

For Office Use Only
Executive Office of Environmental Affairs
 MEPA Analyst: *Beiyong Angus*
 Phone: 617-626-1029

NPC

Notice of Project Change

The information requested on this form must be completed to begin MEPA Review of a NPC in accordance with the provisions of the Massachusetts Environmental Policy Act and its implementing regulations (see 301 CMR 11.10(1)).

Project Name: Aquatic Habitat Restoration of Nashawannuck Pond		EOEA #: 13959	
Street: Between Williston Avenue and Pine Street			
Municipality: Easthampton		Watershed: Connecticut River – Manhan River	
Universal Tranverse Mercator Coordinates: 339809 E, 2923743 N		Latitude: 042°16' N Longitude: 072°40' W	
Status of project construction: 0 %complete			
Proponent: City of Easthampton			
Street: 50 Payson Avenue			
Municipality: Easthampton		State: MA	Zip Code: 01027
Name of Contact Person From Whom Copies of this NPC May Be Obtained: Anja Ryan			
Firm/Agency: BEC, Inc.		Street: 296 North Main Street	
Municipality: East Longmeadow		State: MA	Zip Code: 01028
Phone: (413) 525 - 3822	Fax: (413) 525 - 8348	E-mail: aryan@b-e-c.com	

In 25 words or less, what is the project change? The project change involves . . .
 Modification of the proposed methodology used for restoring the aquatic habitat of Nashawannuck Pond, from hydraulic dredging to conventional excavation following draining of the pond.
 See full project change description beginning on page 3.

Date of ENF filing or publication in the Environmental Monitor: February 6, 2007

Was an EIR required? Yes No; if yes,
 was a Draft EIR filed? Yes (Date:) No
 was a Final EIR filed? Yes (Date:) No
 was a Single EIR filed? Yes (Date:) No

Have other NPCs been filed? Yes (Date(s):) No

If this is a NPC solely for lapse of time (see 301 CMR 11.10(2)) proceed directly to
"ATTACHMENTS & SIGNATURES" on page 4.

PERMITS / FINANCIAL ASSISTANCE / LAND TRANSFER

List or describe all new or modified state permits, financial assistance, or land transfers not previously reviewed: Certificate of the Secretary of Environmental Affairs on the Environmental Notification Form, EOE A #13959, March 8, 2007

Are you requesting a finding that this project change is insignificant? (see 301 CMR 11.10(6))
 Yes No; if yes, attach justification.

Are you requesting that a Scope in a previously issued Certificate be rescinded?
 Yes No; if yes, attach the Certificate

Are you requesting a change to a Scope in a previously issued Certificate? Yes No; if yes, attach Certificate and describe the change you are requesting:

Summary of Project Size & Environmental Impacts	Previously reviewed	Net Change	Currently Proposed
LAND			
Total site acreage	37± (pond) 64± (sed. reuse site)	0 (pond) 0 (sed. reuse site)	37± (pond) 64± (sed. reuse site)
Acres of land altered	13± (sed. reuse site)	- 3± (sed. reuse site)	10± (sed. reuse site)
Acres of impervious area	0	0	0
Square feet of bordering vegetated wetlands alteration	(temporary 50± SF)	0	(temporary 50± SF)
Square feet of other wetland alteration	Land Under Water (LUW) 9.6± ac	LUW + 27.4± ac	LUW- 37± ac
Acres of non-water dependent use of tidelands or waterways	0	0	0
STRUCTURES			
Gross square footage	0	0	0
Number of housing units	0	0	0
Maximum height (in feet)	0	0	0
TRANSPORTATION			
Vehicle trips per day	1,144	20±	1,164±
Parking spaces	NA	NA	NA
WATER/WASTEWATER			
Gallons/day (GPD) of water use	0	0	0
GPD water withdrawal	0	0	0
GPD wastewater generation/ treatment	0	0	0
Length of water/sewer mains (in miles)	0	0	0

Does the project change involve any new or modified:

1. conversion of public parkland or other Article 97 public natural resources to any purpose

not in accordance with Article 97? Yes No

2. release of any conservation restriction, preservation restriction, agricultural preservation restriction, or watershed preservation restriction? Yes No

3. impacts on Estimated Habitat of Rare Species, Vernal Pools, Priority Sites of Rare Species, or Exemplary Natural Communities? Yes No

4. impact on any structure, site or district listed in the State Register of Historic Place or the inventory of Historic and Archaeological Assets of the Commonwealth?

