ownership of the dam from this private corporation to a public or non-profit entity that will safeguard the local interest in this collective resource.

To facilitate a realistic discussion about this possibility, the proponent should consider the collective costs it will be required to spend on the environmental permitting and construction of the proposed project, including all required mitigation for environmental impacts and including the resolution of any appeals that are taken. I ask that the proponent consider placing this money into an escrow fund for the maintenance and operation of the existing dam. This

escrow fund could provide encouragement to a local municipality or nonprofit organization that may consider taking on the responsibility of maintaining and operating the Manchaug Pond Dam while allowing the proponent to divest itself of ownership and operation of the dam.

### Project Description

The dam is a 330-foot long, 28-foot high stepped, rubble-filled, stone-masonry gravity structure with mortared joints on the upstream face and an earthen embankment structure constructed on the downstream side. The dam spillway has a crest width of approximately 36-feet that supports a local roadway, Torrey Road, along its length. The dam's spillway channel is controlled by flashboards which can be placed or removed to control the water flow over the spillway and also the water level of the Pond. The dam also includes a low-level outlet. According to the proponent, the dam is classified by the Massachusetts Department of Conservation and Recreation (DCR) ODS as a large (greater than 1,000 acre-feet of storage), Class I, High Hazard Dam under the dam safety regulations at 302 CMR 10.06.

The Pond currently has a maximum storage capacity of 6,500 acre-feet and is considered a Great Pond of the Commonwealth pursuant to M.G.L. c. 91. The proponent proposes to remove the dam and restore the Pond to what it is referring to as its "natural" Great Pond boundaries. Estimates provided in the ENF and by commenters vary as to what the ultimate reduction in pond water levels will be.

Although not detailed in the ENF, several commenters, including MassDEP, the Town of Sutton and others, have provided information concerning recent operation and permitting disputes that have arisen over the proponent's maintenance of water levels behind the dam. In summary, it appears that in the springs 2008 and 2009 the proponent failed to replace certain flashboards that had historically been put in place during that time of each year, which allowed for the drawdown of the Pond. On April 21, 2009, MassDEP issued a unilateral administrative order requiring the proponent to reinstall the flashboards in the dam in order to restore the water level of Manchaug Pond and to restore wetland resource areas impacted by the Pond drawdown. That administrative order is under appeal at MassDEP, and the proponent's efforts to obtain a preliminary court order enjoining the enforcement of that administrative order were unsuccessful. The proponent has also requested that MassDEP hold an adjudicatory hearing on MassDEP's denial of the proponent's request for a Superseding Order of Conditions to overturn the Sutton Conservation Commission's initial Order of Conditions.

According to the ENF, the removal of the dam by the proponent would create the following adverse impacts:

- Permanent lowering of water levels;
- Loss of lacustrine habitat in the enlarged portion of the Pond;
- Impacts to regulated resources (Bank);
- Loss of roadbed for Torrey Road (and associated need to find alternative transportation routes),
- Changes in opportunities for the recreational use of the Pond;

- Loss of ability to manage flows through the dam outlet to the unnamed stream downstream of the dam;
- Potential impacts to downstream aquatic communities and water-dependent uses;
- Alternative transportation routes with the removal of Torrey Road;
- Reduced water levels in shallow wells; and
- Altered perception of impoundment by abutters and other recreational users.

As noted elsewhere in this Certificate, commenters have identified a host of other adverse impacts that may potentially result from the proposed project, and those impacts will need to be further evaluated by the proponent in response to the Scope provided below.

