

**ENF Environmental Notification Form**

*For Office Use Only*  
*Executive Office of Environmental Affairs*  
 EOEA No.: 13887  
 MEPA Analyst: Briony Angus  
 Phone: 617-626-1029

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: Deerfield River Emergency Watershed Protection		
Street: Little Meadow Road		
Municipality: Deerfield	Watershed: Deerfield	
Universal Transverse Mercator Coordinates: 4713b534 N 696 094 E	Latitude: 42 33.75'N Longitude: 72 36.7'W	
Estimated commencement date: 09/27/06	Estimated completion date: 11/01/06	
Approximate cost: 523,754	Status of project design: 100 %complete	
Proponent: Town of Deerfield		
Street: 8 Conway Street		
Municipality: Deerfield	State: MA	Zip Code: 01373
Name of Contact Person From Whom Copies of this ENF May Be Obtained: Valerie Miller		
Firm/Agency: New England Environmental	Street: 9 Research Drive	
Municipality: Amherst	State: MA	Zip Code: 01002
Phone: 413-256-0202	Fax: 413-256-1092	E-mail: vmiller@neeinc.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. unknown)  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): none

Are you requesting coordinated review with any other federal, state, regional, or local agency?  
 Yes (Specify DEP, ACOE, NHESP)  No

List Local or Federal Permits and Approvals: DEP Emergency Authorization

DEP Chapter 91

ACOE PGP

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

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Land             | <input checked="" type="checkbox"/> Rare Species | <input checked="" type="checkbox"/> Wetlands, Waterways, & Tidelands      |
| <input checked="" type="checkbox"/> Water | <input type="checkbox"/> Wastewater              | <input type="checkbox"/> Transportation                                   |
| <input type="checkbox"/> Energy           | <input type="checkbox"/> Air                     | <input type="checkbox"/> Solid & Hazardous Waste                          |
| <input type="checkbox"/> ACEC             | <input type="checkbox"/> Regulations             | <input checked="" type="checkbox"/> Historical & Archaeological Resources |

Summary of Project Size & Environmental Impacts	Existing	Change	Total	State Permits & Approvals
<b>LAND</b>				<input type="checkbox"/> Order of Conditions <input type="checkbox"/> Superseding Order of Conditions <input checked="" type="checkbox"/> Chapter 91 License <input checked="" type="checkbox"/> 401 Water Quality Certification <input type="checkbox"/> MHD or MDC Access Permit <input type="checkbox"/> Water Management Act Permit <input type="checkbox"/> New Source Approval <input type="checkbox"/> DEP or MWRA Sewer Connection/Extension Permit <input checked="" type="checkbox"/> Other Permits <i>(including Legislative Approvals) – Specify:</i>
Total site acreage	Submit later			
New acres of land altered		Submit later		
Acres of impervious area	Submit later	Submit later	Submit later	
Square feet of new bordering vegetated wetlands alteration		Submit later		
Square feet of new other wetland alteration		Submit later		
Acres of new non-water dependent use of tidelands or waterways		Submit later		
<b>STRUCTURES</b>				
Gross square footage	Submit later	0		
Number of housing units	0	0	0	
Maximum height (in feet)		0	0	
<b>TRANSPORTATION</b>				
Vehicle trips per day	0	0	0	
Parking spaces	0	0	0	
<b>WATER/WASTEWATER</b>				
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	

**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: Priority Habitat)  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: Deerfield-Greenfield Core Area)  No

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

Yes (Specify: \_\_\_\_\_)  No

**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.*)

The Old Deerfield Waste Water Treatment Plant (WWTP) is located in the Connecticut River Valley along the Deerfield River in Deerfield, MA. The WWTP is located on the eastern bank of the Deerfield River in the center of an existing point bar. The bank immediately adjacent to the WWTP is severely eroding in sections as well as up and down stream of the WWTP. During the spring rain in April 2005, a substantial amount of bank material eroded from the downstream right bank. In October of 2005 further heavy rains inundated the Deerfield River floodplain (and flooded a portion of the land surrounding the WWTP) and further impacted the integrity of the bank.

The Town of Deerfield would like to restore and stabilize the portion of bank upstream and downstream of the WWTP which is severely eroding. There are no off-site alternatives to stabilizing the bank. The first alternative would be to a hard engineering approach which would involve the placement of rock rip rap at the toe of the slope to an unknown height and allow the upper bank to erode and fall down on top of the placed rip rap. The other hard engineering option would be to excavate all slopes to 2:1 and place rip rap at the toe of the slope to the top of the slope. Simple plantings or joint plantings of woody plants could also be installed.

Bio-engineering alternatives have been assessed. Bio-engineering approach #1 consists of the construction of a rock toe, fabric encapsulated soil lifts, and seeding and planting the lifts. This approach would allow for a more aesthetic view, retention of biotic function, and protection of the toe and upper slope. This is the preferred method.

