

**GENERAL ELECTRIC/HOUSATONIC RIVER
NATURAL RESOURCE RESTORATION**

**MASSACHUSETTS HOUSATONIC RIVER WATERSHED
RESTORATION PROGRAM**

**FINAL ROUND 2 RESTORATION PLAN AND
SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT**

June 14, 2011



**PREPARED BY:
STANTEC CONSULTING**

**FOR:
MASSACHUSETTS SUBCOUNCIL,
HOUSATONIC RIVER NATURAL RESOURCE TRUSTEES**



**U.S. Department of the Interior Approval
of the
Final Restoration Plan/Supplemental Environmental Assessment**

**General Electric/Housatonic River
Natural Resource Restoration**

Massachusetts Housatonic River Watershed Restoration Program – Round 2

In accordance with U.S. Department of the Interior policy regarding documentation for natural resource damage assessment and restoration projects (521 DM 3), the Authorized Official for the Department must demonstrate approval of draft and final Restoration Plans and their associated National Environmental Policy Act documentation, with concurrence from the Department’s Office of the Solicitor.

The Authorized Official for the Housatonic River case is the Regional Director for the U.S. Fish and Wildlife Service’s Northeast Region.

The Round 2 Final Restoration Plan/Supplemental Environmental Assessment (RP/SEA) is hereby approved.

Approved:

Concurred:



Marvin E. Moriarty
Acting Regional Director
Northeast Region
U.S. Fish and Wildlife Service
5/10/11 Date



Mark Barash
Senior Attorney
Northeast Region
Office of the Solicitor
5/10/2011 Date

UNITED STATES FISH & WILDLIFE SERVICE
ENVIRONMENTAL ACTION STATEMENT

Within the spirit and intent of the Council of Environmental Quality's regulations for implementing the National Environmental Policy Act (NEPA) and other statutes, orders and policies that protect fish and wildlife resources, I have established the following administrative record and have determined that the action of the Final Round 2 Restoration Plan/Supplemental Environmental Assessment for the Massachusetts Housatonic River Watershed Restoration Program:

_____ is a categorical exclusion as provided by 516 DM 6 Appendix 1 and 516 DM 6, Appendix 1. No further documentation will therefore be made.

XX is found not to have significant environmental effects as determined by the attached Environmental Assessment and Finding of No Significant Impact.

_____ is found to have significant effects, and therefore further consideration of this action will require a notice of intent to be published in the Federal Register announcing the decision to prepare an EIS.

_____ is not approved because of unacceptable environmental damage, or violation of Fish and Wildlife Service mandates, policy, regulations, or procedures.

_____ is an emergency action within the context of 40 CFR 1506.11. Only those actions necessary to control the immediate impacts of the emergency will be taken. Other related actions remain subject to NEPA review.

Other supporting documents (list):

Final Round 2 Restoration Plan/Supplemental Environmental Assessment for the Massachusetts Housatonic River Watershed Restoration Program

Programmatic Environmental Assessment for the Massachusetts Housatonic River Watershed Restoration Program



Region 5 NRDAR Coordinator

5/5/11
Date



Acting Regional Director/DOI Authorized Official

5/10/11
Date

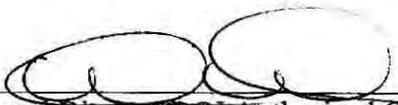
FINDING OF NO SIGNIFICANT IMPACT**FINAL ROUND 2 RESTORATION PLAN/SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT FOR THE MASSACHUSETTS HOUSATONIC RIVER WATERSHED RESTORATION PROGRAM**

The U.S. Department of the Interior and the Commonwealth of Massachusetts have completed a Final Round 2 Restoration Plan/Supplemental Environmental Assessment (RP/SEA) that explains the decisions of the Trustee SubCouncil for Massachusetts to provide \$1.3 million to five restoration projects within the Housatonic River watershed in Massachusetts. The Housatonic River Watershed Restoration Program is a multi-year, multi-phased restoration program that will restore, replace, and/or acquire the equivalent of the natural resources injured, destroyed, or lost as a result of contamination in the Housatonic River watershed originating from the General Electric facility in Pittsfield, Massachusetts. Round 2 is the second of three funding rounds. The five restoration projects selected in Round 2 will protect and/or improve fish and wildlife habitat, enhance recreational uses of river natural resources, protect valuable bat hibernacula habitat, and provide environmental education to generate environmental stewards for the Housatonic River watershed in Massachusetts.

The public was notified on July 21, 2010 of the availability of the Draft Round 2 RP/SEA for review and comment via an announcement on the SubCouncil's website (<http://www.mahousatonicrestoration.org/news.htm>). This public notice also announced an August 3, 2010, public meeting of the SubCouncil to discuss the draft document, respond to questions from the public, and receive public comment. In addition, the public notice was published in two local newspapers, the Berkshire Eagle and the North Adams Transcript, and a copy of the notice was sent to the media outlets listed in Appendix B of the RP/SEA. The August 3, 2010 meeting was held at the Lenox Town Hall in Lenox, Massachusetts. Written public comments were accepted until August 23, 2010. Trustee responses to the public comments received are presented in Section 10 of the Final RP/SEA. The comments received did not cause the SubCouncil to change any decisions regarding the projects funded, nor did the comments cause any significant revisions to the RP/SEA (aside from adding Section 10).

Based on a review and evaluation of the information contained in the Final RP/SEA, I have determined that the proposed actions do not constitute a major federal action which would significantly affect the quality of the human environment within the meaning of Section 102 (2)(c) of the National Environmental Policy Act (NEPA) of 1969. Accordingly, the preparation of an environmental impact statement on the proposed actions is not required at this time.

Acting


Regional Director/DOI Authorized Official

Date

5/10/11

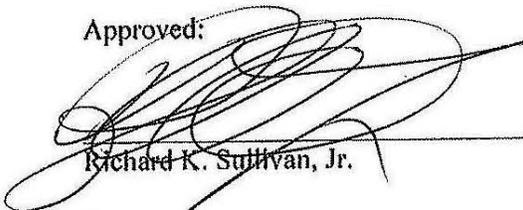
Executive Office of Energy and Environmental Affairs

Approval of
Massachusetts Housatonic River Watershed Restoration – Final Round 2
Restoration Plan/Supplemental Environmental Assessment
General Electric/Housatonic River Natural Resource Restoration

In accordance with Trustee protocol regarding documentation for Natural Resource Damage Assessment and Restoration (NRDAR) projects, the Executive Office of Energy and Environmental Affairs (EEA) is providing its approval of the Final Round 2 Restoration Plan/Supplemental Environmental Assessment (RP/SEA) for the GE/Housatonic River Natural Resource Restoration.

The Final Round 2 RP/SEA is being released after public review and 30-day public comment period on the Draft Round 2 RP/SEA. The MA SubCouncil hereby issues this Final Round 2 RP/SEA after consideration of public comments received.

Approved:



Richard K. Sullivan, Jr.