### Jurisdiction and Permitting

The project is undergoing environmental review and is subject to the preparation of a mandatory EIR pursuant to the following sections of the MEPA regulations: 301 CMR 11.03(1)(a)(1), 11.03(3)(a)(1)(b) and 11.03(3)(a)(4) because the project requires a state agency action and the project includes the direct alteration of fifty or more acres of land, the alteration of ten or more acres of another wetland (30 acres of Land Under Water), and the structural alteration of an existing dam that causes a decrease in impoundment capacity, respectively. The project requires the following permits and/or approvals: a Chapter 253 Dam Safety Permit from DCR's Office of Dam Safety; a 401 Water Quality Certificate, a License under M.G.L. c. 91 ("Chapter 91") and a Chapter 91 Permit for lowering the waters of a Great Pond and for dredging over 100 cubic yards from the Massachusetts Department of Environmental Protection (MassDEP); a National Pollutant Discharge Elimination System (NPDES) Construction General Permit from the U.S. Environmental Protection Agency (EPA); an Individual Permit from the U.S. Army Corps of Engineers (ACOE) pursuant to Section 404 of the Clean Water Act; and Orders of Condition from the Sutton and Douglas Conservation Commissions (and, on appeal only, Superseding Orders of Conditions from MassDEP). Because the project is located within the 100-year floodplain and involves a federal action, the project must comply with federal Executive Order 11988, Floodplain Management.

Because the project involves significant alteration of a Great Pond and requires a Chapter 91 License, subject matter jurisdiction under MEPA is functionally equivalent to broad scope jurisdiction in accordance with 301 CMR 11.01(2)(a) of the MEPA regulations. Therefore, 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.

## **SCOPE**

### General

The DEIR should follow the general guidance for outline and content contained in Section 11.07 of the MEPA regulations, as modified by this Scope. The DEIR should include a copy of this Certificate.

### Project Description and Permitting

The DEIR should include a thorough description of the project, including a detailed description of the dam removal/construction methods and phasing. The DEIR should include maps, plans and other graphics at a reasonable scale to facilitate review and comment. The DEIR should provide a detailed description and analysis of applicable statutory and regulatory standards and requirements, and a thorough description of how the project will meet those standards. The DEIR should include a complete list of required federal, state and local permits and approvals and provide an update on the status of each permit and/or approval and consultations with permitting agencies. The DEIR should also include a description and analysis of all applicable regulatory standards and requirements, and should describe in detail how the project will comply such standards and requirements.

The DEIR should identify on a plan the land that is owned by the proponent in the pond and adjacent to the pond, and this discussion should include the ownership of Torrey Road. It should also identify and explain the existing operating procedures for placement of flashboards (e.g. application of the "Historic Rule Curve" by limiting the Pond level to Elevation 515.9 feet), staffing/manhours, operating costs, and any known future capital cost to operate the Manchaug Pond Dam. The DEIR should clearly identify the streams that flow into and out of the Pond.

### Alternatives Analysis

After reviewing the ENF, I am requiring the proponent to provide an analysis of the following alternatives:

- Preferred Alternative – Complete dam removal;
- Alternative 2 - Improving the existing dam/modification of the dam spillway to meet current dam safety requirements;
- Alternative 3 - Partial dam removal/reduced impoundment scenario; and
- No Action Alternative.

The DEIR should provide a full evaluation of these above alternatives for the scoped items listed in this Certificate and provide an analysis of the costs associated with each alternative.

The DEIR should also expressly discuss and document the proponent's efforts (past and current) to divest ownership of the dam. In the ENF, the proponent states that it has solicited the Towns of Douglas and Sutton, the Whitins Reservoir Watershed District, and the Manchaug Pond Association and that none of those entities expressed a willingness to assume the ownership and operation of the dam. However, the proponent has not provided specific evidence to support its claim that transferring ownership of the dam to another entity is infeasible. The No Action Alternative required above would involve the continuation of the existing operating conditions of the dam as currently permitted. The analysis of this alternative should include a thorough discussion of the options for alternative ownership of the dam and the DEIR should include a detailed discussion of any and all efforts the proponent has undertaken to pursue this option.

The analysis of the preferred alternative should also include supplemental information supporting the proponent's claim in the ENF that the dam is unsafe. The DEIR will also need to address the requirements to obtain a Chapter 253 Dam Safety Permit that will be required for any removal or partial breach of the dam. The information in the DEIR should conform to the requirements of 302 CMR 10.09 and 10.14, and in addition should include a detailed description of how the impoundment will be drawn down to protect public safety downstream and to accommodate the work that will be required to effect the removal or breach. The DEIR should also address how water will be controlled to ensure safe operation of the dam and safe management of the work area during execution of the project through project completion and how the resulting exposed and altered areas will be graded and treated to resist erosion, settlement of other movement following completion of the project.

