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September 25, 2020

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS  
ON THE  
NOTICE OF PROJECT CHANGE

PROJECT NAME : University of Massachusetts Amherst 2012-2021 Capital  
Improvement Projects – Campus Pond Dredge Project  
PROJECT MUNICIPALITY : Amherst  
PROJECT WATERSHED : Connecticut  
EEA NUMBER : 15069  
PROJECT PROPONENT : University of Massachusetts - Amherst  
DATE NOTICED IN MONITOR : August 26, 2020

Pursuant to the Massachusetts Environmental Policy Act (MEPA; M.G.L. c. 30, ss. 61-62I) and Section 11.10 of the MEPA regulations (301 CMR 11.00) as amended by a Special Review Procedure (SRP) dated June 22, 2012, I have reviewed the Notice of Project Change (NPC) and hereby determine that this project change **does not require** an Environmental Impact Report (EIR).

As noted below, I am requiring the Proponent to consult with the MEPA Office regarding the need for an update on planning efforts and implementation of or modifications to the Campus Master Plan and implementation of future capital improvements projects at UMass Amherst.

Original Project Description and Procedural History

In June 22, 2012, Secretary Richard K. Sullivan established a Special Review Procedure (SRP) to guide MEPA review of future capital improvement projects at the University of Massachusetts Amherst Campus (UMass Amherst). The SRP required the submittal of an Expanded Environmental Notification Form (EENF) to describe projects planned for implementation within a ten-year planning horizon. The Certificate on the EENF would identify whether the filing adequately and properly complied with the requirements of MEPA or whether additional review was required for any of the

projects. In accordance with the SRP, in August 2013, UMass filed an Expanded Environmental Notification Form (EENF) that described implementation of a series of new building construction, additions, and renovations; site and landscaping improvements; and campus facilities improvements over a ten-year planning horizon (2012 – 2021) at UMass Amherst. These projects were identified in the Campus Master Plan (CMP; which covered a 50-year planning horizon) and are collectively referred to as the 2012-2021 Capital Improvement Projects (CIP) Plan and include the following:

*New Space and Replacement Buildings<sup>1</sup>:*

- **Integrated Design Building (IDB; 88,000 gsf)** – proposed within parking Lot 62 located off North Pleasant Street between the Studio Arts building and the greenhouses located south of the Morrill Science Center, the IDB will include replacement space for facilities located in Hills House, which will be demolished.
- **School of Public Health and Health Services (Totman Building Addition – 60,000 gsf)** – located in existing parking areas on the west side of the Totman Physical Education Building facing North Pleasant Street, the addition will allow for consolidation of the School of Public Health and Health Sciences (SPHHS) into a single school and enable SPHHS to vacate older space in Arnold, Chenoweth, Goessman and 356 North Pleasant Street. Approximately 65,000 gsf of renovation will also occur in Totman.
- **University Health Center (Replacement – 88,000 gsf)** – located in a parking Lot 32 and lawn area at the corner of Lincoln Avenue and Massachusetts Avenue, this project will consolidate existing University Health Services (UHS) in one location. The existing 55,800-gsf main UHC facility off Thatcher Road will be demolished or converted to another use. Center for Counseling and Psychological Health (CCPH) facilities in Hills House will be relocated to the new UHC facility prior to demolition of Hills House. CCPH facilities in Berkshire House (3,050 gsf) will be relocated to the new facility and Berkshire House will be converted to another use.
- **Life Sciences Laboratory Phase III (Addition – 162,000 gsf)** – located adjacent to the Life Sciences Laboratory Phases I and II buildings between Thatcher Road and Stockbridge Road, this facility will provide research laboratories for the Collaborative Biomedical Research program, a joint initiative between Baystate Medical Center and UMass Amherst.
- **South College Academic Facility (Addition – 92,400 gsf)** – located between Hicks Way and DuBois Library, this project includes historically sensitive restoration of the 30,000 gsf South College Building and construction of a new 80,000 gsf building site along its south wing - in an area currently used for parking and loading - attached by an enclosed atrium. This building will include academic program space as well as some seats to offset the 1,330 instructional seats lost when the 113,748 gsf Bartlett Hall is demolished.
- **Physical Sciences Building (110,000 gsf)** – located on the site of the existing West Experiment Station (WES), the Physical Sciences Building (PSB) will include research and laboratory spaces for organic chemists and condensed matter physicists. The project

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<sup>1</sup> All building gross square footages (gsf) are approximate. To be conservative, all gross square footage estimates in the original EENF submittal were increased by 10 percent above current estimates for each project.

will connect the PSB to the adjacent Goessman and Lederle Buildings. The WES will be moved approximately 75 feet to the west and renovated.