6/14/11

Date

Secretary
EEA

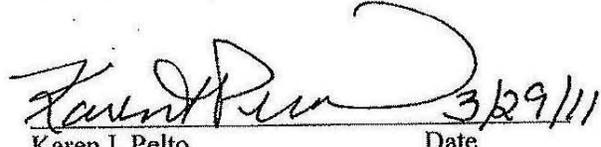
Natural Resource Trustee for the Commonwealth of Massachusetts

Recommending Approval:



Janine Commerford
Assistant Commissioner
Bureau of Waste Site Cleanup
MassDEP

3/29/2011
Date



Karen I. Pelto
Trustee Representative
MA SubCouncil, Housatonic River Trustee Council
MassDEP

3/29/11
Date

Massachusetts SubCouncil Members:

Mr. Kenneth Munney

(voting member, Trustee Representative for the Department of the Interior/U.S. Fish and Wildlife Service)

U.S. Fish and Wildlife Service, New England Field Office
70 Commercial Street, Suite 300
Concord, New Hampshire 03301

Ms. Karen I. Peltó

(voting member, State Trustee Representative, and Lead Administrative Trustee)

Massachusetts Department of Environmental Protection
One Winter Street, 6th Floor
Boston, MA 02108

Mr. Dean Tagliaferro, U.S. Environmental Protection Agency (non-voting Federal advisor)

Lead Federal Agency for Supplemental Environmental Assessment:

United States Fish and Wildlife Service

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ACRONYMS

ACOE	U.S. Army Corps of Engineers
ARPA	Archaeological Resources Protection Act
BEAT	Berkshire Environmental Action Team
CAPS	Conservation Assessment and Prioritization System
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
CMR	Code of Massachusetts Regulations
CTDEP	Connecticut Department of Environmental Protection
CWA	Clean Water Act
DCR	Massachusetts Department of Conservation and Recreation
DFW	Massachusetts Division of Fisheries and Wildlife
DOI	Department of the Interior
EIR	Environmental Impact Report
ESA	Endangered Species Act
EOEEA	Executive Office of Energy and Environmental Affairs
FACA	Federal Advisory Committee Act
FWCA	Fish and Wildlife Coordination Act
GE	General Electric
HRR	Housatonic River Restoration, Inc.
HVA	Housatonic Valley Association
MADEP	Massachusetts Department of Environmental Protection
MADER	Massachusetts Division of Ecological Restoration
Mass Audubon	Massachusetts Audubon Society
MESA	Massachusetts Endangered Species Act
MEPA	Massachusetts Environmental Policy Act
MET	Massachusetts Environmental Trust
MA SubCouncil	Massachusetts SubCouncil
MBTA	Migratory Bird Treaty Act

MOA	Memorandum of Agreement
MWPA	Massachusetts Wetlands Protection Act
M.G.L.	Massachusetts General Laws
NEPA	National Environmental Policy Act
NHESP	Massachusetts Natural Heritage and Endangered Species Program
NOAA	National Oceanic and Atmospheric Administration
NRCS	Natural Resource Conservation Service
NRD	Natural Resource Damages
NRDAR	Natural Resource Damage Assessment and Restoration
OHV	Off Highway Vehicle
PCBs	Polychlorinated biphenyls
PEA	Programmatic Environmental Assessment
RCRA	Resource Conservation and Recovery Act
Restoration Program	Massachusetts Housatonic River Watershed Restoration Program
RP	Restoration Plan
RPSP	Restoration Project Selection Procedure
ROR	Rest of River
SEA	Supplemental Environmental Assessment
Trustee Council	Housatonic River Natural Resource Trustees
U.S.C.	United States Code
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
WNS	White-Nose Syndrome
Woodlot	Woodlot Alternatives, Inc.

1.0 INTRODUCTION TO THE RESTORATION PLAN / SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT

This Final Restoration Plan / Supplemental Environmental Assessment (RP/SEA) was prepared by the U.S. Fish and Wildlife Service (USFWS) and the Massachusetts Executive Office of Energy and Environmental Affairs (EOEEA) (collectively, the “MA SubCouncil”¹), to restore injured natural resources and resource services² resulting from the release of polychlorinated biphenyls (PCBs) and other hazardous substances from General Electric’s (GE’s) facility in Pittsfield, Massachusetts. This Final RP/SEA presents the MA SubCouncil’s preferred restoration projects for Round 2 of a compensatory restoration program in the Massachusetts portion of the Housatonic River watershed (hereinafter referred to as the Massachusetts Housatonic River Watershed Restoration Program or simply Restoration Program). Compensatory restoration projects are projects that restore, rehabilitate, replace, and/or acquire the equivalent of injured natural resources and/or the services provided by those resources.

In 2007, as part of its efforts to comply with public disclosure requirements of the National Environmental Policy Act (NEPA), 42 U.S.C. 4321 *et seq.*, the MA SubCouncil completed a Programmatic Environmental Assessment (PEA) for the Restoration Program which evaluated potential strategies for accomplishing restoration. A “Blended Restoration Approach” was identified as the preferred alternative for the Restoration Program. The Blended Restoration Approach would achieve restoration in four restoration priority categories: Aquatic Biological Resources and Habitat, Wildlife Resources and Habitat, Recreational Uses, and Environmental Education and Outreach. The PEA also evaluated the potential environmental and socioeconomic impacts that might result from restoration projects implemented under the Blended Approach.

¹ The MA SubCouncil was established to consist of voting members from EOEEA and the USFWS and non-voting ex-officio members (see page iii). However, for purposes of this document, when regarding activities directly relating to the evaluation of proposals and identifying the proposed Preferred Alternatives, the MA SubCouncil consisted of only the voting Trustee members.

² The term “services” in this document means the physical and biological functions performed by the resource including human uses of these functions. These services are the result of the physical, chemical, or biological quality of the resource. 43 CFR § 11.14(nn). “Services” includes provision of habitat, food, and other needs of biological resources, recreation, other products or services used by humans, flood control, ground water recharge, waste assimilation, and other such functions that may be provided by natural resources. 43 CFR § 11.71(e).

On October 12, 2007, the MA SubCouncil issued the Final Round 1 RP/SEA, detailing a suite of projects intended to achieve compensatory restoration in the aforementioned priority categories. A total of \$4 million was allocated in the Round 1 RP/SEA to implement 10 restoration projects. Table 1 presents a summary of funding awarded for the four restoration priority categories. Additional details related to Round 1 funding may be found in the Massachusetts Housatonic River Watershed Restoration Program Round 1 RP/SEA. The Round 1 Preferred Alternative restoration projects are in varying states of completion.

Table 1: Summary of Round 1 NRD Funding

Restoration Priority Category	Number of Projects Funded	Approved NRD Funding
Aquatic Biological Resources and Habitat	2	\$1,306,950
Wildlife Resources and Habitat	3	\$1,034,206
Recreational Uses	3	\$792,355
Environmental Education and Outreach	2	\$866,489
Approved Round 1 Funding		\$4,000,000

On January 23, 2009, the MA SubCouncil issued the second solicitation (Round 2) targeting \$1 million in funds for restoration project proposals from the public that focus on habitat restoration. The evaluation of these submissions, the projects preferred for implementation (i.e., the Round 2 Preferred Alternatives), and elaboration on the potential environmental and socioeconomic impacts of the preferred projects are presented in this Final RP/SEA. The Round 2 Preferred Alternatives presented in this Final RP/SEA are listed in Table 2 below. Collectively, this document and the PEA comprise the NEPA documentation for Round 2. The use of funding-round specific SEAs tiered from the PEA is consistent with the general tiering approach for Environmental Impact Statements described in 40 Code of Federal Regulations (CFR) 1502.20. Subsequent RP/SEAs will be prepared following additional funding solicitation rounds that will also be tiered within the framework and supporting documentation provided in the PEA.

Table 2: Summary of Preferred Alternatives

Restoration Priority Category	Proposal Number	Title	Recommended NRD Allocation
Aquatic Biological Resources and Habitat	215	<i>Habitat Continuity Project</i>	\$498,394
	212	<i>Sackett Brook Restoration Project</i>	\$396,828
Wildlife Resources and Habitat	207	<i>Installation of Gates Over Bat Hibernacula</i>	\$30,900
	204	<i>Invasive Species Control in the Housatonic River Watershed</i>	\$199,429
	203	<i>Bartholomew's Cobble Floodplain Forest Restoration and Habitat Improvement Project</i>	\$171,850
Proposed Round 2 Funding			\$1,297,401

1.1 TRUSTEE RESPONSIBILITIES UNDER FEDERAL AND STATE LAW REGARDING RESTORATION PLANNING

The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, 42 United States Code (U.S.C.) § 9601 *et seq.*, the Clean Water Act (CWA), 33 U.S.C. § 1251-1376, and the Massachusetts Oil and Hazardous Material Release Prevention and Response Act, Massachusetts General Laws (M.G.L.) ch. 21E, provide a mechanism for state and federal governments to address natural resource damages (NRD). These acts provide that states, federally recognized tribes, and certain federal agencies, known as Natural Resource Trustees (Trustees), may assess damages to natural resources and may seek to recover those damages on behalf of the public. Trustees can bring claims against responsible parties for damages in order to restore, replace, or acquire the equivalent of natural resources that have been injured or lost by the release of hazardous substances. According to CERCLA and its associated natural resource damage assessment regulations (43 CFR Part 11), the MA SubCouncil must prepare an RP that describes how NRD funds collected from responsible parties will be used to address injured natural resources, specifically what restoration, rehabilitation, replacement, or acquisition of the equivalent resources will occur. No restoration projects, except emergency restoration, can be implemented before the RP and a public comment process is completed. This document is the Final RP/SEA for Round 2 of the Massachusetts Housatonic River Watershed Restoration Program.

