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May 10, 2006

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

PROJECT NAME : Silk Mill Dam Removal Project
PROJECT MUNICIPALITY : Beckett
PROJECT WATERSHED : Westfield
EOEA NUMBER : 12877
PROJECT PROPONENT : Town of Beckett
DATE NOTICED IN MONITOR : April 10, 2006

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).

This project is a priority of the Massachusetts River Restore Program, which was convened by the Secretary of Environmental Affairs in September 1999 to bring biological, ecological, and engineering experts together to evaluate the environmental impacts and benefits associated with the removal or repair of unsafe dams in Massachusetts. In June 2000, the River Restore Program's Triage Team evaluated both the Silk Mill Dam and the Ballou Dam, and the existing habitat within Yokum Brook's free-flowing reaches, and it recommended breaching or removing both dams to benefit cold water and anadromous fisheries.

This project has the potential to provide two sets of benefits. First, the proposed project will restore Yokum Brook to a free-flowing condition, eliminate existing barriers to the migration of the Atlantic salmon and resident eastern brook trout movements, and provide for the unobstructed natural movement of sediment, water, fish and wildlife through the Yokum Brook stream/wetlands system to the West Branch of the Westfield River, which has been designated as "Wild & Scenic" under the National Wild & Scenic Rivers system. Second, the project will address the continued erosion of the previously breached eastern end of the dam abutting Route 8 in Beckett. Because the continued erosion of this section of the dam could cause the subgrade of Route 8 to fail, it represents a potential hazard to pedestrians and vehicular travel on Route 8, and structures located downstream of the Silk Mill Dam.

Project Description:

Originally proposed in an Environmental Notification Form (ENF) submitted to the MEPA Office in September 2002, the project involves the phased (Phases I, II) dam removal and river restoration of a portion of Yokum Brook, a high quality coldwater tributary to the West Branch of the Westfield River in the Town of Beckett.

Phase I – Silk Mill Dam

The Phase I project involved the removal of an existing 93 feet long and 15 feet high stone masonry and concrete dam embankment (Silk Mill Dam), and the excavation and off-site removal of approximately 1,600 cubic yards (cy) of sediment, which is located immediately upstream of the dam. A Secretary's Certificate on the ENF and Phase I project activities was issued in November 2000, and required the proponent to file an NPC to describe the potential environmental impacts and benefits associated with the reconstruction of the Ballou Dam (Phase II) portion of the project.

Phase II - Ballou Dam

As further described in this NPC, the proponent's proposed Phase II construction activities will include the redesign and reconstruction of the existing Ballou Dam, an 11.5 foot high masonry dam, which is also located on Yokum Brook approximately ¼ mile downstream of the Silk Mill Dam. Phase II also includes the construction of a series of step pools for fish passage, and the construction of a 40,000-gallon capacity fire suppression water storage tank for use by the adjacent Beckett Elementary School, located adjacent to the Ballou Dam.

According to the proponent, the cumulative impacts associated with the Phase I removal of the Silk Mill Dam and the proposed Phase II construction activities will not trigger any required EIR thresholds, and it will result in overall benefits to Yokum Brook including the restoration of cold water fisheries habitat and free-flowing fisheries migration. According to the proponent, the cumulative wetland impacts from the removal of the Silk Mill Dam and the reconstruction of the Ballou Mill Dam will not trigger any ENF thresholds or exceed wetlands thresholds. The project will result in a net increase of approximately 6,000 sf of BVW. The proponent should work with DEP to answer questions related to any/all proposed dewatering activities. I encourage the proponent to consider implementing an active wetland seeding program within the BVW created by the proposed project, to promote a variety of desired wetland herbaceous plants species and to limit the advancement of invasive species such as the purple loosestrife.

Blasting

If blasting will be required during project construction, the proponent will need to prepare a blast design plan pursuant to the Board of Fire Protection Regulations (577 CMR 13.09) for the proposed construction of roads, houses and utilities within the project site. Blasting operations employing perchlorate-containing explosives have been identified as a possible source of contamination in Massachusetts public water supplies, and thus, should be prohibited from use in the project watershed. According to DEP, to the extent practical, the use of perchlorate-containing explosive products should be avoided when surface or groundwater can be affected.

Permits and MEPA Jurisdiction

The project originally underwent review pursuant to Section 11.03 (3)(b)(1)(f) and 11.03 (3)(a)(4) of the MEPA regulations because the project will result in the alteration of ½ or more acres of wetlands other than Bordering Vegetated Wetlands (land under water), and involved the structural alteration of an existing dam that causes an Expansion of 20% or any decrease in the impoundment capacity. On September 20, 2002, the legislature amended the statutory definition of dams to only include structural impoundments with a measured height of 25 feet or more from the natural streambed, or having a maximum impoundment capacity of 50 or more acre feet (MGL c 330). As a result, the Silk Mill Dam and the Ballou Dam are no longer considered a Dam within the meaning of the underlying statute and regulations, and their proposed removal would not require preparation of a mandatory EIR pursuant to section 11.03 (3)(a)(4) of the MEPA regulations.

Based on the information provided by the proponent and consultation with relevant public agencies, I conclude that no further MEPA review is required. The review of the NPC has served adequately to disclose potential impacts and mitigation, and to demonstrate that Phase I and Phase II project impacts do not warrant the preparation of an Environmental Impact Report. The proponent can resolve any remaining issues pertaining to wetland impacts, water resources, and site design in the permitting process.

May 10, 2006

Date



Stephen R. Pritchard, Secretary

Comments received:

04/19/06 Massachusetts Historical Commission (MHC)
05/02/06 Department of Environmental Protection (DEP) – WERO

EOEA #12877 NPC
SRP/NCZ/ncz