- **Academic Building at existing Bartlett Hall Site (143,000 gsf)** – following the demolition of Bartlett Hall, this project will be used for academic classroom and faculty space.
- **Isenberg School of Management (Addition – 63,000 gsf)** – located adjacent to the north and northeast ends of the existing Isenberg School of Management (ISOM) building, the addition will include an atrium of large all-University gathering, expanded learning space and accommodations for the School of Hospitality and Tourism Management to relocate from Flint.
- **Hazardous Material Handling Facility (20,000 gsf)** – located near the Central Heating Plant on Mullins Way, this facility will accommodate hazardous materials storage needs to be relocated from the existing facility near the former coal power plant, but also for increased materials handling and storage needs (90 days) associated with implementation of the CIP Plan.
- **Agricultural Learning Center at Wysocki Farm (Existing Buildings)** – located on the a portion (40 acres) of the former Wysocki Farm on North Pleasant Street, the new Agricultural Learning Center will serve as a hands-on, living classroom for students to learn about farming and horticulture, nursery, and landscaping industries. This project includes the preservation and relocation of two historic buildings – the Horse Barn and the Blaisdell House – from their current location near the George N. Parks Minuteman March Band Building.
- **Champions Center (55,000 gsf)** – located on existing playing fields south of the Mullins Center, this project consists of a new practice facility for the women’s and men’s varsity basketball program and associated parking.
- **McGuirk Training Facilities (55,000 gsf) and Alumni Stadium Press Box (7,000 gsf)** - located immediately adjacent to or within McGuirk Stadium, this project includes the construction of a new football training facility with locker rooms, equipment and laundry facilities, coaches offices and meeting rooms, etc. The new 7,000 gsf press box will replace the existing press box on the west side of the stadium.
- **Central Parking Structure (300,000 gsf with up to 700 parking spaces)** - located on the site of the recently demolished former coal-fired power plant in central campus, the new central parking structure will include parking for 700 cars, a regional bus station, bicycle storage and other amenities to create a central campus multi-modal transit facility. This garage will connect to the existing campus garage, and its roof will align with the campus mid-level terrace, providing a structural base for the north extension of Hicks Way to connect to Natural Resources Road.
- **Surface Parking Replacement Lot at Hills House** – following demolition of Hills House on Thatcher Road, a parking area for up to 300 cars will be constructed. This site may be looked at as a future academic building site beyond the CIP Plan. It is anticipated that the new surface parking lot will be constructed with porous pavement.

*Site/Landscape Improvements:*

- **Stockbridge Pedestrian Corridor** – this project includes the reconfiguration of Stockbridge Road into a primarily pedestrian way – although building service ways will remain - with enhanced landscape improvements clarifying building entrances and connecting to existing landscapes like the Durfee Gardens. The north section of this project has been substantially completed in conjunction with the new Life Sciences Laboratory complex.
- **Massachusetts Avenue Reconfiguration** – this project includes the reconfiguration of Massachusetts Avenue between Commonwealth Avenue and North Pleasant Street by eliminating the north barrel of traffic on this existing four-lane, 60-foot wide median divided roadway. The roadway will be designed as a two-lane roadway reconstructed as a complete street for pedestrians, bicycles and motor vehicles, improving safety for pedestrians and providing traffic calming benefits.
- **North Pleasant Street Improvements** – this project includes, in conjunction with the Town of Amherst, the implementation of traffic calming measures and streetscape improvements on North Pleasant Street to create a complete street with improved sidewalks, bike lanes, public transit stops, frequent and safe crossing opportunities, pedestrian signals, street lighting and utility upgrades.
- **Hicks Pedestrian/Service Way** – this project includes enhancement of Hicks Way into a common space shared by pedestrians, bicyclists, and low-speed motor vehicles, with new tree plantings, planters and social areas. These improvements will provide connections from, to, or through the Commonwealth Honors College, the Campus Center and Student Union, and Natural Resources Road.
- **Mullins Way Extension** – this project consists of the extension of Mullins Way as a two-way, two-lane roadway north to Parking Lots 12, and 25, which currently can only be accessed from Commonwealth Avenue. This roadway extension will provide a second direct access to Lots 12 and 25, and an alternative route to other parking lots on the north end of campus currently accessible by Commonwealth Avenue. The extension of Mullins Way will also provide a second major entrance and exit for Mullins Center event traffic.
- **Commonwealth Avenue Improvements** – this project includes narrowing Commonwealth Avenue between Massachusetts Avenue and Holdsworth Way to two lanes and providing bicycle lanes, pedestrian sidewalks, and street trees to improve traffic control, crossing locations and pedestrian/vehicular traffic conflicts.
- **Ellis Way Pedestrian Corridor and Campus Center Landscape Improvements** – this project consists of the redesign and improvement of the Ellis Way Pedestrian Corridor – a three acre central campus open and pedestrian space. While not yet designed, these improvements will provide a renovated pedestrian corridor, social gathering space and landscaping.