The NEPA and its implementing regulations, 40 CFR Parts 1500-1508, require that federal agencies fully consider the environmental impacts of their proposed decisions on major federal actions, that appropriate steps are taken to mitigate potential environmental impacts of those actions, and that such information is made available to the public. The Massachusetts Environmental Policy Act (MEPA), M.G.L. ch. 30, sections 61 through 62H, inclusive, and the associated regulations, 301 Code of Massachusetts Regulations (CMR) § 11.00, “provide meaningful opportunities for public review of the potential environmental impacts of Projects for which Agency Action is required, and to assist each Agency in using...all feasible means to avoid Damage to the Environment or, to the extent Damage to the Environment cannot be avoided, to minimize and mitigate Damage to the Environment to the maximum extent practicable” (301 CMR § 11.01). This document, in combination with the PEA, addresses the requirements of NEPA and programmatic MEPA issues for Round 2 of the Massachusetts Housatonic River Watershed Restoration Program. After the Final Round 2 RP/SEA is completed, individual projects that are determined to trigger MEPA thresholds will be required to proceed through a MEPA review. Likewise, some projects may require additional NEPA analysis once the details of the restoration project are further defined (e.g., after the completion of the feasibility/planning portion of the project). Additional NEPA analysis will be completed before project implementation and may result in project cancellation if NEPA related work and costs outweigh project benefits.

1.2 SUMMARY OF NATURAL RESOURCE DAMAGES SETTLEMENT

GE reached a comprehensive agreement dated October 7, 1999, concerning NRD and cleanup of its Pittsfield, Massachusetts, facility, certain off-site properties, and the Housatonic River. The agreement was reached with the following entities: the U.S. Environmental Protection Agency (USEPA) Region 1; the U.S. Department of Justice; the Commonwealth of Massachusetts Department of Environmental Protection (MADEP), Office of the Attorney General, EOEEA; the State of Connecticut Department of Environmental Protection (CTDEP), Office of the Attorney General; the Department of the Interior (DOI); the National Oceanic and Atmospheric Administration (NOAA) of the U.S. Department of Commerce; the City of Pittsfield, Massachusetts; and the Pittsfield Economic Development Authority.

The comprehensive agreement was lodged with the U.S. District Court of Massachusetts, Springfield, Massachusetts, and approved on October 27, 2000. The full text of the comprehensive agreement is contained in a Consent Decree and is available on the USEPA/GE/Housatonic River cleanup website (www.epa.gov/region01/ge/cleanupagreement.html).

As part of the settlement, the Trustees (EOEEA, DOI, NOAA, CTDEP) recovered \$15 million from GE as NRD for use in natural resource restoration projects, approximately half of which (\$7.5 million) the Trustees targeted for restoration projects in Massachusetts. Further detail regarding the Settlement is provided in Chapter 1.0 of the PEA, Chapters 1.0 and 2.0 of the Restoration Planning Strategy (Woodlot and IEC 2005a), and Chapter 1 of the RPSP.

1.3 SUMMARY OF SITE INJURIES AND PUBLIC LOSSES

GE owns and operates a 254-acre facility in Pittsfield, Massachusetts, where PCBs were used in the manufacture of electrical transformers from the late 1930s to the late 1970s (Roy F. Weston 1998). During this time period, hazardous substances were released from the GE facility to the Housatonic River and Silver Lake in Pittsfield. These hazardous substances include PCBs, dioxins, furans, volatile organic compounds, semi-volatile organic compounds, and inorganic constituents (e.g., metals). In addition, a number of former oxbows along the Housatonic River that were filled when the U.S. Army Corps of Engineers (ACOE) straightened the Pittsfield reach of the Housatonic River to alleviate flooding were found to contain PCB-contaminated soils and fill. Further detail regarding the site injuries and public losses is provided in Chapter 3.0 of the PEA.

1.4 RESTORATION GOALS/PURPOSE OF RESTORATION

The Purpose and Need for the MA SubCouncil's Restoration Program were explained in the PEA. The overall purpose of the Restoration Program is to make the environment and the public whole for injuries to natural resources and services resulting from the release of hazardous substances. Restoration efforts are intended to return injured natural resources and services to baseline conditions and compensate for interim losses through implementation of restoration actions that restore, rehabilitate, or replace equivalent natural resources and/or services.

Consistent with the nature and scope of the natural resource injuries in the Housatonic River watershed, the potential restoration actions are also diverse. The MA SubCouncil identified four restoration priority categories: aquatic biological resources and habitat, wildlife resources and habitat, recreational uses of natural resources, and environmental education and outreach. In the PEA, the MA SubCouncil evaluated strategies for accomplishing restoration within the Restoration Program, including a "No Action" alternative, and identified a preferred strategy. The preferred strategy is to implement projects in all four restoration priority categories (Alternative 6, "Blended Restoration Approach," in the PEA). The approach adopted by the MA SubCouncil considers the cumulative results of multiple rounds of funding to achieve the Blended Restoration Approach.

The specific goals of the Round 2 restoration planning process were to solicit, evaluate, and identify preferred projects focusing on habitat restoration to accomplish the programmatic Blended Restoration Approach and to provide a total \$1.0 million for project implementation. In addition, the programmatic goals and objectives of the MA SubCouncil, as first described in the Restoration Project Selection Procedure (RPSP) and listed below, are also relevant to Round 2:

- Restore, enhance, protect, conserve, replace and/or acquire the equivalent of natural resources and services that were injured as a result of the release of hazardous substances, including PCBs, in the Housatonic River environment;
- Provide for sustainable and measurable benefits to injured natural resources and services;
- Avoid adverse impacts resulting from restoration projects;
- Integrate public participation in the restoration process;
- Implement a suite of projects that cumulatively:
 - Benefit each of the restoration priority categories and
 - Employ a variety of restoration project types;
- Conduct restoration projects in a phased manner so that projects with a potential to interact with yet-to-be-determined remedial activities are not excluded from funding until those potential interactions can be determined (i.e., the remedial actions are known).

1.5 COORDINATION AND SCOPING

1.5.1 Trustee Council Organization and Activities

The Trustees for the GE/Housatonic River case consist of: the EOEEA, the CTDEP, the DOI (acting through the USFWS), and NOAA. A Memorandum of Agreement (MOA) among these parties was executed in January 2002. The MOA ensures the coordinated handling of activities relating to cleanup, remediation, and restoration activities in the Housatonic River environment. The MOA also provides a framework for intergovernmental coordination among the Trustees and for implementation of Trustee responsibilities under CERCLA and other applicable federal, state, and common laws.

The MOA provided for the establishment of the MA SubCouncil, which is responsible for authorizing the expenditure of NRD monies allocated to the geographic region of Massachusetts.

The MA SubCouncil currently consists of the following:

- Karen I. Pelto, EOEEA (voting member, State Trustee Representative)
- Kenneth Munney, USFWS (voting member, Federal Trustee Representative)
- Dean Tagliaferro, USEPA Region 1 (non-voting advisor)

NOAA has chosen not to actively exercise its decision-making role on the MA SubCouncil pursuant to an October 2004 resolution to the MOA.

The non-voting USEPA Region 1 advisor facilitates coordination with remedial activities.