### Waterways Licensing/Permitting

As indicated above, pursuant to 310 CMR 9.04(1)(a), Manchaug Pond is a Great Pond of the Commonwealth, and therefore the proposed removal of the dam will require a License under Chapter 91 pursuant to 310 CMR 9.05(1)(a). The proposed lowering of the waters of a Great Pond is a regulated activity that requires a Chapter 91 Permit, and the dredging of any accumulated sediment proposed as part of the project would also require a Chapter 91 Permit. The DEIR should describe the regulatory requirements for obtaining the Chapter 91 License and Permits. It should provide the information necessary to constitute a complete filing under the Chapter 91. This should include an alternatives analysis; public purpose determination; description of flooding conditions, if any; and impacts on waterfront and water-dependent uses. The DEIR should address historical licensing information. It should identify the area and cubic yardage for the dredging portion of the project. It should identify any de-watering locations. The DEIR should describe the results of testing of the dredged material. It should identify where and if dredged material would be used as stabilization and revegetation material along BVW.

As further outlined in comments received from the Waterways Regulation Program (WRP), the proponent will need to address the potential impacts of the project on water-dependent uses, and the DEIR will need expressly address how the project will meet the requirements of the Waterways regulations cited in the WRP letter.

The DEIR should also include a bathymetric survey providing water depths and the effect that a proposed drawdown would have on safe navigation in the Great Pond. The bathymetric analysis should determine the loss in impounded volume and acreage pre- and post-dam removal. It should identify with any interference with public rights associated with a common landing, public easement, or other historic legal forms of public access from the land to the water that may exist on or adjacent to the Pond. The DEIR should analyze the effect that dam removal would have on the existing state-owned and operated boat ramp. It should provide a tabulated, graphic survey of all private or publicly owned and operated water-dependent facilities, including, but not limited to: facilities for swimming, fishing, and diving; docks, piers, floats and/or moorings; shore protection structures, headwalls and culverts; and road crossings. The DEIR should assess how the dam breach would affect the functionality of these respective facilities. As indicated by MassDEP, if the proponent cannot meet the "significant disruption" standard, the DEIR should propose mitigation and/or compensation measures to offset the loss.

The DEIR should include an analysis of how the project will comply with the standards for dredging and for dredged material disposal.

### Wetlands

The proponent believes that the project (the dam removal) qualifies as a limited project under the Wetlands Regulations at 310 CMR 10.53(4). However, comments provided by MassDEP clarify that although similar to the limited project provisions, the provision at 310 CMR 10.53(4) applies to restoration projects and is distinct from the limited project provisions. In order for the project to qualify for treatment under the cited provision, the proponent would have to establish that removal of the dam would improve the capacity of the affected resource areas to protect the interests listed in the Wetlands Protection Act. The DEIR should therefore provide a comprehensive assessment of the impacts to resource areas, including all of the information requested below.

The proposed project is projected to result in the reduction of at least 30 acres of Land Under Waterways. Therefore, it may require a Variance from the WPA if it does not qualify as a limited project. The Proponent should consult with MassDEP on this issue and provide an update in the DEIR. If the project will require a Variance, the proponent should demonstrate how it will meet the requirements of the WPA regulations at 310 CMR 10.05(10), which outline findings that the Commissioner of MassDEP must make before granting a Variance. The proponent should also clarify whether it intends to seek limited project status for other resource areas to be altered.

According to the ENF, the project will result in the following resource area impacts:

- Reducing Bank: by approximately 9,147 linear feet (permanent);
- Creating approximately 50 acres of Bordering Vegetated Wetlands (BVW) (permanent);
- Reducing approximately 30 acres of Land Under Waterways (LUWW) (permanent); and
- Creating approximately 30 acres of Bordering Land Subject to Flooding (BLSF0 (permanent).