*Facilities Improvements:*

- **Electrical Substation at Tillson Farm** – located on UMass Amherst and the Commonwealth of Massachusetts' Tillson Farm, this project includes the construction of

a third, 115kV/13.8kV substation serving the University. It is proposed in conjunction with Northeast Utilities (NU) and Western Massachusetts Electric Company (WMECo). Intended to improve reliability of the delivery of electricity in the northern reaches of the campus, the substation will be located immediately east of the former coal-fired power plant and existing salt storage enclosure.

- **Solar Cells at Hadley Farm** – this project includes the placement of 9,300 solar panels capable of generating 2.0 megawatts (MW) of electricity on approximately eight acres of land currently used for haying and animal grazing at Hadley Farm.
- **Central Heating Plant (CHP) Liquefied Natural Gas** – this project includes the construction of a liquefied natural gas (LNG) supply tank farm adjacent to the CHP to supply natural gas to the facility during the heating season. The LNG satellite plant will store and generate natural gas from the liquefied product for direct injection into the CHP's lower pressure gas distribution system. Currently natural gas is provided to UMass Amherst from Berkshire Gas Company's high-pressure distribution system. However, the CHP's natural gas supply from Berkshire Gas' distribution system is contractually limited during peak demand times (generally winter heating operations) to 250,000 CFH. This amount is not adequate to support sustained winter heating and combustion turbine generator requirements and the CHP shifts to use of Ultra Low Sulfur Distillate (ULSD) fuel oil to supplement its natural gas supply. The use of LNG is expected to reduce the use of roughly 1,600,000 gallons of ULSD fuel oil per year.
- **Anaerobic Digestion at Amherst Wastewater Treatment Facility** – located near the Amherst WWTF, this project consists of a partnership with MassDEP, the Massachusetts Department of Energy Resources (DOER) and the Massachusetts Clean Energy Center (MassCEC) to implement an organics-to-energy technology where source-separated organic materials are utilized to produce electricity and/or thermal energy without direct combustion (i.e., anaerobic digestion). This facility may potentially serve the five colleges region<sup>2</sup> in light of the MassDEP proposed organics ban regulation in 2014 that would apply to universities.
- **CHP Biomass Boiler Alternative** – this project consists of the addition of an alternative energy biomass boiler to the CHP capable of producing up to 15 percent of steam load generation from renewable sources such as biomass.

As noted above, the projects identified in the EENF were derived from an intensive years-long campus master planning process that culminated in the issuance of a 50-year planning document (the Comprehensive Master Plan (CMP)), endorsed by the Chancellor in June 2012. As noted in the Certificate which established the SRP, UMass Amherst did not seek the Secretary's determination on the adequacy of environmental impact review for the entire 50-year CMP. Additionally, the Certificate establishing the SRP indicated that the Secretary did not believe such a determination is practical as there is inherently much uncertainty as to the future implementation of long-term projects beyond a more reasonable 10-year planning horizon.

For future projects other than those analyzed in the EENF and determined by the Secretary to

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<sup>2</sup> UMass Amherst, Amherst College, Hampshire College, Smith College and Mount Holyoke College.

require no further MEPA review ("Future Projects"), UMass Amherst was required to prepare more detailed information in the form of Project Commencement Notices (PCN's) or Notices of Project Change (NPCs). The SRP required that a PCN be submitted for each individual Future Project proposed to be undertaken consistent with the CMP and that a NPC be submitted for projects that are materially different from those presented in the EENF and/or CMP.

