



COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
WESTERN REGIONAL OFFICE  
436 DWIGHT STREET, SPRINGFIELD, MA 01103 413-784-1100

CHARLES D. BAKER  
Governor

KATHLEEN A. THEOHARIDES  
Secretary

KARYN E. POLITO  
Lieutenant Governor

MARTIN SUUBERG  
Commissioner

DATE: November 10, 2020

Municipality LEVERETT  
(city/town)

RE: NOTIFICATION OF WETLANDS PROTECTION ACT FILE NUMBER

The Department of Environmental Protection has received a Notice of Intent filed in accordance with the Wetlands Protection Act (M.G.L. c. 131, §40):

Applicant: FRIENDS OF LEVERETT POND, INC.                      Owner:  
Address: C/O 35 CIDER MILL ROAD, BOX 209                      Address:  
LEVERETT, MA 01054

LOCUS: LEVERETT POND

**This project has been assigned the following file # : WE 200-0196**

**A FILE NUMBER ONLY INDICATES THAT THE APPLICATION CONTAINS THE MINIMAL SUBMITTAL REQUIREMENTS AND IS ADMINISTRATIVELY COMPLETE - NOT THAT THE INFORMATION IN THE APPLICATION IS ADEQUATE FOR ISSUANCE OF AN ORDER OF CONDITIONS.**

Although a file # is being issued, please note the following:

[1] This project has been submitted as an Ecological Restoration Limited Project. The commission needs to review 310 CMR 10.11, 310 CMR 10.12 and 310 CMR 10.53(4)(e)5. as well as the included Appendix A. Please note that on Section B.2. of the narrative it references 310 CMR 10.24. That section references coastal wetlands, not inland.

[2] As the commission is aware, the use of a hydorrake can act as a dredge activity. The applicant shall submit a graphical representation of the work limits associated with this activity and support the information in the NOI that a Section 401 dredge permit is not required. Removing any bottom material is considered dredging, it just does not need additional permitting as long as less than 100 cubic yards removed in total of the up to 4 acres where this work will occur. Because one is dredging a Great Pond, a Chapter 91 license is required. The NOI appears to state that the area near the dry hydrant will be dredged. The 2010 NOI file number comments for 200-0166 noted that a Chapter 91 license was required but no application was submitted. Please ensure it is done for this project. Please provide more data for the dredging near the dry hydrant, both existing bottom contours and proposed contours.

[3] Any future NOI submitted for a drawdown over 3 feet will need to be reviewed by Mass Fish and Game as over 3 feet does not comply with the Drawdown Performance Standards or the GEIR.

This information is available in alternate format. Call Donald M. Gomes, ADA Coordinator at 617-556-1057. TDD# 1-866-539-7622 or 1-617-574-6868.

 <http://www.mass.gov/dep>  
Printed on Recycled Paper

FRIENDS OF LEVERETT POND, INC.  
C/O 35 CIDER MILL ROAD, BOX 209  
LEVERETT, MA 01054

[4] The Commission should note that the application of herbicides is typically only a short term management solution. Herbicide treatment should only be approved as part of a comprehensive lake management plan that includes not only short term but also long term management methods. A Lake Management Plan should include water quality data, information on the history and sources of water quality degradation and other information to identify existing pollution inputs to the water body. It is essential to review past and current watershed management practices, assess the effect of these practices on water quality, and evaluate alternative watershed management practices to improve water quality through source control.

[5] The NOI should be more specific regarding the party or parties that will conduct the mechanical harvesting, the equipment to be used, the disposition of harvested material and any other issues the commission may deem important in their review under the Wetlands Protection Act and regulations

[6] The commission may use the Guidance for Aquatic Plant Management in Lakes and Ponds as it relates to the Wetlands Protection Act, in their review of this project. Appendix A of that document has sample special conditions. Please also take note of Section IV Information required to evaluate impacts for all projects.

**ADDITIONAL REQUIREMENTS:**

Chapter 91 license may be required. Application and transmittal form are available on the MassDEP website <http://www.mass.gov/eea/agencies/massdep/water/approvals/wetlands-and-waterways-forms.html#2>. If necessary, contact MassDEP Waterways Program at 617-292-5929 for direct mailing or provide information why license is not required.

If you have any questions regarding this letter, please contact: MARK STINSON @ (413)-755-2257

Cc: Leverett Conservation Commission, P.O. BOX 300, Leverett, MA, 01054



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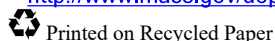
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