Yes No; if yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources? Yes No

5. impact upon an Area of Critical Environmental Concern? Yes No

If you answered 'Yes' to any of these 5 questions, explain below:

PROJECT CHANGE DESCRIPTION (attach additional pages as necessary). The project change description should include:

- (a) a brief description of the project as most recently reviewed
- (b) a description of material changes to the project as previously reviewed,
- (c) the significance of the proposed changes, with specific reference to the factors listed 301 CMR 11.10(6), and
- (d) measures that the project is taking to avoid damage to the environment or to minimize and mitigate unavoidable environmental impacts. If the change will involve modification of any previously issued Section 61 Finding, include a proposed modification of the Section 61 Finding (or it will be required in a Supplemental EIR).

Project Description

Nashawannuck Pond in Easthampton, MA was formed over 150 years ago by a dam near the confluence of Broad and White brooks. Over the years, sedimentation from past agricultural and construction activities within the watershed has significantly degraded the pond's aquatic habitat. The City of Easthampton and the United States Army Corps of Engineers (USACE) presented the Aquatic Habitat Restoration of Nashawannuck Pond in the Environmental Notification Form (ENF, dated Jan. 2007). The stated project objectives for Nashawannuck Pond were to: (1) restore areas of open water aquatic habitat with a depth sufficient to discourage dense aquatic weed growth; (2) enhance total aquatic habitat for finfish species; (3) preserve habitat values for waterfowl; (4) and restore a balance between open water aquatic habitat, the dense aquatic weed beds, and emergent wetlands. The restoration methodology described in the ENF included hydraulically-dredging 9.6± aeres within the 37± acre pond by use of a hydraulic dredge and a shoreline mechanical dewatering process, with sediment reuse at a nearby City-owned parcel of land.

Subsequent to the Secretary's March 8, 2007 Certificate, the USACE has determined through further engineering evaluations and discussions with the construction contractor that the planned restoration method of hydraulic dredging and upland dewatering would not be economically feasible given the funds available. The high cost of meechanical dewatering of sediment using the belt filter press method and the finaneial impracticality of gravity dewatering at the sediment reuse site would not allow for the project goals to be attained. The Proponent has thus sought an equally beneficial alternative which will achieve all of the aforementioned project goals. The USACE has reeommended to the Proponent that conventional excavation of naturally-dewatered sediment by complete pond drawdown should be adopted as the preferred alternative. The same amount of sediment will be exeavated under the new projeet appoaeh (approximately 55, 000 cubic yards of de-watered sediment). The size of the dredged area will remain approximately the same; however, the disturbance to Land Under Water (LUW) will increase from 9.6± acres to 37± aeres. Thus, the change in project is signifieant as per 301 CMR 11.10(6). The area of disturbed land at the sediment reuse site will decrease under the new plan from 13± acres to 10± acres.

The Project is expected to improve the aquatic habitat of Nashawannuck Pond by removal of many of the invasive plant species and the fine grained nutrient rich sediments that help to support them. The outcome of temporary dewatering and excavation of the accumulated sediment and aquatic vegetation within the dredging areas will be for vegetation to redevelop naturally on the parent substratum at a lower density which will enhance the aquatic habitat. The increase in open water column depth throughout selected areas of the pond will provide better quality open water habitat essential for improving the diversity of fisheries in the pond which have suffered due to the sediment infilling and excessive aquatic macrophyte growth. Fish habitat features will be created by excavated depressions and rock groupings on the pond's bottom. The drawdown of the pond water level will also expose large amounts of excessive rooted aquatic vegetation to desiccation and freezing.

The NEW Methodology

Initial drawdown of the Pond will most likely occur during the low flow season in late summer, or early fall. By opening the bascule gate, Nashawannuck Pond will be partially lowered by approximately 8 feet, and then be completely drained by opening the sluice gates. Per recommendation of the Division of Fisheries & Wildlife (see letter dated May 13, 2008, Attachment IV), fish will be directed to migrate downstream through the open sluice gates of the dam, instead of being shocked and relocated. The natural flows entering Nashawannuck Pond from Broad and White brooks will be diverted away from the sediments to be excavated by the installation of a temporary weir at each inflow. Flexible piping will be used to re-direct the flows to the dam's discharge. Another alternative for allowing the incoming waters to flow downstream will be to excavate a central channel through the pond which will discharge at the sluice gates. As an additional measure to mitigate potential adverse effects of the pond drawdown, a temporary weir will be installed at the upstream side of the culvert connecting Nashawannuck Pond to the upgradient Rubber Thread Pond (fed by Williston Brook). The temporary weir will maintain the Rubber Thread Pond's water level throughout the project and will prevent bottom sediment migrating from Rubber Thread Pond. Sluice gates at Nashawannuck Pond dam will be adjusted to discharge minimum outflow equal to the inflow of the tributaries that discharge into Rubber Thread Pond.