The DEIR should identify the extent and boundaries of all wetland resource areas at the Pond and in upstream and downstream impacted resource areas. It should confirm the jurisdictional status of the downstream channels currently originating at the spillway and the low flow outlet, and identify the applicable Riverfront Areas. The Proponent should provide a functional assessment of each of the identified wetland resource areas.

The extent of the area to be altered should be measured from the USGS baseline elevation of 518.5 feet when determining LUWW. MassDEP has estimated that at least two acres of BVW could be dewatered as a result of the dam removal. The DEIR should identify the method for calculating the positive and negative impacts of the project on wetland resource areas. It should identify and quantify temporary alterations to Bank, BVW, BLSF, and Riverfront Area. Direct wetland impacts are associated with the dam, spillway, embankment, and low-level outlet removal. Indirect impacts are associated with the construction period drawdown and the reestablishment of perennial flow to the downstream. The proponent should clearly indicate and

quantify wetland impacts associated with each component of the project, including the removal of the dam and Torrey Road and construction period impacts. Impacts to the adjacent wetlands from dam removal and indirect impacts as a result of dewatering and dredging should be described and quantified.

The proponent should seek guidance from MassDEP regarding the need for a wildlife habitat evaluation per 310 CMR 10.60. If required, the proponent should present the results of the evaluation in the DEIR.

Because the project has the potential to alter flooding characteristics both upstream and downstream of the dam, the DEIR should provide a hydraulic analysis to determine the extent of the changes to the 100-year floodplain upon the completion of the proposed project. This analysis should be submitted to the Federal Emergency Management Agency for their use in future floodplain map revisions if the dam removal is permitted.

The proponent states in the ENF that the project would result in a net benefit to wetland resource areas and a significant gain of BVW. It would utilize time-of-year restrictions, best management construction practices, and optimizing work-in-the-dry to reduce potential impacts. The proponent states that no mitigation is proposed because the project is “pro-active habitat restoration.” The DEIR should discuss mitigation requirements for all resource areas to be impacted. For all proposed wetland replication areas, the proponent should prepare a detailed wetlands replication plan for submittal in the DEIR which, at a minimum, should include: replication location(s); elevations; typical cross sections; test pits or soil boring logs; groundwater elevations; the hydrology of areas to be altered and replicated; list of wetlands plant species of areas to be altered and the proposed wetland replication species; planned construction sequence; and a discussion of required long-term monitoring.

The proponent should provide supporting documentation in the DEIR regarding downstream historic flows from the dam and a reasonable estimate of the downstream “natural” stream flow following the removal of the dam. The project should incorporate measures to provide a determinable base flow to downstream resource areas after dam removal. The DEIR should describe what constitutes a base flow to downstream resource areas and how that has been determined. The proponent should provide additional information regarding how the project as currently designed will be able to provide the recommended range of flows on a consistent basis.

### Water Impacts

The DEIR should identify any potential impacts from the Preferred Alternative on the unnamed streams below the dam, Stevens Pond, the Mumford River, the Blackstone River, water supply wells, and the operation of the Douglas Wastewater Treatment Plant (WWTP). Specifically, the DEIR should include a streamflow analysis that would describe typical stream flows expected downstream of the pond post-dam removal and should compare those to the stream flows currently observed. I note that the Douglas WWTP is dependent upon a sustained minimum flow/base flow in the Mumford River. The DEIR should identify what this sustained minimum flow is, and it should state whether this flow can be maintained with the proponent’s



Preferred Alternative. MassDEP has requested that the DEIR provide a complete analysis of the impact of this new base flow on the WWTP discharge and the resulting water quality and quantity.

The DEIR should also inventory all public and private water supply wells that could be affected by the permanent drawdown caused by the dam removal. This includes but is not necessarily limited to all public and private water supply wells within a one-half mile radius of the Pond. If water supplies are diminished, mitigation should be proposed by the proponent.