1.5.2 Public Notification

Local public libraries, newspapers, radio, and television were used as outlets for public announcements related to the Restoration Program. Libraries where public documents were sent are listed in Appendix A. Newspaper, and radio and television stations used for public outreach are listed in Appendix B. In addition, the MA SubCouncil created a website (www.ma-housatonicrestoration.org) to provide public access to background information, MA SubCouncil member contact information, program activity updates, and draft documents for public review and comment.

1.5.3 Summary of Public Involvement

The MA SubCouncil conducted several public meetings during the development of the Restoration Program to obtain public input on the strategy for restoration planning and the process and criteria by which potential restoration projects would be solicited and evaluated. Also, specific points of public involvement for Round 2 occurred as follows:

- September 25, 2008: Public planning meeting to discuss Round 2 allocations and timeline.
- January 23, 2009: MA SubCouncil issued a Request for Responses to solicit project proposals from the public for Round 2 of the Restoration Program.
- February 25, 2009: MA SubCouncil held Round 2 Applicant Conference to address public questions and comments on the Round 2 Request for Response.
- April 23, 2009: MA SubCouncil received 15 submissions by the deadline.
- June 29, 2009: MA SubCouncil posted the 15 submitted proposed projects on its web site for public informational purposes.
- August 3, 2010: MA SubCouncil discussed the Draft RP/SEA and solicited public comment on projects proposed for funding in the Draft RP/SEA.

1.5.4 Administrative Record

One complete administrative record is available at Lenox Library (address in Appendix A).

2.0 AFFECTED ENVIRONMENT

This chapter briefly describes the biological and socioeconomic environment in which restoration activities would be implemented. The purpose is to summarize the current conditions in the Housatonic River watershed and provide a foundation for assessing the impacts of the alternatives considered. A more detailed description of the affected environment was provided in the PEA. The majority of the content on the affected environment in the PEA was drawn from the reports listed below. Readers who are interested in greater detail on the biological and socioeconomic features of the Housatonic River watershed may wish to consult these sources.

- *Ecological Characterization of the Housatonic River* (Woodlot 2002a). This report represents the most recent, comprehensive study of the biological environment surrounding the Housatonic River and focuses on the river reach from Pittsfield to Lee, Massachusetts. It was prepared for the USEPA Region 1.
- *Ecological Characterization of the Housatonic River Downstream of Woods Pond* (Woodlot 2002b). This report characterizes the biological environment from Lee, Massachusetts, to southern Connecticut. It was also prepared for the USEPA Region 1.
- *Housatonic River 5-Year Watershed Action Plan* (EOEA 2003).

2.1 BIOLOGICAL ENVIRONMENT

The Massachusetts portion of the Housatonic River watershed is located in the southwestern region of the Commonwealth in Berkshire County and is bordered by the watersheds of the Hudson River to the north, the Westfield River to the northeast, and the Farmington River to the southeast. The Housatonic River watershed exhibits diverse hydrology, including swift streams, a meandering river, productive aquifers, extensive wetlands, and 119 lakes and ponds. Because of the varied topography of Berkshire County, ponds, peatlands, and marshes are abundant. An estimated three percent of the county is considered to be occupied by palustrine communities (i.e., wetlands not associated with rivers, lakes, or tidal waterbodies).

Most of the undeveloped landscape in the Housatonic watershed is forested, except where disturbance or permanent flooding (i.e., river channel and backwater slough) inhibit tree growth. Portions of the watershed have been cleared for various purposes, primarily agriculture, residences, and various rights-of-way (e.g., roads, railroads, power lines).

The Housatonic River watershed features a prolific biological community with 117 rare plant and 33 rare animal species, as well as the occurrence of 18 significant natural communities. Analyses conducted for USEPA's ecological characterization identified 20 plants of state conservation concern that are known or thought to occur in the upper portion of the watershed, while a separate inventory developed for the Great Barrington Open Space Plan identified 23 additional species of concern. Approximately 173 avian

species, 42 mammalian species, 41 fish species, 13 snake species, and seven turtle species are known to occur in the Massachusetts reach of the Housatonic River (Woodlot and IEc 2005b).

While the GE facility has been a significant source of pollution in the Housatonic River watershed, a variety of other water quality concerns have been identified, including pesticide and fertilizer runoff from agricultural land, management of household hazardous waste, indirect discharges from septic systems and landfills, pesticide runoff from railroad beds, and abandoned industrial facilities (HRR 1999, 2003). In addition to river-based pollution, lakes and ponds in the Housatonic watershed face advancing eutrophication problems associated with nutrient loading.

In addition to factors affecting water quality, other ecological stressors affect terrestrial and riparian habitat in the watershed. Residential and commercial development continues to diminish the quality and abundance of wildlife habitat. While the population of Berkshire County has decreased in the last decade, the number of housing units has grown from about 64,300 to 66,600, with at least some of this trend attributable to construction of vacation and retirement homes. Likewise, invasive species such as purple loosestrife (*Lythrum salicaria*), common reed (*Phragmites australis*), and other non-native plants crowd out native plants that provide forage for waterfowl and other wildlife.

2.2 SOCIOECONOMIC ENVIRONMENT

Eighteen towns and one city in Berkshire County are located wholly or partially in the Housatonic River watershed. With a population of 42,652, Pittsfield is the largest city, accounting for roughly one-third of the population in Berkshire County in 2008. Both Pittsfield and Berkshire County as a whole have seen a decrease in population over the last decade due to farm abandonment, loss of manufacturing jobs, and general migration to other population centers. The economy of the Housatonic River watershed was once heavily dependent upon manufacturing and timber harvesting, and the loss of jobs in these sectors still appears to affect economic well-being (i.e., the percent of families living below the poverty line in Pittsfield is significantly higher than in the County or in Massachusetts overall). The median income in the region is lower and the unemployment rate is somewhat higher than in Massachusetts as a whole.

The upper third of the Housatonic River watershed, including Pittsfield, is urbanized, while the remaining two-thirds of the watershed are rural in character and largely forested. Current land uses in the watershed include industrial, agricultural, residential, and recreation/wildlife management. In Pittsfield, Lenox, and Lee, the river is used primarily as a natural area, with much of the area contained in the Housatonic River Valley State Wildlife Management Area used primarily by outdoor recreation enthusiasts.

3.0 RESTORATION EVALUATION PROCESS AND CRITERIA

CERCLA and NRD regulations require that restoration activities restore, rehabilitate, replace, or acquire the equivalent of the resources and services that were injured or lost, but do not address which restoration projects are preferred. Such decisions are left to the discretion of the Trustees. However, the DOI regulations recommend the following factors be considered in the evaluation and selection of preferred alternatives (43 CFR 11.82).

- (1) Technical feasibility.
- (2) The relationship of the expected costs of the proposed actions to the expected benefits from the restoration, rehabilitation, replacement, and/or acquisition of equivalent resources.
- (3) Cost-effectiveness.
- (4) The results of any actual or planned response actions.
- (5) Potential for additional injury resulting from the proposed actions, including long-term and indirect impacts, to the injured resources or other resources.
- (6) The natural recovery period.
- (7) Ability of the resources to recover with or without alternative actions.
- (8) Potential effects of the action on human health and safety.
- (9) Consistency with relevant Federal, State, and tribal policies.
- (10) Compliance with applicable Federal, State, and tribal laws.

The MA SubCouncil previously developed an RPSP and the PEA that described the process for soliciting, evaluating, and selecting individual restoration projects (Woodlot and IEC 2005b). The MA SubCouncil incorporated the ten factors described above into its Threshold and Evaluation Criteria. The RPSP and PEA established the format and content of submissions for parties requesting funds for restoration projects. Among the requirements, applicants were asked to complete NEPA checklists that help identify potential environmental and socioeconomic impacts of their project. If non-negligible impacts were expected, the applicant was required to outline steps that would be taken to reduce the severity of the project's impacts.

The MA SubCouncil issued a Request for Responses on January 23, 2009, to solicit proposed projects from the public for Round 2 of the Restoration Program. The SubCouncil received 15 proposed projects by the April 23, 2009, deadline. Public comments received with the proposed project applications are provided in Section 9.0. The MA SubCouncil posted the 15 proposed projects on its website for public informational purposes on June 29, 2009.

