



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Deval L. Patrick
GOVERNOR

Timothy P. Murray
LIEUTENANT GOVERNOR

Ian A. Bowles
SECRETARY

Tel: (617) 626-1000
Fax: (617) 626-1181
<http://www.mass.gov/envir>

April 10, 2009

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

PROJECT NAME: Farm Pond Dredging
PROJECT MUNICIPALITY: Carlisle
PROJECT WATERSHED: Concord
EEA NUMBER: 14379
PROJECT PROPONENT: Department of Conservation and Recreation
DATE NOTICED IN MONITOR: March 11, 2009

Pursuant to the Massachusetts Environmental Policy Act (MEPA) (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).

Project Description

As detailed in the Environmental Notification Form (ENF), the project involves the dredging/removal of 3,300 cubic yards (cy) of material from Farm Pond within Great Brook Farm State Park in Carlisle. Farm Pond is a shallow, 0.8-acre pond fed by groundwater and surface water runoff. The pond outflows via an outlet structure that discharges to downstream wetlands. The pond is used for fire protection and historically served as a water source for farm animals.

Storm events have resulted in significant sediment transport and deposition within the pond. The Massachusetts Department of Conservation and Recreation (DCR) has introduced measures to prevent erosion and surface runoff into the pond, including the implementation of rain gardens, drainage swales and the replacement of paved surfaces with pervious surfaces. Sediment analysis of pond bottom materials indicates that the pond has lost approximately three feet in water depth with a current pond bottom depth of approximately four feet. The proposed dredging will be to a maximum depth of seven feet, and is designed to improve wildlife habitat value, increase storage capacity for fire protection, and improve water quality. The project is

proposed to occur in two phases. The first phase entails the drawdown of the pond; Phase 2 will involve using dry dredging methods to remove the sediment from the pond.

Jurisdiction

The project is undergoing review pursuant to Section 11.03(3)(b)(1)(f) of the MEPA regulations because it is being undertaken by a state agency and will result in the alteration of more than one-half acre of “any other wetlands”. The project requires a Section 404 Dredge Permit from the U.S. Army Corps of Engineers (ACOE), a 401 Water Quality Certificate (WQC) from the Massachusetts Department of Environmental Protection (MassDEP), a Section 106 review under the National Historic Preservation Act from the Massachusetts Historical Commission (MHC), and an Order of Conditions from the Carlisle Conservation Commission.

The project will be undertaken by and financed by the DCR, a State agency. Therefore, MEPA jurisdiction for this project is broad and extends to all aspects of the project that are likely, directly or indirectly, to cause Damage to the Environment, as defined in the MEPA regulations.

Wetlands/Dredging

The following wetland resource areas are associated with Farm Pond: Bordering Vegetated Wetlands (BVW), Bank, and Land Under Water (LUW). The project will result in the alteration of 35,082 square feet (sf) of LUW (approximately 3,300 cy of sediment) and 20 linear feet of temporary disturbance to Bank.

The project is proposed to be designed in compliance with the performance standards for an Inland Bank, 310 CMR 10.54 (4), and consistent with guidance in 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 Wetlands Protection Act”.

During project planning DCR evaluated and eliminated the no-dredge alternative from consideration as it would lead to the eventual loss of water quality, fire protection capabilities and wildlife habitat. DCR’s preferred alternative is dry dredging following the drawdown of the pond. Drawdown is planned at a rate not exceeding three inches of pond elevation per day, during the month of November with completion by December first. According to the ENF, water levels in the pond will be restored no later than April first. The pond does not contain any fisheries resources.

The Proponent intends to file a Notice of Intent (NOI) for the dredging project with the Carlisle Conservation Commission under the limited project provisions of the Wetlands Protection Act. In their comments on the ENF, MassDEP reminds the Proponent that no fill may be placed upon wetlands except material necessary for access and bank stabilization. In addition, MassDEP states that the dewatering process should be sufficiently detailed and the areas of material disposal should be mapped during the NOI process to demonstrate that BVW would not be altered.

The dredged material is proposed to be dewatered within the pond. The 3,300 cy of dewatered sediments will be beneficially reused or disposed of in accordance with the 401 WQC and Best Management Practices (BMPs) for work in resource areas. Water from the dewatering operation will be collected and pumped through a flexible hose to the existing pond outlet. The end of the flexible hose will be covered with a filter sock, and a turbidity curtain or silt fence will be installed in front of the outlet to reduce suspended solids in the water prior to discharge to downstream wetlands. In addition to employing erosion and sediment control measures such as silt fences and hay bale corrals to reduce scouring in downstream wetlands, the outflow from Farm Pond will be monitored for turbidity prior to discharge to the pond outlet structure and into the BVW. The Proponent should investigate the possibility of installing additional sediment control BMPs at the site to further minimize future sediment deposition into the pond.

I note the comments received concerning the potential impacts of the project on turtles or other wildlife species. I encourage DCR to utilize all best practices available to avoid impacts to wildlife resources.


Historic Resources

According to MHC’s review of the Inventory of Historic and Archaeological Assets of the Commonwealth, the project area is located within the Great Brook Farm State Park, which in MHC’s opinion is eligible for listing on the National Register of Historic Places. Great Brook Farm includes identified ancient Native American and historical period archaeological sites, historical landscapes and buildings, and archaeologically sensitive and other culturally important areas. DCR and MHC have initiated consultations on the proposed project. I refer the Proponent to MHC’s comments for further details concerning the MHC process.

Conclusion

Following a review of the ENF and the comments entered into the record, 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 Proponent may resolve any remaining issues during the state and local permitting processes.

 April 10, 2009
 Date



 Ian A. Bowles

Comments received:

- 03/16/2009 Massachusetts Historical Commission
- 03/23/2009 Thomas Brownrigg, Carlisle Conservation Commission
- 03/30/2009 Massachusetts Department of Environmental Protection, NERO

IAB/PPP/ppp