According to MassDEP, the parent company of the proponent has requested to renew its Water Management Act Permit to withdraw 1.5 million gallons per day from Gilboa Pond on the Mumford River, which is downstream from Manchaug Pond. The DEIR should determine whether this drawdown of the Pond will adversely affect the capacity to withdraw this water, and it should propose mitigation for any potential loss.

### Wildlife Habitat

The proposed work to remove the dam is not located within Priority or Estimated Habitats of rare species. However, the effects of disconnecting inlet streams and other resource areas may affect wildlife habitat. Impacts to wildlife habitat should be assessed in the DEIR, and mitigation should be proposed.

### Fisheries

According to their comments, the Massachusetts Department of Fish and Game (DFG) “is concerned that the removal of the dam would result in substantial adverse impacts to a recreational fishery of state-wide importance, and effectively eliminate the use of the Pond for recreational boating by the public, while providing limited environmental benefits in return.” DFG has indicated that Manchaug Pond is an important recreational fishery. Specifically, fisheries surveys of the Pond have revealed the presence of ten species. Historically, the Pond has also been stocked with northern pike and tiger muskellunge. Fisheries surveys of the Mumford River have yielded 21 species, and the unnamed tributary to Manchaug Pond is identified as a significant coldwater fisheries resource.

The DEIR should fully evaluate the impacts of the proposed project on fisheries within the Pond and associated tributaries. The Proponent should address concerns regarding potential impacts to the thermal regime of the downstream streams from the Preferred Alternative. The DEIR should include a discussion of potential thermal impacts and should outline measures that could be implemented to avoid, minimize and mitigate this impact.

### Recreational Activities

The DFG owns a boat ramp with associated parking on the Pond, as well as property on Manchaug Pond that accommodates parking for access to the Pond. According to DFG, the removal of dam would result in lowered water levels and effectively eliminate the ability of the public to launch and retrieve trailered watercraft. In addition, there are numerous other private

recreational uses sponsored on or near the Pond. The DEIR should contain a detailed analysis of the impact of the proposed project on future recreational uses of the Pond. This should include a comprehensive identification of current public uses of the pond, and the potential for future uses of the reduced pond. The DEIR should also discuss and propose mitigation to offset impacts to recreational interests.

Because the Pond supports a recreational fishery of state-wide significance, the DEIR should include an angle survey to determine the amount of angling opportunity (effort, harvest, and economic data) that may be lost due to a reduction in acreage. The angle survey should provide an analysis of the alternatives for recreational angling.

### Transportation Impacts

Numerous commenters have also pointed out that the project will result in the elimination of Torrey Road, which sits upon the crest of the dam and is used by the public and has been historically maintained by the Town of Sutton. The DEIR should fully assess the impacts of the project associated with the removal of Torrey Road. Specifically, it should identify the impacts to nearby residences or businesses based upon the loss of this access road and should identify alternative routes that could be used. The DEIR should identify the current number of vehicles using Torrey Road and specify where this traffic would go in order to provide access within this portion of Sutton and Douglas. The DEIR should also address the ownership of Torrey Road and whether the proponent possesses sufficient rights to eliminate this roadway that is currently used by the public.

### Construction Period Impacts

The DEIR should include a detailed discussion of the potential environmental impacts associated with the construction period that will be required for removal of the dam. The DEIR should identify the drawdown level at the Pond and should indicate whether this drawdown level would provide sufficient space for the contractor to remove the dam. The DEIR should identify if temporary cofferdams along the upstream slope are proposed. The DEIR should describe the proposed construction sequencing in detail.

The Proponent states in the ENF that some dredging may be required as part of the project. The DEIR should clarify what areas will be dredged and should specify the amount of fill to be dredged. The Proponent should indicate whether a Section 401 dredge permit is required, and if so, should outline how the project will comply with 314 CMR 9.07.

