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March 8, 2007

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

PROJECT NAME: Aquatic Habitat Restoration of Nashawannuck Pond
PROJECT MUNICIPALITY: Easthampton
PROJECT WATERSHED: Connecticut River
EOEA NUMBER: 13959
PROJECT PROPONENT: City of Easthampton
DATE NOTICED IN MONITOR: February 6, 2007

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

Project Description

As described in the Environmental Notification Form (ENF), the City of Easthampton and the U.S. Army Corps of Engineers (ACOE) propose to restore historic deepwater habitat of Nashawannuck Pond by hydraulically dredging 55,000 +/- cubic yards (cy) of accumulated sediment. The purpose of the proposed project is to restore the aquatic habitat of Nashawannuck Pond by reducing excessive weed growth, which currently diminishes the quality of aquatic habitat for the pond's warm-water fishery. The anticipated area of dredging is 9.6 +/- acres within the 31 +/- acre pond. The limits of dredging will be to a depth of 12 feet, focusing primarily upon the White Brook and Broad Brook cove areas and the northern and southern ends of the pond. A minimum perimeter buffer of 50 feet will be designated to ensure that waterfowl habitat areas

around the edge of the pond will be sustained. The project will be accomplished using hydraulic dredging, which will maintain the water level of the pond during excavation. The proposed sediment disposal site is a 13.4 +/- acre city-owned parcel located approximately 6,000 feet to the southwest of Nashawannuck Pond.

The City of Easthampton and the Nashawannuck Pond Steering Committee have actively promoted the protection of the pond since 1988. In 1992, a gabion weir was installed at White Brook, and a siltation basin was later constructed on Broad Brook. A Section 319 grant in 1998 allowed the completion of stabilization work along the pond's shoreline. A second Section 319 grant in 2001 provided the installation of stormwater Best Management Practices (BMPs) including the construction of three swirl-type basins and eight deep sump catch basins at key stormwater discharge points in the Nashawannuck Pond and Broad Brook watersheds. An outreach and technology transfer program was developed which included a training workshop for regional Department of Public Works (DPW) personnel and the creation of a webpage devoted to the restoration of Nashawannuck Pond. Since these measures have been implemented to reduce present and future sediment and nutrient loads to the pond, the proponent states in the ENF that the next logical step in restoring Nashawannuck Pond is dredging some of the material which was previously accumulated.

Jurisdiction

The project is undergoing review pursuant to Section 11.03(3)(b)(1)(f) and 11.03(3)(b)(3) of the MEPA regulations because it will result in the alteration of more than ½ an acre of "any other wetlands" (9.6 +/- acres of Land Under Water) and because it requires the dredging of 10,000 or more cy of material. The project requires a National Pollutant Discharge Elimination System (NPDES) Construction Permit from the U.S. Environmental Protection Agency (EPA); a 401 Water Quality Certificate (WQC) from the Department of Environmental Protection (MassDEP); review from the Massachusetts Historical Commission (MHC); and an Order of Conditions from the Easthampton Conservation Commission.

The project will receive funding from a combination of federal, state and local sources. Under the Aquatic Ecosystem Restoration program (Section 206 of the Federal Water Resources Act of 1996), the U.S. Army Corps of Engineers (ACOE) will fund 65% of the project (+/- \$1.61 million). The non-federal portion of the project will be approximately \$866,000. The Department of Conservation and Recreation (DCR) has earmarked \$100,000 for the project. A real-estate credit will be applied to the non-federal portion, and the City of Easthampton will pay for the remainder of the project. Because the project involves financial assistance from the Commonwealth, MEPA jurisdiction extends to all aspects of the project that may cause significant Damage to the Environment as defined in the MEPA statute.

Wetlands/Dredging

The proponent considered several restoration alternatives during project planning. A Diagnostic/Feasibility Study and an Environmental Assessment (EA) conducted by the ACOE in 2006 evaluated improvement alternatives for Nashawannuck Pond such as dredging, plant

harvesting, water level control, and herbicide treatment. Plant harvesting and seasonal drawdown were eliminated as improvement options because neither would restore water depth or fisheries habitat to the pond. A water level increase would only provide minor improvement to fishery habitat by restoring water depth to the shallower portion of the pond and it would not provide any significant restoration of open water. Herbicide treatment is not favored because the pond lies within a Zone II Wellhead Protection Area. According to the ENF, hydraulic dredging will provide a long-term solution that will restore at least a portion of the pond to a depth that will inhibit or prohibit growth of aquatic plants.

The proponent's preferred dredging method of hydraulic dredging will maintain the water level of the pond during excavation, returning pumped water to the pond after treatment to remove sediments. Hydraulic dredging will use a barge-mounted movable boom with a cutterhead and suction line attached. The barge will be crane-lifted into the pond from the city beach and access area along the midpoint of the pond's eastern shoreline, which will avoid bank disturbance.