Prior to the beginning of actual excavation, the exposed sediments will be allowed to dewater for approximately 3 months. The excavation of the sediment will then proceed from northern end of the pond and extend southward into the White and Broad Brook cove areas. The pond bottom excavation focuses primarily upon the White Brook and Broad Brook cove areas in the southern end of the pond where vegetation is most dense due to sedimentation. The limits of excavation will be to a depth of 12 feet. In order to preserve shallow water habitat, a 25-50 foot wide no dredge area around the perimeter of the pond will be maintained. Several of the high quality aquatic and wildlife habitat coves within the pond will be left un-dredged in order to preserve more critical habitat features, which include snags, bottom structure and other desirable aquatic and wildlife habitat features.

Before excavation, a layer of gravel 18 inches deep will be added to the pond bottom in areas of construction for vehicle traction. The dried, excavated sediment would be loaded onto trucks at a staging area located on the westerly side of the pond and hauled away using existing public roads to the 10±-acre City of Easthampton-owned sediment reuse site, south of White Brook School and Treehouse Circle. The dredged material will then be spread at an average thickness of approximately 3 feet over the 10±-acre footprint, with slopes of 3 (Horizontal) to 1 (Vertical).

Short-term environmental impact on the local ecosystem will be mitigated through the implementation of best management practices for the duration of the entire construction process. Sedimentation and erosion control measures such as 12-inch thick crushed stone construction entrances at the pond staging areas and sediment reuse area will prevent any loose sediment from entering the roadways. The temporary alteration to Nashawannuck Pond's hydrology caused by opening of the sluice gates and diverting flows from Broad, White, and Williston brooks is not expected to have any long-lasting adverse impacts on the general environment of Nashawannuck Pond. Approximately 3 years is the anticipated amount of time for the warm water fishery to be re-established after the pond is re-filled (which will take approximately 3 months) and re-stocked.

The City of Easthampton, the Nashawannuck Pond Steering Committee, corporate sponsors, public agencies, and private citizens have combined efforts over the last twenty years to improve Nashawannuck Pond's water quality through multiple fundraising efforts that have resulted in the construction of several gabion weirs, siltation basins, and the installation of storm water Best Management Practices (BMPs) throughout the watershed. Currently, the Proponent has secured both federal and city funds to pay for the aquatic habitat restoration. U.S. Congressman John W. Olver has recently secured a total of \$1.215 million in federal funding for the project, under the USACE's Continuing Authorities Program. Provided by Section 206 of the Water Resources Development Act of 1996, the USACE may plan, design and build projects to restore aquatic ecosystems for fish and wildlife. These federal funds must be obligated by September, 2008, or they will be re-assigned to other projects.

EIR Waiver Request

The City of Easthampton and the USACE understand that the increase in disturbance of LUW results in the Project exceeding the threshold requirement of a mandatory Environmental Impact Report (301CMR11.03.(3) Wetlands, Waterways, and Tidelands, (a) 1. b. Alteration of ten or more acres of any other wetlands). Yet, because this project will ultimately have a significantly positive effect on the Nashawannuck Pond ecosystem, the Proponent requests a waiver of the EIR requirement.

The restoration of Nashawannuck Pond is a much-desired goal with environmental resource and economic vitality benefits. The preparation of an EIR would result in undue hardship for the Proponent, due to the potential loss of the critical federal funding and the support of the USACE. The preparation of an EIR would not serve to avoid or minimize Damage to the Environment; in fact, the Project itself is a significant betterment to the Environment, and further delay will only forestall or possibly even eliminate those benefits. The time-sensitive funding is in place, the land requirements have been met, and ample and unconstrained infrastructure facilities and services exist to support the Project.

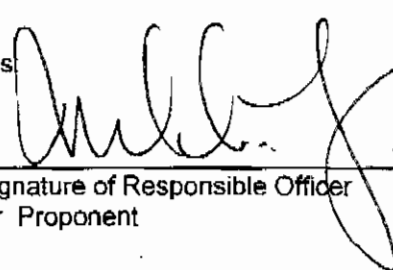
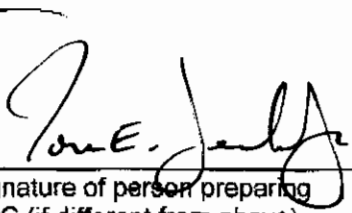
The Proponent respectfully requests that the Secretary of Environmental Affairs grant a waiver of the requirement for an Environmental Impact Report, and require no further MEPA review as a result of this Project change.