### Greenhouse Gas Emissions

The project requires an EIR and therefore is subject to the requirements of the EEA /MEPA Greenhouse Gas Emissions (GHG) Policy and Protocol. Consistent with the objectives established in the Policy (which is available on the MEPA website at <http://www.mass.gov/envir/mepa/pdf/misc/ghg%20Policy%20FINAL.pdf>), the DEIR should quantify GHG emissions associated with each of the proposed project alternatives and proposed

mitigation measures or it should identify how the project falls within the de minimis exception of the Policy and Protocol.

#### Historical/Archeological Resources

According to comments received from the Massachusetts Historical Commission (MHC), there are multiple recorded archaeological resources in the general project area. The DEIR should therefore include project plans depicting both existing and proposed conditions (including all proposed work areas, access roads and staging areas), with both direct and indirect impact areas clearly shown. These plans should be submitted to the MHC as early as possible in the process, and the proponent should coordinate with MHC to ensure adequate review of any potential historic/archaeological impacts from the project. The DEIR should provide an update on the status of these discussions.

#### Mitigation

The DEIR should contain a separate chapter on mitigation measures. It should include detailed Draft Section 61 Findings for all state permits that include a clear commitment to mitigation, an estimate of the individual costs of the proposed mitigation, and the identification of the parties responsible for implementing the mitigation. A schedule for the implementation of the mitigation, based on the construction phases of the project, should also be included. As outlined above, the proponent should clarify the required wetland replication mitigation for the state and federal wetlands permitting processes and should demonstrate that required mitigation will be able to be constructed, or that permitting agencies are amenable to alternative approaches.


#### Response to Comments

In order to ensure that the issues raised by commenters are adequately addressed, the DEIR should include copies of all comments submitted on the ENF with a detailed response to each individual comment. The DEIR should present additional narrative and/or technical analysis as necessary to respond to the concerns raised. This directive is not intended to, and shall not be construed to enlarge the scope of the DEIR beyond what has been expressly identified in this Certificate.

#### Circulation

The DEIR should be circulated in compliance with Section 11.16 of the MEPA regulations and copies should be sent to the list of "comments received" below and to Douglas and Sutton officials. A copy of the DEIR should be made available for public review at the Douglas and Sutton Public Libraries.

July 24, 2009  
Date



Ian A. Bowles

## Comments received:

Jeffrey L. Roelofs, 6/26/09  
Massachusetts Historical Commission, 6/29/09  
Catherine Lindstrom and Karen Staruk, 7/9/09  
Douglas Selectmen, 7/9/09  
Russell W. Hendrickson, 7/10/09  
Joyce A. Smith, 7/11/09  
Senator Richard T. Moore, 7/13/09  
Seder & Chandler, 7/13/09  
Sara Sullivan and Family, 7/13/09  
Massachusetts Bass Federation, 7/13/09  
Linda and Isabelle Nelson, 7/13/09  
Robert W. Fike, 7/13/09  
Massachusetts Board of Underwater Archaeological Resources, 7/13/09  
Alyse H. Aubin and Richard Lindstrom, 7/14/09  
Kopelman and Paige, 7/14/09  
Sutton Conservation Commission, 7/14/09  
Dick Quinn, 7/14/09  
Joyce Walsh-Thomson, 7/14/09  
Robert Nunnemacher, , 7/14/09  
The Bass Federation, 7/14/09  
MassDEP/Waterways Regulation Program, 7/14/09  
Mass Audubon, 7/14/09  
Jeffrey L. Roelofs, 7/14/09  
Massachusetts Department of Environmental Protection/Central Regional Office, 7/14/09  
Massachusetts Department of Fish and Game, 7/14/09  
The Blackstone River Coalition, 7/14/09  
Wesley Helgesen, 7/15/09  
Sally Sullivan and Michael P. Sullivan, 7/15/09  
The Manchaug Pond Association (David Schmidt, President), 7/15/09  
Leon, Shirley, and Lisa Moczynski, 7/15/09  
Massachusetts Department of Conservation and Recreation, 7/15/09  
Representative Jennifer Callahan, 7/22/09  
Representative Paul Kujawski, 7/23/09

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