The MA SubCouncil internally evaluated all 15 project proposals via the Stage One Threshold Criteria process, as described below. The proposals that passed Stage One then went through the Stage Two Evaluation, as further described below, before Preferred Restoration Projects were selected.

3.1 STAGE ONE: THRESHOLD CRITERIA

The first step in evaluating proposed projects was to identify projects that met the minimum requirements for consideration as restoration projects. These “Threshold Criteria,” listed below, were consistent with the goals of the MA SubCouncil, federal regulations, and other applicable federal, state, and local regulations and laws. Threshold Criteria are described in detail in the RPSP.

1. Does the application contain the information necessary to proceed with an evaluation as described in the RPSP? (Answer must be “YES” to pass.)
2. Does the proposed project restore, rehabilitate, replace, and/or acquire the equivalent of natural resources or natural resource services that were injured by the release of PCBs or other hazardous substances? (Answer must be “YES” to pass.)
3. Is the proposed project, or any portion of the proposed project, an action that is presently required under other federal, state, or local law? (Answer must be “NO” to pass.)
4. Is the proposed project, or any portion of the proposed project, inconsistent with any federal, state, or local law, regulation, or policy? (Answer must be “NO” to pass.)
5. Will the proposed project, in terms of its cost, be consistent with the stated goals of the MA SubCouncil to retain sufficient funds to 1) accomplish restoration over at least three rounds of proposal solicitations and 2) serve a wide geographic area that benefits the restoration priority categories? (Answer must be “YES” to pass.)
6. Will the proposed project, or any portion of the proposed project, be inconsistent with any ongoing or anticipated remedial actions (i.e., primary restoration) in the Housatonic River watershed? (Answer must be “NO” to pass.)

The Trustee representatives of the MA SubCouncil were solely responsible for determining whether a proposed project met the Threshold Criteria. The MA SubCouncil developed a document summarizing the evaluation of Threshold Criteria for projects not passing the Threshold Criteria Evaluation. This document included brief abstracts that described why proposed projects did not pass the Stage One evaluation and are summarized below (Appendix C – Final Results of Round 2 Threshold Criteria Evaluation). Proposed projects that met all Threshold Criteria were termed “Project Applications” and were advanced to Stage Two of the evaluation process.

3.1.1 Threshold Criteria Results

Three of the 15 applications received in response to the Round 2 solicitation did not meet the initial Threshold Criteria review. The reasons these applications did not pass are described below.

3.1.1.1 Proposal No. 202 – Horsekeeping Best Management Practices for Water Quality Protection and Restoration

The MA SubCouncil determined that the proposed project did not propose to restore, rehabilitate, replace, and/or acquire natural resources or natural resource services that were injured by the release of PCBs or other hazardous substances (Threshold Criterion No. 2).

Evaluation of the proposed project indicated that the intent of the proposal was to reduce non-point source contaminants and restore riparian habitat through an Environmental Education and Outreach program targeted at the community of horse owners in the Housatonic River watershed.

Although the MA SubCouncil considers protection of resources through outreach to be a valuable endeavor, environmental education was not a primary restoration category in Round 2. This proposal was therefore eliminated from consideration for this funding round. Projects focused on environmental education may potentially be considered for funding during subsequent funding rounds, but the restoration categories for later NRD funding have not been defined to date.

3.1.1.2 Proposal No. 205 – Proposal for Aquatic Invasive Species Management in the Housatonic River

The MA SubCouncil determined that the intent of this project, as detailed in the project proposal, was to implement an invasive species monitoring network that would focus on zebra mussels (*Dreissena polymorpha*), quagga mussels (*Dreissena bugensis*), fishhook water fleas (*Cercopagis penguii*), spiny water fleas (*Bythotrephes longimanus*), and rock snot (*Didymosphenia geminate*).

This proposal was eliminated from consideration because it did not directly restore, rehabilitate, replace, and/or acquire the equivalent of natural resources or natural resource services that were injured by the release of PCBs or other hazardous substances (Threshold Criterion No. 2).

The stated emphasis of this project was to monitor for the presence of aquatic invasive species within the Housatonic River Watershed. As stated by the applicant, “Once populations of these species are established in a water body, there is no accepted, legally permissible method to actively control or eradicate them.” The proposal presented a means for establishing a regional monitoring network, but there were no assurances that actions could be taken to eradicate or control populations of invasive species if observed.

The MA SubCouncil believes that control of invasive species detrimental to aquatic ecosystems is critical, however until there is an established mechanism for responding to new introductions, efforts should be directed towards informing the public on how to best avoid transferring these species between water bodies.

3.1.1.3 Proposal No. 211 – Housatonic River Restoration Ecostation

The MA SubCouncil determined that intent of this project, as detailed in the proposal abstract, was to develop an integrated natural treatment system to be installed along the Housatonic River to restore the aquatic resources and habitat contaminated with hazardous materials, including PCBs.

The project proposal was eliminated from consideration because the primary stated goals were PCB elimination and remediation and the proposed project was not consistent with the USEPA Region 1-approved East Street design at the proposed “EcoStation” location. The project was viewed to be inconsistent with ongoing remedial actions (Threshold Criterion No. 6). Also, because the proposal did not appear to be coordinated with USEPA Region 1 and GE, the proposal did not have information necessary to proceed with evaluation (Threshold Criterion No. 1).

3.2 STAGE TWO: EVALUATION CRITERIA

At the completion of Stage One, the MA SubCouncil assigned Project Applications to members of the Review Team for review and evaluation. The Review Team consisted of staff from departments within EOEEA, USFWS, and Stantec Consulting Services Inc. (Stantec), with expertise relevant to the MA SubCouncil’s primary habitat restoration categories.

Each Project Application was evaluated by one representative from EOEEA and one representative from USFWS, representing a range of technical expertise and relevant experience, and a Stantec staff member. Reviewers did not evaluate Project Applications on which they were listed as the applicant or for which they had submitted letters of support. A rating system (i.e., scores associated with High, Medium, and Low) was used to apply the Evaluation Criteria to each Project Application. Each rating was associated with a number of points that varied depending on the question, allowing certain criteria to be weighted more heavily than others. Project Applications were evaluated and scored individually using the following categories of criteria. Detailed explanations of the Evaluation Criteria are provided in the RPSP.

- Relevance and Applicability of Project
 - Natural Recovery Period
 - Location of Project
 - Sustainable Benefits
 - Magnitude of Ecological Benefits
 - Human Health and Safety
 - Benefits to Multiple Restoration Categories
 - Enhancement of Remediation/Response Actions

- Technical Merit
 - Technical/Technological Feasibility
 - Technical Capacity of Applicant and Project Team
 - Potential for Adverse Environmental Impacts
 - Measurable Results
 - Contingency Actions
 - Administrative Capacity of Applicant and Project Team
- Project Budget
 - Relationship of Expected Costs to Expected Benefits
 - Implementation-oriented
 - Budget Justification and Understanding
 - Leveraging of Additional Resources
 - Coordination and Integration
 - Comparative Cost-effectiveness
- Socioeconomic Merit
 - Enhancement of Public's Relationship with Natural Resources
 - Fostering Future Restoration and Stewardship
 - Community Involvement
 - Potential for Adverse Socioeconomic Impacts
 - Complementary with Community Goals
 - Public Outreach
 - Diverse Partnerships

Each reviewer independently applied the Evaluation Criteria to their assigned Project Applications and arrived at an individual score for each project. Then all reviewers for a Project Application met to discuss the project's merits and derive a single, consensus-based score for each Project Application. The review of each Project Application was recorded in an evaluation summary memo that was made available to the MA SubCouncil and included the following: the consensus-based score for the project, the Review Teams' rationale for the final consensus-based score, individual scores provided by each reviewer, and the agency affiliation of each Review Team member assigned to the Project Application.