Supplemental information provided by the Proponent's consultant identified the following 11 CIP Plan projects that have been entirely or partially completed to-date; Integrated Design Building, South College Academic Facility, Physical Sciences Building, Isenberg School of Management Addition, Agricultural Learning Center at Wysocki Farm (partially completed - partial horse barn moved to site), Champions Center, McGuirk Training Facilities, Surface Parking Replacement Lot at Hills House, Ellis Way Pedestrian Corridor and Campus Center Landscape, Electrical Substation at Tillson Farm, and Central Heating Plant Liquified Natural Gas Tank Farm (partially completed – 3 of 6 tanks installed).<sup>3</sup> The supplemental information did not identify when these projects were completed.

The Proponent has submitted an NPC for this project because it was not specifically identified in the CMP. While not specifically discussed in the EENF or CMP, the NPC indicated the project will continue to support the open space, green infrastructure, and regional stormwater management goals of the CMP.

#### Project Change

The project change consists of the mechanical dredging of approximately 6,500 cubic yards (cy) of sediment from Campus Pond located in the Center of the UMass Amherst campus. According to the NPC, the purpose of the project is to improve the water quality, aquatic habitat value, and flood storage capacity of Campus Pond through increasing the water depth, removing sediments that serve as a nutrient source and contribute to pond eutrophication, and removing the dense aquatic vegetation present in the pond.

#### Project Site

Campus Pond is a 2.9-acre impoundment of Tan Brook, with an outlet structures located at the dike in the north end of the pond. The outlet structure controls the elevation of the impoundment, which is generally maintained at elevation (El.) 216-feet (ft). The elevation of the impoundment is lowered prior to large storm events to improve its flood storage capacity. Additionally, the pond serves a critical stormwater management function as it detains and retains stormwater runoff from a large part of the eastern and southern areas of the campus and portions of Amherst. According to the ENF, the pond has accumulated up to three-ft of stormwater derived sediment which has decreased the flood storage capacity of the pond and created conditions for invasive plants.

The project site contains several wetland resource areas regulated under the Massachusetts Wetlands Protection Act (WPA). The project site is not located in Priority and/or Estimated Habitat as mapped by the Division of Fisheries and Wildlife's (DFW) Natural Heritage and Endangered Species Program (NHESP). The pond is included in the Massachusetts Historical Commission's (MHC)

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<sup>3</sup> Email from Valerie Miller (SWCA, Inc.) to Page Czepiga (MEPA Office) sent 9/25/2020.

Inventory of Historic and Archaeological Assets of the Commonwealth (the Inventory) as “Campus Pond Landscape and Waiting Station Shelter” (MHC No. AMH 9.00).

### Permits and Jurisdiction

The original project was subject to MEPA review as modified by the SRP. The Certificate on the EENF did not identify the specific thresholds which implementation of Future Projects would meet or exceed; however, it did note that the cumulative impacts would not exceed any mandatory EIR thresholds. According to the EENF Certificate, elements of the CIP Plan Projects would require Air Quality Permits for emergency generators and an Air Plan Approval for a biomass boiler at the CHP, and may require sewer connection/extension permits from the Massachusetts Department of Environmental Protection (MassDEP).<sup>4</sup> The SRP did not specify what thresholds would trigger review of Future Projects..

The project change meets/exceeds the MEPA review thresholds at 301 CMR 11.03(3)(b)(1)(f) because it will alter greater than one-half acre of any other wetland (Land Under Water). It will require a 401 Water Quality Certificate (WQC) from MassDEP and an Order of Conditions from the Amherst Conservation Commission (or in the case of an appeal, a Superseding Order of Conditions from MassDEP). It will also require submittal of a pre-construction notification (PCN) to the U.S. Army Corps of Engineers (ACOE) under the General Permits for Massachusetts in accordance with Section 404 of the Federal Clean Water Act.

Because the project will be undertaken and funded by a State Agency, MEPA jurisdiction for any future review would be broad in scope and extend to all aspects of the project that are likely, directly or indirectly, to cause Damage to the Environment, as defined in the MEPA regulations.

