Commonwealth of Massachusetts
Executive Office of Environmental Affairs ■ MEPA Office

ENF Environmental Notification Form

For Office Use Only
Executive Office of Environmental Affairs
EOEA No.: 13810
MEPA Analyst: Deirdre Buckley
Phone: 617-626-1044

The information requested on this form must be completed to begin MEPA Review in accordance with the provisions of the Massachusetts Environmental Policy Act, 301 CMR 11.00.

Project Name: Warner's Pond Dam Rehabilitation Project		
Street: Commonwealth Avenue		
Municipality: Concord	Watershed: Assabet River	
Universal Tranverse Mercator Coordinates:	Latitude: Longitude:	
Estimated commencement date: 8-06	Estimated completion date: 6-07	
Approximate cost: $500,000	Status of project design: 75 % complete	
Proponent: Town of Concord Public Works		
Street: 133 Keyes Road		
Municipality: Concord	State: MA	Zip Code: 01742
Name of Contact Person From Whom Copies of this ENF May Be Obtained: Randall P. Christensen – Senior Environmental Scientist		
Firm/Agency: Stantec, Inc.	Street: 136 West Street	
Municipality: Northampton	State: MA	Zip Code: 01060
Phone: (413)584-4776	Fax: (413)584-3157	E-mail: rpchristensen@stantec.com

Does this project meet or exceed a mandatory EIR threshold (see 301 CMR 11.03)? ☐Yes ☒No

Has this project been filed with MEPA before? ☐Yes (EOEA No._____) ☒No

Has any project on this site been filed with MEPA before? ☐Yes (EOEA No._____) ☒No

Is this an Expanded ENF (see 301 CMR 11.05(7)) requesting:

a Single EIR? (see 301 CMR 11.06(8))	☐Yes	☒No
a Special Review Procedure? (see 301CMR 11.09)	☐Yes	☒No
a Waiver of mandatory EIR? (see 301 CMR 11.11)	☐Yes	☒No
a Phase I Waiver? (see 301 CMR 11.11)	☐Yes	☒No

Identify any financial assistance or land transfer from an agency of the Commonwealth, including the agency name and the amount of funding or land area (in acres): **Local funding only**.

Are you requesting coordinated review with any other federal, state, regional, or local agency? ☐Yes(Specify_____) ☒No

List Local or Federal Permits and Approvals:
Federal Clean Water Act Section 401 Water Quality Certification (Dredging)
Federal Clean Water Act Section 404 Wetland Dredge/Fill Permit
MA Wetlands Protection Act Order of Conditions

Which ENF or EIR review threshold(s) does the project meet or exceed (see 301 CMR 11.03):

- ☐ Land
- ☐ Water
- ☐ Energy
- ☐ ACEC
- ☐ Rare Species
- ☐ Wastewater
- ☐ Air
- ☐ Regulations
- ☒ Wetlands, Waterways, & Tidelands
- ☐ Transportation
- ☐ Solid & Hazardous Waste
- ☐ Historical & Archaeological Resources

Summary of Project Size & Environmental Impacts	Existing	Change	Total
LAND			
Total site acreage	1.10		
New acres of land altered		0.11	
Acres of impervious area	0	0	0
Square feet of new bordering vegetated wetlands alteration		2,120	
Square feet of new other wetland alteration		5,070	
Acres of new non-water dependent use of tidelands or waterways		0	
STRUCTURES			
Gross square footage	5,750	7,150	N/A
Number of housing units	N/A	N/A	N/A
Maximum height (in feet)	N/A	N/A	N/A
TRANSPORTATION			
Vehicle trips per day	N/A	N/A	N/A
Parking spaces	N/A	N/A	N/A
WATER/WASTEWATER			
Gallons/day (GPD) of water use	N/A	N/A	N/A
GPD water withdrawal	N/A	N/A	N/A
GPD wastewater generation/ treatment	N/A	N/A	N/A
Length of water/sewer mains (in miles)	N/A	N/A	N/A

State Permits & Approvals

- ☒ Order of Conditions
- ☐ Superseding Order of Conditions
- ☐ Chapter 91 License
- ☒ 401 Water Quality Certification
- ☐ MHD or MDC Access Permit
- ☐ Water Management Act Permit
- ☐ New Source Approval
- ☐ DEP or MWRA Sewer Connection/ Extension Permit
- ☒ Other Permits (*including Legislative Approvals*) – Specify:

Clean Water Act Section 404 (U.S. Army Corps of Engineers)

CONSERVATION LAND: Will the project involve the conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97?

☐Yes (Specify_____) ☒No

Will it involve the release of any conservation restriction, preservation restriction, agricultural preservation restriction, or watershed preservation restriction?