3.2.1 Evaluation Criteria Results

The Review Teams' consensus-based scores are summarized in Table 3. These scores were advisory to the MA SubCouncil. The MA SubCouncil identified the proposed Preferred Alternatives by considering the Review Team scores, public comment, independent analysis of the proposals, and the goals of Round 2 (e.g., implementing a suite of projects that address at least one of the two habitat restoration priority categories).

**Table 3: Review Team Consensus-Based Scores
(Rank-Order by Restoration Priority Category)**

Restoration Priority Category	Proposal Number	Title	Consensus Evaluation Score
Aquatic Biological Resources and Habitat	214	<i>Columbia Mill Dam Removal</i>	224
	212	<i>Sackett Brook Restoration Project</i>	204
	215	<i>Habitat Continuity Project</i>	181
	210	<i>Secum Brook: Habitat and Geomorphic Assessment and Habitat Implementation</i>	164
	208	<i>Upper Hathaway Brook Dam Removal Project</i>	153
	213	<i>Springside Pond Restoration Project</i>	117
Wildlife Resources and Habitat	207	<i>Installation of Gates Over Bat Hibernacula</i>	213
	204	<i>Invasive Species Control in the Housatonic River Watershed</i>	185
	206	<i>Pittsfield State Forest Skyline Restoration Project</i>	173
	203	<i>Bartholomew's Cobble Floodplain Forest Restoration and Habitat Improvement Project</i>	170
	201	<i>Sheffield Covered Bridge Park</i>	166
	209	<i>Proposal for Riparian Corridor Enhancement Along the Housatonic River</i>	160

4.0 PREFERRED ALTERNATIVES

Consistent with the nature and scope of the natural resource injuries in the Housatonic River watershed, the potential restoration actions are also diverse. The alternatives considered in this RP/SEA reflect a broad array of possible restoration approaches. The “No Action” (or “Natural Recovery”) alternative was evaluated in the PEA and was not identified as the preferred alternative (see the PEA for additional information). The PEA identified a “Blended Restoration Approach” (Alternative 6) as the preferred strategy to achieve compensatory restoration. The “Blended Restoration Approach” implements projects in all four restoration priority categories. However, the MA SubCouncil decided to focus restoration efforts on habitat restoration during Round 2. Therefore, this Final RP/SEA evaluates Project Applications addressing restoration of Aquatic Biological Resources and Habitat and Wildlife Resources and Habitat received through the Round 2 public solicitation. The Preferred Alternatives for Round 2 represent a blend of a subset of these Project Applications.

The results of Evaluation Criteria scoring were used by the MA SubCouncil to provide an initial ranking of Project Applications. The diversity and magnitude of potential benefits associated with particular Project Applications as well as the funding required for groups of Project Applications from the Habitat Restoration Priority Categories were then evaluated by the MA SubCouncil. The Preferred Alternatives presented in this Final RP/SEA incorporate a set of 5 Proposed Alternatives selected from the 15 proposed projects received in response to the Round 2 funding solicitation.

The PEA evaluated the environmental and socioeconomic impacts associated with aquatic restoration and wildlife restoration projects. A summary of impacts of the preferred alternatives is provided in Table 4. Additional details on environmental and socioeconomic impacts can be found in Part D of the Project Applications. The MA SubCouncil reserves the right to modify the scope of the Preferred Alternatives and associated funding amounts at the time that funding agreements are established.

4.1 AQUATIC BIOLOGICAL RESOURCES AND HABITAT

The MA SubCouncil will provide \$895,222 for two projects in the restoration priority category of Aquatic Biological Resources and Habitat. These projects will assess and restore habitat continuity within the focus area upstream of Woods Pond to facilitate fish and wildlife passage, restore 1.2 acres of riparian buffer, and secondarily provide educational programs to schoolchildren and the general public.

4.1.1 Restoration Project 215: Habitat Continuity Project

Applicant(s): Housatonic Valley Association (HVA), in partnership with the Berkshire Environmental Action Team (BEAT)

Location: 20 towns within the Housatonic River Watershed, Massachusetts

Requested NRD funding: \$498,394

Recommended NRD allocation: \$498,394

4.1.1.1 Summary of Proposed Action

Project Description

The HVA in partnership with the Berkshire Environmental Action Team (BEAT), with input and assistance from the Department of Natural Resources Conservation at the University of Massachusetts, the Massachusetts Division of Ecological Restoration (MADER; formerly Riverways Program), American Rivers, Trout Unlimited, and Foresight Land Services will assess culvert barriers inhibiting fish and wildlife passage within the project focus area.

After assessment of habitat continuity barriers within the region is completed the project team, using Conservation Assessment and Prioritization System (CAPS) software, will prioritize habitat continuity barriers caused by culverts and identify high-priority culverts in need of replacement. Up to three high-priority culverts will be replaced to allow safe and effective passing for fish and wildlife.

Timeframe

The Habitat Continuity project will occur over a period of 30 months. The anticipated schedule for the various components of the Habitat Continuity project is as follows:

- Culvert Location and Assessment – Years 1-2
- CAPS Modeling – Year 1
- Pre-Replacement Monitoring – Year 2
- Develop Best Management Practices for Culvert Implementation – Years 2-3
- Replacement of Priority Culverts – Years 2-3
- Post-Replacement Monitoring – Year 3

Monitoring Program and Performance Criteria

Note: The project states that a final monitoring plan has yet to be decided. Monitoring is not clearly described in the proposal and a final monitoring plan should be further developed.

The project proposes several potential functional parameters to be monitored, including community change following improvement of culverts, evidence of terrestrial animal movement through improved culverts, and changes to water quality below improved culverts. Structural parameters to be monitored include photo documentation of culverts, placement of culvert, and retention of culvert shape under stress. The Trustees suggest that guidelines presented in the Gulf of Maine Council on the Marine Environment's Stream Barrier Removal Monitoring Guide (Collins *et al.* 2007).

4.1.1.2 Project Evaluation

Environmental Impacts

Benefits to Resources: Replacement of improperly situated culverts acting as habitat continuity barriers will restore instream flow, provide beneficial impacts to surface water quality, improve connectivity to adjacent wetlands, increase abundance and diversity of aquatic species, and increase diversity and abundance of terrestrial wildlife species.

Adverse Impacts: This project may have several short-term negative impacts to environmental parameters. Culvert replacement may have significant short-term adverse impacts to surface water quality in the form of increased turbidity, erosion, and sediment release during the construction phase. However, through the regulatory permitting process, measures will be outlined to control turbidity during construction and methods will be employed to reduce the chance of sediment discharges into streams. Pre-construction activities will require adequate erosion control and minimization of sediment migration. Culvert replacement activities may influence the population and diversity of aquatic wildlife species during the construction period. These populations will be monitored during the pre-construction phase and efforts will be made during construction to allow for animal migration away from temporary impact areas. Aquatic and terrestrial plant species will be impacted due to riverbank disruption and some plants may not survive impacts from construction activities.

Permits will be required describing how impacts will be mitigated. Necessary permits may include MEPA Review by Secretary of EOEEA, state water quality certification, ACOE permits for sediment removal, Massachusetts Wetlands Protection Act (MWPA) Orders of Conditions, Massachusetts Historic Commission review, and Massachusetts Endangered Species Act (MESA).

Socioeconomic Impacts

Benefits to Community: River restoration is a priority for the community. This project will have a beneficial impact on the local sense of community and well-being. Restored continuity may allow native brook trout to breed naturally in streams and improve the quality of fishing. Culvert replacement sites may provide educational opportunities to educators wishing to use the sites as components of their environmental curriculum. Through the cooperative arrangement with the various organizations, this restoration project will be well publicized on websites maintained by HVA and BEAT, and provide opportunity for technology transfer to other communities who are considering culvert replacement projects. This project may provide a short-term commercial economic benefit through employment in the engineering and construction trades. Additionally positive benefits to recreational businesses and property values may result from this project.

Adverse Impacts: During construction, there will be minimal adverse impacts to the aesthetic quality and recreational use of the culvert replacement sites for a short period of time.