### Environmental Impacts and Mitigation

As described in the prior EENF Certificate, the environmental impacts caused by implementation of the CIP Plan Projects (to be implemented over a ten-year planning horizon of 2012 – 2021) include the new alteration of 3 acres of land, creation of 0.5 acres of impervious area, addition of 683 New parking spaces (14,333 total spaces), alteration of 2,500 sf of Bordering Vegetated Wetlands (BVW), and an increase in both water use and wastewater generation of 79,880 gallons per day (gpd) (for a total campus wastewater discharge and water demand of 1,079,880 gpd each). Overall campus square footage was proposed to increase by 1,036,056 gsf, for a campus total of 12,236,056 gross-square-foot (gsf) and new traffic trips generated by the increased enrollment and staffing within the ten-year planning horizon was estimated to be less than 1,000 new average daily trips (adt).

The project change will temporarily alter 71,874 sf of land and will impact the following wetland resource areas: Bank (40 linear feet (lf)), Land Under Waterbodies (LUW) (124,800 sf or 2.87 acres), and Bordering Vegetated Wetlands (BVW) (605 sf). Measures to avoid, minimize, and mitigate impacts associated with the project change include the use of erosion and sedimentation control measures and silt curtains to reduce potential turbidity, restoration of all disturbed areas, relocation of aquatic wildlife

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<sup>4</sup> Subsequent to the issuance of the EENF Certificate, regulatory revisions transferred permitting authority for sewer connection/extension permits to the local sewer authority. As such, this Permit from MassDEP is no longer required.

(to the extent practicable) and maintenance of a wildlife refuge pool within the pond during drawdown activities, and consultation with MHC to reduce impacts to historic resources.

### Review of the NPC

The NPC described the project's MEPA review history, identified proposed changes, provided project plans, compared potential environmental impacts with the original project, and identified measures to avoid, minimize and mitigate project impacts.

### *Wetlands and Waterways*

The project will directly impact Bank, LUW, and BVW. The Amherst Conservation Commission will review the project to determine its consistency with the Wetlands Protection Act (WPA), the Wetlands Regulations (310 CMR 10.00), and associated performance standards. Impacts to Bank are associated with construction vehicle access. Impacts to LUW and BVW are associated with lowering the pond elevation and/or dredging activities. Inflow will be diverted to a 60-inch pipe to bypass the pond and the outlet structure will be used to reduce the pond elevation by no more than two-inches per day. A wildlife refuge pool will be maintained at all times (at El. 210) and a biologist will be onsite during this time to monitor, capture, and relocate stranded animals to the refuge pool. As noted above, there are no state-listed rare species or habitat associated with the pond. Following drawdown, sediment will be excavated from the pond (to a depth of El. 208.5) and placed in three dewatering cells adjacent to the eastern perimeter of the pond. Each dewatering cell will be bound by earthen containment berms and fitted with pipes that convey collected water back to the pond. Once sediment has been dewatered, it will be hauled off-site for disposal at an approved location. Comments from MassDEP acknowledge the benefits provided by the project, including improved safety, flood storage capacity, water quality, and aquatic habitat.

As indicated in the NPC, and as confirmed in MassDEP's comment letter; the project will require a 401 WQC from MassDEP. The NPC did not include the results of any sediment or chemical analysis. Comments from MassDEP note that if the excavated sediment requires management as a hazardous or solid waste, then the disposition of the material must comply with any applicable requirements pursuant to 310 CMR 30.0000, 310 CMR 16.00, or 310 CMR 19.000. I refer the Proponent to MassDEP's comment letter for additional guidance on this issue.

### *Climate Change Adaptation and Resiliency*

Governor Baker's Executive Order 569: Establishing an Integrated Climate Change Strategy for the Commonwealth (EO 569; the Order) was issued on September 16, 2016. The Order recognizes the serious threat presented by climate change and direct Executive Branch agencies to develop and implement an integrated strategy that leverages state resources to combat climate change and prepare for its impacts. The Order seeks to ensure that Massachusetts will meet GHG emissions reduction limits established under the Global Warming Solution Act of 2008 (GWSA) and will work to prepare state government and cities and towns for the impacts of climate change.

The Northeast Climate Science Center at UMass Amherst has developed projections of changes in temperature, precipitation and sea level rise for Massachusetts. This data is available through the

Climate Change Clearinghouse for the Commonwealth at [www.resilientMA.org](http://www.resilientMA.org). By the end of the century, the average annual temperature in the Connecticut River Basin is projected to rise by 4.0 to 10.9 degrees Fahrenheit (F), including an increase in the number of days with temperatures over 90 F from 15 to up to 76 days compared to the 1971-2000 baseline period. During the same time span, the average annual precipitation is projected to increase by 1.7 to 8.3 inches, which may be associated with more frequent and more intense storms. The project will remove up to three-ft of sediment (6,500 total cy) from the pond which is anticipated to significantly increase the pond's available flood storage volume and improve its ability to serve as a flood management tool.