ATTACHMENTS & SIGNATURES

Attachments:

1. Secretary's most recent Certificate on this project
2. Plan showing most recent previously-reviewed proposed build condition
3. Plan showing currently proposed build condition
4. Original U.S.G.S. map or good quality color copy (8-1/2 x 11 inches or larger) indicating the project location and boundaries
5. List of all agencies and persons to whom the proponent circulated the NPC, in accordance with 301 CMR 11.10(7)

Signatures

6-27-08  6-27-08 

Date Signature of Responsible Officer or Proponent

Date Signature of person preparing NPC (if different from above)

Michael Tautznik, Mayor
Name (print or type)

Tom Jenkins, P.E.
Name (print or type)

City of Easthampton
Firm/Agency

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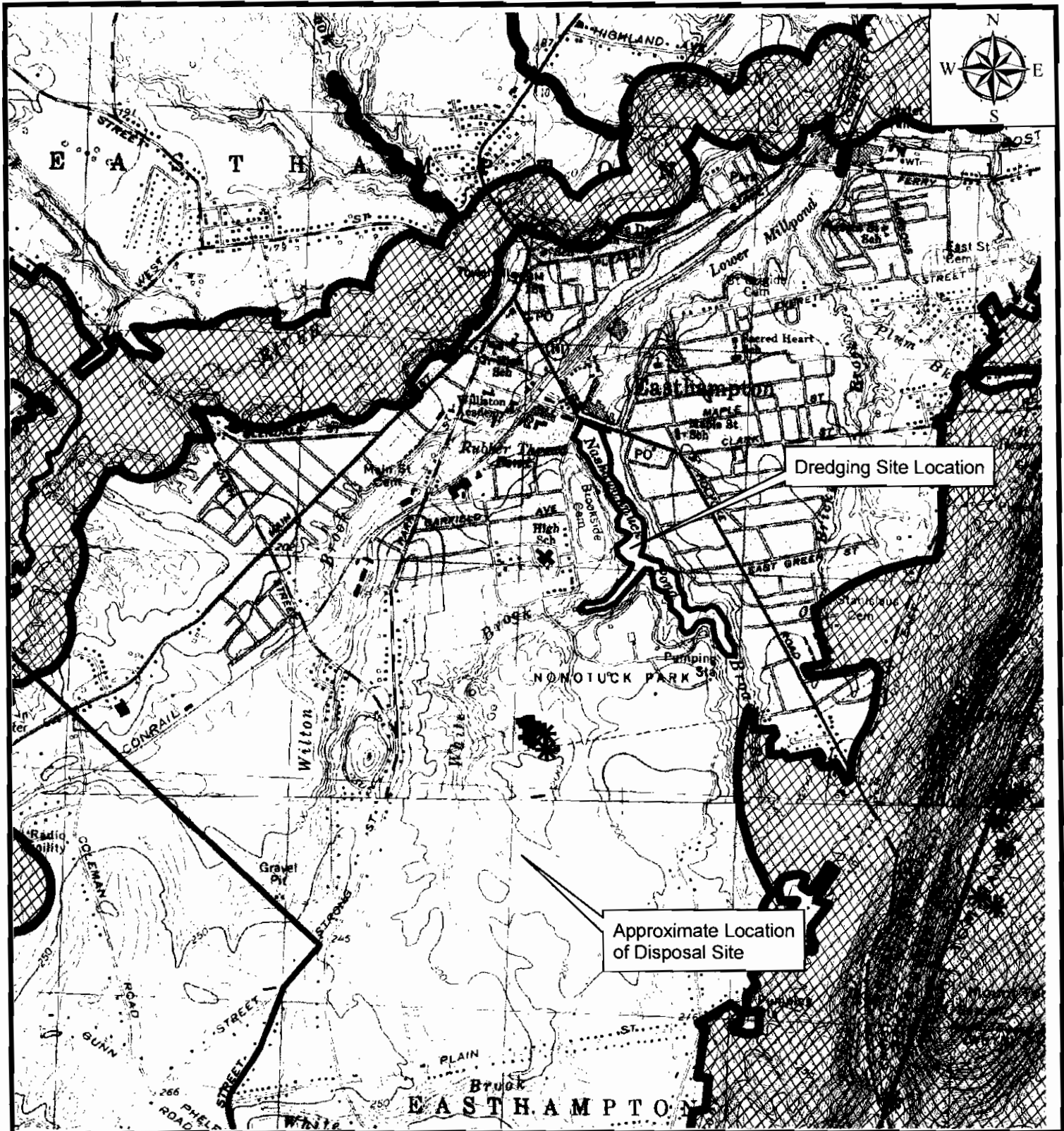


Figure 2: NHESP Map

Nashawannuck Pond Easthampton, Massachusetts

BASE MAP: USGS TOPOGRAPHIC QUADRANGLE MAP,
SPRINGFIELD SOUTH & HAMPDEN, MASS. (1979)

LEGEND

-  Certified Vernal Pools 2008
-  Estimated Habitats 2007
-  Priority Habitats 2007
-  Town Boundary