Nexus to Natural Resource/Service Injury and Restoration Benefits Gained

Aquatic and riparian wildlife and their habitats were lost or injured due to PCB contamination of the Housatonic River. This project will identify barriers to stream continuity and remove up to three of these barriers. Removal of improperly situated culverts will re-establish a natural sediment transport regime and improve general biological functions of the impaired streams.

Letters of Support

Letters of support were received with the proposal from the MADER, The Nature Conservancy, the Berkshire Regional Planning Commission, and State Senator Benjamin B. Downing. No negative comments were received.

Review Team

The Consensus Review Team score for this Project Application was above average within this category. Reviewers noted that the project incorporates a blend of research and implementation activities and reflects a diversity of contributing project partners and resources.

MA SubCouncil Requested Adjustments to Proposal

As a condition for funding, HVA will work with the MA SubCouncil to develop quantified performance goals for the monitoring program that will document, using measurable endpoints, the success of the continuity assessment and replacement of culverts. Culvert replacement should prioritize streams with the highest potential for aquatic habitat improvement for the greatest diversity of species and/or those species of highest conservation concern. The MA SubCouncil is specifically requesting a targeted focus on cold-water streams in the watershed, including an evaluation of Secum Brook, to benefit brook trout and other species. Funding is subject to approval by the MA SubCouncil of individual culverts proposed for replacement. The MA SubCouncil reserves the right to negotiate final terms of the agreement with the Applicant.

Considering the above and the merits of the proposal, the MA SubCouncil preliminarily approves funding this proposal with the revisions described above.

4.1.2 Restoration Project 212: Sackett Brook Restoration Project

Applicant(s): Massachusetts Audubon Society

Location: Pittsfield, Massachusetts

Requested NRD funding: \$396,828

Recommended NRD Allocation: \$396,828

Note: The Sackett Brook Restoration Project is currently being considered as a mitigation project for wetland impacts associated with a development project within the City of Pittsfield, MA. The Sackett Brook Restoration Project will be withdrawn from consideration for Round 2 NRD Restoration funding if it is alternatively accepted as a mitigation project. Additionally, MassDEP is investigating sediment chemistry in upstream sediments from the Sackett Brook dam, in anticipation of dam removal. Investigation results will further inform the Trustee's decision-making process regarding Sackett Brook as a viable restoration project for funding. Completion of MassDEP's investigation is expected in 2011. Trustee evaluation of the MassDEP investigation and ruling on NRD funding for the project is also expected to be completed in 2011.

4.1.2.1 Summary of Proposed Action

Project Description

Massachusetts Audubon Society (Mass Audubon), in partnership with the MADER, will restore a culturally-impacted section of Sackett Brook, an 8.5 mile tributary to the

Housatonic River. Objectives of the project include 1) removal of Gravesleigh Pond Dam, 2) removal of a deteriorated concrete access bridge downstream of the dam, 3) restoration of 1.2 acres of riparian forest corridor by converting hayfield to native floodplain forest community, and 4) provision of educational programs to school groups and the general public. Sackett Brook is considered a high-quality, sand and gravel-bottomed coldwater stream, but its natural flow is interrupted by a dam as the brook flows through hayfields at Canoe Meadows Wildlife Sanctuary. According to the MADER's Restoration Potential Model database, the Gravesleigh Pond Dam ranks in the top 5 percent of dams in the Commonwealth in terms of the benefit afforded by its removal.

Removal of the 37-foot long, poured concrete Gravesleigh Pond Dam, plus its concrete abutments, will open 8.5 miles of Sackett Brook upstream from the dam for fish and other organisms currently present in the Housatonic River. Restoration of 1.2 acres of forested riparian strips on the bank, in areas currently in use as hayfields, will eventually benefit the instream habitat's temperature and structure and reduce potential erosion.

Education programs targeted to school-age children will benefit approximately 1,040 students and offer field work experience to high school students and community service opportunities to the general public.

Timeframe

The Sackett Brook Restoration Project will occur over a three year period. The anticipated schedule for the various components of the Project is as follows:

- Conceptual Planning and Educational Programming – Spring/Summer of Year 1
- Final Engineering and Educational Programming – Winter of Year 1
- Permitting and Educational Programming – Spring of Year 2
- Dam/Bridge Removal, Riparian Restoration, and Educational Programming – Spring/Fall of Year 2
- Educational Programming – Winter of Year 2
- Completion of Riparian Restoration – Spring of Year 3
- Monitoring/Evaluation – Year 3

Monitoring Program and Performance Criteria

Note: The project states that a final monitoring plan has yet to be decided.

Mass Audubon will develop a monitoring and evaluation plan to document changes in structural and functional parameters due to stream restoration activities. This plan will follow the Gulf of Maine Council on the Marine Environment's Stream Barrier Removal Monitoring Guide (Collins *et al.* 2007). The final monitoring protocol will be based on the establishment of several monumented cross-sections along the reach of Sackett Brook near the restoration area. At each cross-section, several structural parameters will be measured, including the profile of the channel/impoundment and substrate grain size distribution. Photographs will be taken at fixed locations, and water quality parameters (including dissolved oxygen, conductivity, and temperature) will be measured. Vegetation structure and composition will also be monitored in fixed transects, and a

longitudinal profile will be created along the stream length. Additionally, to assess the function of the restoration, benthic macroinvertebrates will be sampled using standard procedures.

4.1.2.2 Project Evaluation

Environmental Impacts

Benefits to Resources: Removal of the dam and adjacent concrete access bridge will provide immediate, positive benefits with regard to instream flow by removing impediments to the natural flow of Sackett Brook, and a corresponding benefit to surface water quality through a decrease in water temperature over the long term. There will be a beneficial impact for sediment quality, as sediments that have built up behind the dam will be removed. Soil quality will be positively improved by planting the bank after removal of the two structures, reducing the potential for erosion. Groundwater quality will improve with restoration of the natural hydrology of the river and its associated groundwater, and wetlands quality and services will, over time, be restored to a more natural state that is unaffected by an artificial impoundment.

Adverse Impacts: Minimal adverse impacts associated with removal of the dam and concrete bridge may result in minimal short-term impacts to 1) air quality from diesel fumes from heavy machinery; 2) instream flow from rerouting the stream through a temporary bypass channel; 3) surface water quality from a temporary increase in turbidity; and 4) sediment quality from a temporary increase in suspended solids. Short-term minimal adverse impacts to wetlands quality and services may result when water levels are lowered and shallow, emergent marsh and shrublands upstream of the dam experience hydrology changes. It is anticipated that a lower water table will result in changes to wetland types and wetland communities will likely shift in relation to the change in hydrology.

Permits will be required describing how impacts will be mitigated. Necessary permits may include:

- Jurisdictional Determination Chapter 253 Permit Application for the Massachusetts Department of Conservation and Recreation Office of Dam Safety
- Project Notification Form (Chapter 254/MEPA/Section 106 Review) for the Massachusetts Historical Commission
- Notice of Intent pursuant to the MWPA for the Pittsfield Conservation Commission and MADEP
- Environmental Notification Form pursuant to MEPA for the EOEEA
- Conservation Plan pursuant to MESA for the Massachusetts Natural Heritage and Endangered Species Program (NHESP)
- 401 Water Quality Certificate for the MADEP
- Section 404 Review for the ACOE
- Chapter 91 Waterways License for the MADEP

Socioeconomic Impacts

Benefits to Community: River restoration is a priority for the state and community. This project will have a beneficial impact on aesthetics through the removal of the artificial

structures and consequent restoration of the river bank. Public health and safety may benefit by removing the deteriorated bridge structure. Programs planned for the public and schoolchildren will provide beneficial impacts on education. Minority and low income populations will benefit from planned programs that are provided at no charge for participation. Beneficial impacts to the local sense of community and well being are anticipated to result from educational programs highlighting the importance of the local watershed. Beneficial impacts on the short-term commercial economic impact of restoration are expected from hiring local firms to design and implement the Project and an increased awareness of the Canoe Meadows Wildlife Sanctuary may result in a beneficial impact on existing resource-based industries.