Bio-engineering approach #2 involves a rock toe, cutting back slopes 3:1, blanket slopes with erosion control material, and seed and plant. This would require the top of the bank to be pulled back thirty feet from its present location in some areas. Directly in front of the WWTP would keep its original slope due to physical constraints. This alternative is more applicable to the bank upstream and downstream of the WWTP. The physical integrity of this design is not as viable as bio-engineering option #1 although is less expensive.

One final alternative is a biotechnical approach. This would entail work identical to option bio-engineering option #1 except a more permanent infrastructure is added in the form of a plastic geocell. The addition of the geocell provides an immediate level of stability and shear resistance to all the alternatives mentioned above.

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October 5, 2006

Briony Angus  
Executive Office of Environmental Affairs  
Attn: MEPA Office  
100 Cambridge St. Suite 900  
Boston MA 02114

RE: ENF  
Deerfield River Adjacent to WWTF  
Little Meadow Road  
Deerfield, MA  
NEE file: 06-2879

Dear Ms. Briony Angus:

New England Environmental, Inc (NEE) submitted an Environmental Notification Form (ENF) and supporting documentation to repair a portion of eroding bank on the Deerfield River adjacent to the Waste Water Treatment Facility, in the Town of Deerfield on September 22, 2006. As stated by your office, the cover letter submitted with the ENF did not clearly state the circumstances surrounding this ENF and why it was submitted as an incomplete ENF filing. This bank stabilization project is an emergency repair that needed to take place as soon as possible. Not all the information was available at the time of the initial ENF filing but work needed to commence as soon as possible.

On July 28, 2006, The Town Of Deerfield's Town Administrator, Bernard Kubiak, requested from MEPA a determination as to whether work performed at the Old Deerfield Wastewater Treatment Plant (WWTP) qualifies as an Emergency Action, pursuant to the MEPA regulations at 310 CMR 11.13. The request for Emergency Action is due to the need to stabilize a portion of riverbank adjacent to the WWTP that had been eroded during the April 2005 floods and subsequent flooding in October of 2005.

On August 2, 2006, Deerin Babb-Brott the Assistant Secretary for the MEPA office responded by stating the acknowledgement of the Department of Environmental Protection (DEP) issuance of an emergency authorization for the proposed work under the provisions of the Massachusetts Wetlands Protection Act (M.G.L. c.131 § 40), the Massachusetts Clean Water Act (M.G.L. c. 21 §§ 26-53), and the Public Waterfront Act Regulations (310 CMR 9.20). Also noted was the U.S. Environmental Protection Agency (EPA) stating it does not foresee a problem with the issuance of an emergency Category 2 Programmatic General Permit under Section 404 of the Clean Water Act.

Also in the August 2, 2006 MEPA letter, Deerin Babb-Brott stated "the proposed Emergency Action may commence in the absence of due compliance with MEPA because it is essential to

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avoid or eliminate an imminent threat to environmental resources and quality, as well as public safety. However, pursuant to Section 11.13 of the MEPA regulations, the Town must file an initial Environmental Notification Form (ENF) within ten Days of Commencement of the Project. The ENF should be prepared and distributed in compliance with 301 CMR 11.05, and should describe all measures taken to avoid or minimize potential environmental impacts from the emergency action, describe any additional measures to be taken to mitigate potential environmental impacts from the emergency action, and list any Agency from which the Town received approval for the emergency action. In the ENF, the Town should provide a discussion of how it intends to comply with the conditions of DEP's emergency authorization and how it will work with the Division of Fisheries and Wildlife (DFW) to ensure that the project does not negatively impact state protected species."

The original September 22, 2006 ENF filing was intended to present the basic information of bank restoration work proposed at the site with an amended ENF to follow. The amended ENF will contain an updated ENF Form to include the Summary of Project Size & Environmental Impacts, and the WETLANDS, WATERWAYS, AND TIDELANDS SECTION, II. Wetland Impacts and Permits. The amended ENF will also describe all measures taken to avoid or minimize potential environmental impacts from the emergency action, describe any additional measures taken to mitigate potential environmental impacts from the emergency action, and list any Agency from which the Town received approval for the emergency action. In the amended ENF, a discussion of how it intends to comply with the conditions of DEP's emergency authorization and how it will work with the Division of Fisheries and Wildlife (DFW) to ensure that the project does not negatively impact state protected species will be included.

The original ENF is expected to be published in the October 10, 2006 Environmental Monitor which is also the start date for MEPA review. Comments to MEPA are to be received by October 30, 2006 and an ENF decision by MEPA on November 9, 2006. The Secretary Certificate of ENF may require additional information.

Legal notice of the ENF will also be publicized in the Greenfield Recorder. No date has been set for the publication but notification of the publication along with proof of publication will be submitted to Josie Wixon.

If you have any questions please contact our office at 413-256-0202 Monday through Friday from 9am to 5 pm.

Sincerely,  
New England Environmental, Inc.

Julia Fiske  
Associate Scientist