Within the main body of the pond, the dredged area will be approximately 1,700 feet long, ranging from 75 to 140 feet wide. Dredging will also continue into portions of the White Brook and Broad Brook coves. Within the White Brook cove, the dredged area will be approximately 600 feet long with a width of about 50 feet. Within the Broad Brook cove, the dredged area will be approximately 1,250 feet long and 50 to 250 feet wide. The dredged bottom will slope downwards from the limits of dredging at a slope of 3:1, to a depth of twelve feet or six feet in the southernmost portions of the White Brook and Broad Brook coves. The amount of sediment to be removed is approximately 55,000 cubic yards. In total, the dredging will result in impacts to 9.6 +/- acres of Land Under Water. The project will also result in minimal temporary disturbances to Bank (20 +/- linear feet) and Bordering Vegetated Wetlands (50 +/- sf).

The proponent must file a Notice of Intent with the Easthampton Conservation Commission for the project and secure an Order of Conditions prior to the commencement of project construction. According to the ENF, the project will be filed as a Limited Project. The proponent should note comments from MassDEP regarding the applicability of the Limited Project provisions to this project. In their comments on the ENF, MassDEP states that the project will require an Individual Permit from the ACOE pursuant to Section 404 of the Clean Water Act. At the MEPA site visit held for the project on February 20, 2007, an official from the ACOE indicated that because the ACOE is a funder and co-proponent of the project, that 404 review would not be required. The proponent should contact MassDEP to clarify this matter.

According to the ENF the dredged material will be dewatered either by mechanical dewatering using a belt filter press operation or gravity dewatering using open settling basin. The price at construction bid will determine the preferred alternative. The proponent states in the ENF that it will examine the impacts of both dewatering methods during the 401 WQC permitting process.

In the mechanical dewatering method, an intermediate facility for solids separation and dewatering will be installed adjacent to the pond. Once treated, the water will drain back to the

pond through a catch tank. In the gravity dewatering alternative, the sediment and water will be separated at the disposal site. The dredged slurry will be pumped directly from the dredge through a temporary 10-12" diameter polyethylene pipe. The pipeline will be approximately 6,000 feet in length, laid directly on the ground and held in place with staking. The containment basin at the disposal area will consist of an excavated and bermed holding area in which the slurry is allowed to separate by gravity into sediment and water. In this alternative, water will be returned to the pond via White Brook, which is located immediately adjacent to the disposal area and is upstream of the pond.

The proponent should note comments from MassDEP's Drinking Water Program regarding the proposed pipe that would be used in the gravity dewatering alternative. According to MassDEP, the proposed route will pass through the Zone I wellhead protection area for two of the Nonotuck Wells (PWS #1086000-06G and #1086000-08G) and the Brook Street Well (PWS #1086000-09G). The proponent should note that the Drinking Water Regulations at 310 CMR 22.21(3)(b) may prohibit a dredge material pipeline route through the Zone I. If access through the Zone I is determined to be the only feasible alternative, the proponent must submit a written request for temporary access to MassDEP's Drinking Water Program in the Western Regional Office.

The dredged material will be beneficially reused as fill materials on the city-owned disposal site, which is categorized as a GW-1 groundwater area because it lies within a Zone II for a public water supply. Laboratory testing conducted on three sediment samples from Nashawannuck Pond in 2002 indicated metals, polynuclear aromatic hydrocarbons (PAHs), pesticides and extractable petroleum hydrocarbons (EPH) at concentrations below Massachusetts Contingency Plan (MCP) standards. The proponent should note comments from MassDEP regarding the applicability of local watershed protection ordinances to the disposal of the sediment.

Historic Resources

According to the Massachusetts Historical Commission (MHC), a known Native American site (MHC site #19-HS-49) is located beside White Brook, immediately north of the proposed dewatering/disposal site area. In a letter to Baystate Environmental Consultants dated December 13, 2002, MHC requested that a cultural resources reconnaissance survey be conducted for the Nashawannuck Pond dredging area, along with an intensive (locational) archaeological survey for the proposed dewatering/disposal site. In 2004, an intensive archaeological survey was performed immediately north of the proposed disposal site in conjunction with the review of White Brook Meadow, a proposed residential development (EOEA #13386). The survey, conducted by the Public Archaeology Laboratory, Inc (PAL) found no significant archaeological resources at the project site. The ACOE has requested that MHC allow the preparation of an addendum to the White Brook Meadow report to satisfy the survey requirements for the disposal site. Correspondence between the ACOE and MHC submitted to MEPA during the comment period on the ENF indicates MHC's support of this approach. The proponent should consult with MHC regarding the need for additional survey work in the actual dredging area.

Conclusion

Following a review of the ENF and comments submitted by MassDEP, I find that the impacts of the project within MEPA jurisdiction do not warrant the preparation of an EIR. I conclude that no further MEPA review is required. The proponents may resolve any remaining issues during the state and local permitting processes.

March 8, 2007

Date



Ian A. Bowles

Comments received:

2/12/2007	Massachusetts Historical Commission
2/20/2007	Massachusetts Board of Underwater Archaeological Resources
2/22/2007	Ivonne Hall, Baystate Environmental Consultants, Inc. for the Proponent
2/26/2007	John W. Scibak, State Representative, Second Hampshire District
2/26/2007	Debbie Tautznik
2/26/2007	Paul A. Nowak, Nashawannuck Pond Steering Committee
2/26/2007	Department of Environmental Protection, Western Regional Office
2/27/2007	John W. Olver, Member of Congress, 1 st District Massachusetts
2/27/2007	Michael R. Knapik, State Representative, 2 nd Hampden and Hampshire Districts

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