☐Yes (Specify_____) ☒No

RARE SPECIES: Does the project site include Estimated Habitat of Rare Species, Vernal Pools, Priority Sites of Rare Species, or Exemplary Natural Communities?

☐Yes (Specify_____) ☒No

HISTORICAL /ARCHAEOLOGICAL RESOURCES: Does the project site include 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 (Specify_____) ☐No RESPONSE PENDING

If yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources?

☐Yes (Specify_____) ☐No RESPONSE PENDING

AREAS OF CRITICAL ENVIRONMENTAL CONCERN: Is the project in or adjacent to an Area of Critical Environmental Concern?

☐Yes (Specify_____) ☒No

PROJECT DESCRIPTION: The project description should include **(a)** a description of the project site, **(b)** a description of both on-site and off-site alternatives and the impacts associated with each alternative, and **(c)** potential on-site and off-site mitigation measures for each alternative (*You may attach one additional page, if necessary.*)

This project involves the rehabilitation of an existing earthen dam owned by the Town of Concord and located at the confluence of Nashoba Brook and the Assabet River. The dam forms an impoundment of Nashoba Brook known as Warner's Pond, located just south of Route 2 and west of Commonwealth Avenue in Concord, Massachusetts. The project is proposed in response to dam safety inspections that identified several deficiencies in the structure including; failure of east spillway training wall, severely eroded earth embankment, inoperable outlet controls, lack of emergency site access and heavy tree/brush growth on earth embankments. To address these deficiencies, the Town of Concord (through Public Works has retained professional engineering services to conduct inspections of the dam and to develop plans to address the deficiencies. These plans were developed in concert with the concerned public through a series of public meetings. The current rehabilitation plans include the following corrective actions:

- **Provide embankment stabilization and overtopping protection by reconstructing the existing embankments, covering the embankments with turf reinforcement mats, and planting them with a native grass seed mix. Rip-rap will be used at the water/embankment interface to prevent scouring, however the visible portion of the dam will consist of maintained grass.**

- **Complete masonry repairs to the existing concrete spillway to create a level spillway, reduce or eliminate leakage, and to eliminate leakage at the embankment / spillway interface. Use various masonry techniques to maintain the cultural appearance of the dam and training walls.**

- **Install a sluiceway in the spillway for water level control, and repair the existing low-level outlet pipe for more complete pond level control.**

- **Replace the auxiliary spillway, lowering the elevation to be equal to that of the primary spillway. This will address a stagnant area of the pond by increasing the flushing rate of the stagnant area.**

- **Construct a temporary gravel access roadway from Commonwealth Avenue to the dam for construction. This road will pass through a landlocked property of the Concord Land Conservation Trust. As compensation, Public Works will provide access to the Land Conservation Trust property. This is a coordinated effort between the Town and the Land Conservation Trust, who will both benefit from the project. After construction is complete, topsoil will be placed over the gravel and will be seeded with a native grass mix. The Public Works Commission will maintain the grass entrance road for dam inspection and**

dam maintenance purposes.

The rehabilitation of the embankments will require the extension of the existing slope edge both upstream and downstream of the structure to attain a maintainable slope and to allow for embankment overtopping during severe storm events. The minimized slope in combination with the turf reinforcement mats allows for the entire dam to function as a spillway without impacts to the structure, thus allowing for the passage of the more severe storm events without dam failure. The current dam has insufficient spillway capacity to pass these higher storm events. These repairs and improvements are proposed according to the Massachusetts Dam Safety Regulations (302 CMR 10.00).

The extension of the embankments result in impacts to state wetland resources, including land under water (5,070 square feet), land subject to flooding (80 cubic yards) and bordering vegetated wetland (2,120 square feet). Removal of soft sediment for the new embankments is required, generating approximately 50-80 cubic yards of dredged material. Mitigation of these impacts through standard wetland replication is not feasible on site due to the small area of Town ownership around the dam, and the presence of mature, native upland growth in those areas where replication could be considered. Thus, alternatives to wetland replication were investigated in coordination with the Massachusetts Department of Environmental Protection and the Concord Natural Resources Commission. Presently, mitigation will include the control of invasive plant species within vegetated wetland areas, and in Warner's Pond at a minimum ratio of 10:1. The invasive species control plan will be developed prior to the submission of a Notice of Intent pursuant to the Massachusetts Wetlands Protection Act. The plan will include exact control limits, target species, control specifications, and a performance measure. Additional mitigation includes the use of coffer dams to dewater the work area, allowing the pond to remain at full level during the dam rehabilitation process. Coffer dams are an alternative to a pond drawdown, allowing the work to be completed in a dry condition while protecting the ecology of the pond.

Work is anticipated to occur during the summer and fall months during the low flow period; preferably during the 2006 construction season.