### *Historic and Archaeological Resources*

As noted in the NPC, repairs to the dike and outlet structure north of the pond were previously reviewed and were subject to a Memorandum of Agreement (MOA) as part of a prior project which also included demolition of a historic structure. According to the NPC, site restoration will include the use of plants from the approved plant list contained in the previously established MOA. The NPC indicated that the project will have no permanent impacts to landscape or landscape design element features associated with Campus Pond and areas adjacent to the pond.

### *Construction Period*

All construction and demolition activities should be managed in accordance with applicable MassDEP's regulations regarding Air Pollution Control (310 CMR 7.01, 7.09-7.10), and Solid Waste Facilities (310 CMR 16.00 and 310 CMR 19.00, including the waste ban provision at 310 CMR 19.017). The project should include measures to reduce construction period impacts (e.g., noise, dust, odor, solid waste management) and emissions of air pollutants from equipment, including anti-idling measures in accordance with the Air Quality regulations (310 CMR 7.11). I encourage the Proponent to require that its contractors use construction equipment with engines manufactured to Tier 4 federal emission standards, or select project contractors that have installed retrofit emissions control devices or vehicles that use alternative fuels to reduce emissions of volatile organic compounds (VOCs), carbon monoxide (CO) and particulate matter (PM) from diesel-powered equipment. Off-road vehicles are required to use ultra-low sulfur diesel fuel (ULSD). All construction activities should be undertaken in compliance with the conditions of all State and local permits.

### Conclusion

The NPC has adequately described and analyzed the project change, and assessed its potential environmental impacts and mitigation measures. Based on review of the NPC and comments received on it, and in consultation with State Agencies, I find that an EIR is not required for the project change.

The SRP Certificate indicated “[t]here will be no NPC required for lapse of time (301 CMR 11.10(2)) so long as the CMP remains in effect and compliance with the SRP is ongoing; except however, that in the event that no PCN or NPC is filed within any five year period, the Proponent will submit an update on planning efforts and implementation of or modifications to the CMP.” It is unclear whether this has occurred and the original 10-year planning horizon (2012-2021) is nearly at an end. As such, I am hereby requiring the Proponent to consult with the MEPA Office regarding these requirements and implementation of future capital improvement projects at UMass Amherst.



September 25, 2020

Date

Kathleen A. Theoharides

Comments received:

09/14/2020 Massachusetts Department of Environmental Protection (MassDEP)

KAT/PRC/prc



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

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September 14, 2020

Ms. Kathleen A. Theoharides, Secretary  
Executive Office of Energy & Environmental Affairs  
Massachusetts Environmental Policy Act Office  
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100 Cambridge Street, 9<sup>th</sup> Floor  
Boston, MA 02114-2524

Re: University of Massachusetts, Amherst  
640 North Pleasant Street  
Campus Pond Dredge Project  
Notice of Project Change 15069

Dear Secretary Theoharides,

The Massachusetts Department of Environmental Protection (MassDEP), Western Regional Office (WERO) appreciates the opportunity to comment on the Notice of Project change (NPC) submitted for the proposed Campus Center Pond Dredge Project at the University of Massachusetts, Amherst, MA (EEA #15069). The 2.9 acre man-made pond is used for stormwater control and has accumulated an estimated three feet of sediments. The project is proposed by the Facilities and Campus Services, University of Massachusetts – Amherst (the Proponent). The applicable MassDEP regulatory and permitting considerations regarding wetlands, waterways, air pollution, solid waste, and waste site cleanup are discussed.

### **I. Project Description**

The project is for the dredging of the campus center pond, a man-made pond (impoundment of Tan Brook) that is used primarily for stormwater control. The pond has an outlet structure located at the north end of the pond that is used to control the elevation of the water in the pond. The pond is approximately 2.9 acres and has accumulated an estimated three feet of sediments. The proposed dredge work will remove approximately 6,500 cubic yards of sediment and remove it offsite.

A temporary 16-foot- wide road consisting of crushed gravel or similar material will be constructed for the project. The water level of the pond will be lowered for the project and following the dredging, the water elevation will be returned to 216 feet. Excavated sediments will be staged on

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.

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the east side of the pond. Three dewatering cells with a total capacity to treat 5,000 cubic yards of sediment will be constructed and at the end of the project, the East Lawn will be restored. The dewatered sediments will be hauled off-site to an approved location. Any areas within wetlands and the pond edge that may have been impacted by the lowering of the water level, will also be restored.

The project will improve safety, flood storage capacity, water quality and aquatic habitat.

Environmental Impacts associated with this project include:

- 65 linear feet of bank (temporary impact)
- 124,800 sq ft LUWW (temporary impact with the lowering of the water level)
- 605 sq feet of wetland may be impacted (northeastern corner) when water level is lowered)

## **II. Required Mass DEP Permits and/or Applicable Regulations**

### Wetlands

310 CMR 10.000

### Waterways

310 CMR 9.00

### Air Pollution

310 CMR 7.00

### Solid Waste

310 CMR 16.00

### Hazardous Waste

310 CMR 30.00

### Bureau of Waste Site Cleanup

310 CMR 40.000

## **III. Permit Discussion**

### **Bureau of Water Resources**

#### 401 Water Quality Certification

This project will require an Individual 401 Water Quality Certification (WQC) for dredging. The applicant should file a BRP WW07 application with MassDEP's Wetlands Program in Boston, which will process the application.

### Wetlands

The previous comments remain valid.

### Waterways - Chapter 91

The previous comments remain valid

Stormwater Management

The previous comments remain valid.

Underground Injection Control

The previous comments remain valid.

**Bureau of Air and Waste**

Air Quality

Construction and Demolition Activities

The construction and demolition activity must conform to current Air Pollution Control Regulations. The proponent should implement measures to alleviate dust, noise, and odor nuisance conditions that may occur during the construction and demolition activities. Such measures must comply with the MassDEP's Bureau of Air and Waste (BAW) Regulations 310 CMR 7.01, 7.09, and 7.10.

Construction Equipment

All non-road engines shall be operated using only ultra-low sulfur diesel (ULSD) with a sulfur content of no greater than 15 ppm pursuant to 40 CFR 80.510.

Control of Airborne Particulate Material

Best Management Practices to prevent the release of airborne particulate from the dry surface of the dredge piles while they are left for dewatering shall be employed.

Odor

Any accumulated sediment or other materials must be managed in a manner so as not to cause odors.

Solid Waste

Any discarded objects, including storm debris and litter, encountered during the dredging of the pond sediments shall be removed from the site for disposal as Solid Waste or recycling as appropriate.

Solid and Hazardous Waste Management (Soil Excavation)

The NPC does not provide any information of the nature of the dredged material nor any of the chemical and biological contaminants, if any. Both the NPC and the Secretary's Certificate reference that no details of the pond dredging have been included in any submittals to date.

If MassDEP determines that either because of the nature of the proposed activity, the amount of the excavated pond sediment and/or the characteristics of the excavated pond sediment that the material requires management as a hazardous or solid waste, then the disposition of the material must comply with any applicable requirements pursuant to 310 CMR 30.0000, 310 CMR 16.00 or

310 CMR 19.000. In addition, compliance with, COMM-97-001 "Reuse and Disposal of Contaminated Soil at Massachusetts Landfills" and the "Revised Guidelines for Determining Closure Activities at Inactive Unlined Landfill Sites", may be applicable.

Hazardous Waste

The project proponent must ensure that all hazardous wastes generated by or discovered during the activities must be properly managed in accordance with 310 CMR 30.0000, and that all such generation or discovery shall be properly registered with the Department in accordance with 310 CMR 30.0000.

Greenhouse Gas

The Proponent is requesting a waiver to evaluating Greenhouse Gas Emissions in accordance with the MEPA Greenhouse Gas Emissions Policy and Protocol.

**Bureau of Waste Site Cleanup**

Massachusetts Contingency Plan (MCP)

The previous comments remain valid.

Spills Prevention

The previous comments remain valid.

**IV. Other Comments/Guidance**

MassDEP staff will be available for discussions as the project progresses. If you have any questions regarding this comment letter, please do not hesitate to contact Kathleen Fournier at (413) 755-2267.

Sincerely,

This final document copy is being provided to you electronically by the Department of Environmental Protection. A signed copy of this document is on file at the DEP office listed on the letterhead.

Michael Gorski  
Regional Director

cc: MEPA File