Adverse Impacts: Riparian restoration of 1.2 acres may have a minimal adverse effect on existing resource-based industry by removing this land from agricultural production.

Nexus to Natural Resource/Service Injury and Restoration Benefits Gained

Wildlife resources and habitat as well as recreational uses of natural resources were lost or injured due to degradation of the Housatonic River by PCB contamination from the GE Pittsfield facility. Dam removal will restore natural geomorphic processes, re-establish a natural sediment transport regime, and improve general biological functions of Sackett Brook which flows into the Housatonic River. Environmental education is not the major focus of this project and amounts to a minor percentage of the overall project funding. Since the education component complements the primary restoration aspects of the project, the MA SubCouncil is willing to fund the project, despite the focus of Round 2 on non-educational restoration projects.

Letters of Support

Letters of support from the MADER and the Massachusetts Division of Fisheries and Wildlife (DFW) were received with the Project Application.

Review Team

The Consensus Review Team score for this Project Application was the second highest in this category. Reviewers considered this project to potentially provide substantial socioeconomic benefit. The basis of the assigned score was positively influenced by the technical capacity of the applicant and project team, and the relationship of expected costs to expected benefits.

MA SubCouncil Requested Adjustments to Proposal

As a condition for funding, Mass Audubon will work with the MA SubCouncil to develop a final monitoring plan. The MA SubCouncil reserves the right to negotiate final terms of the agreement with the Applicant.

Considering the above and the merits of the proposal, the MA SubCouncil preliminarily approves funding this proposal with the revisions described above.

4.2 WILDLIFE RESOURCES AND HABITAT

The MA SubCouncil will provide a total of \$402,179 to three projects in the restoration priority category of Wildlife Resources and Habitat. These projects will protect wildlife resources, control invasive species on over 300 acres of land, and restore 10 acres of agricultural land to floodplain forest.

4.2.1 Restoration Project 207: Installation of Gates Over Bat Hibernacula

Applicant(s): Massachusetts Division of Fisheries and Wildlife (DFW)

Location: Chester, Rowe, and Sheffield, Massachusetts

Requested NRD funding: \$30,900

Recommended NRD allocation: \$30,900

4.2.1.1 Summary of Proposed Action

Project Description

The Project will install gates over mines and caves to protect hibernating bats from perturbation and provide a protected habitat for recovery from impacts caused by White-Nose Syndrome (WNS). Bats throughout the Northeast are experiencing catastrophic mortality due to WNS. In Massachusetts, WNS contributes to hibernacula mortality rates approaching 100 percent. Historically, six species of bats have wintered in caves/mines in Western Massachusetts: little brown bat (*Myotis lucifugus*), eastern pipistrelle (*Perimyotis subflavus*), big brown bat (*Eptesicus fuscus*), eastern small-footed bat (*Myotis leibii*), northern myotis (*Myotis septentrionalis*), and Indiana bat (*Myotis sodalis*). The DFW owns three of the major hibernacula in Massachusetts. Gates will be installed over these three sites and a fourth site on municipal property.

Although only 1 of the 4 sites is within the Housatonic Watershed, bats wintering in the other 3 sites likely forage in the Housatonic Watershed during the summer. In addition to impacts caused by WNS, hibernating bats are also susceptible to disturbance from human use. It has not yet been determined whether WNS may be spread between hibernacula by humans, but this is considered a potential mechanism for the spread of the disease.

Gates to be installed over hibernacula will control human access, but allow bats to enter and exit freely. Through a locking system on the gates entry to hibernacula will still be possible for researchers, biologists, and other permitted users. Protection of hibernacula will at a minimum result in reduced disturbance to hibernating bats and potentially provided protected space for future recovery of bat species.

Timeframe

This project will require approximately 1 year or less to implement. Gates will be designed during the first month after the contract is awarded. Installation of gates will occur during the first spring or fall after designs are complete. Signage to educate the public about the need for restricted areas will be installed during gate installation. Gates to access roads will be installed during the first dry weather after awarding the contract. Monitoring of bat populations will occur continually after gates are installed.

Monitoring Program and Performance Criteria

The success of the bat gates will be monitored through structural and functional parameters. Gates will be periodically monitored to assess their effectiveness at controlling access to the sites (structural parameter). Biologists from the USFWS and DFW, supported by non-NRDA funds, will monitor bat populations within the gated hibernacula (functional parameter) as part of a larger range-wide effort to track changes in bat populations. Long-term monitoring plans are being developed by various state and federal agencies. NRD funds will not be used for monitoring bat populations within gated hibernacula.

4.2.1.2 Project Evaluation

Environmental Impacts

Benefits to Resources: Four regional hibernacula will be protected by the installation of gates. Although gates may not reduce WNS impacts, they will remove the potential for human disturbance of these critical habitats and provide long-term recovery areas.

Adverse Impacts: None anticipated.

Permits are not anticipated for this project, but the project will be coordinated with the NHESP for any issues related to rare and endangered species.

Socioeconomic Impacts

Benefits to Community: Installation of gates over hibernacula will have a beneficial effect on public health and safety by removing potential hazards, including vertical drops and entrapment. Educational value will be provided through signage and outreach by raising awareness of issues affecting bats. Because bats prey on insects, recreation and recreational industries may benefit from a reduction of nuisance insect species.

Adverse Impacts: A minimal negative result to some forms of recreation may result from the exclusion of cavers and explorers, but these activities may be permitted by DFW at certain times of the year under certain conditions that may not be harmful to bats. Minimal adverse impacts on aesthetics may result from the presence of man-made barriers in natural settings.

Nexus to Natural Resource/Service Injury and Restoration Benefits Gained

Natural communities of the Housatonic River were lost or injured due to degradation by PCB contamination from the GE Pittsfield facility. Because bats in the Housatonic Watershed feed on many insects with an aquatic life stage, they are among the fauna that were likely harmed by the release of PCB contamination. Therefore, by protecting and enhancing the winter habitat of these animals, the project will contribute to the recovery of wildlife resources in the Housatonic Watershed.

Letters of Support

Due to the sensitivity of revealing hibernacula locations, the project Applicant did not solicit letters of support.

Review Team

The Consensus Review Team score for this Project Application was the highest within its category. There was a consensus among reviewers that this project may provide substantial net benefit from a relatively small capital investment. This project was also viewed to be relatively simple to implement with nearly all of the requested funding directed towards project implementation.

MA SubCouncil Requested Adjustments to Proposal

No adjustments to the submitted proposal were recommended by the Trustees. However, the MA SubCouncil reserves the right to negotiate the final terms of the agreement with the Applicant.

Considering the above and the merits of the proposal, the MA SubCouncil preliminarily approves funding this proposal with the revisions described above.

4.2.2 Restoration Project 204: Invasive Species Control in the Housatonic River Watershed

Applicant(s): Native Habitat Restoration

Location: Stockbridge and Sheffield, Massachusetts

Requested NRD funding: \$199,429

Recommended NRD allocation: \$199,429

4.2.2.1 Summary of Proposed Action

Project Description

Native Habitat Restoration will improve the condition of critical riparian buffers of the Housatonic River, floodplain forests, lowland forests habitats, and a calcareous lake basin fen through the control of invasive species. Invasive species cover will be reduced to less than 5 percent by the third year of the project on 266 acres of protected land in Stockbridge and Sheffield. In addition to 2 years of invasive species control, community education about the threat of invasive species will be provided through workshops and organized volunteer workdays. Any application of herbicide to control invasive species will be performed by professionals who are licensed pesticide applicators in the Commonwealth of Massachusetts. The project will partner with the Laurel Hill Association, the Sheffield Land Trust, the Norman Rockwell Museum, the Marian Fathers, and the Sedgwick Reserve to reduce invasive species dominance in high profile areas that support 29 rare and endangered plant and animal species.

Timeframe

Project implementation will occur over a three-year time period. The applicant proposed the following schedule which will require adjustment based on the revised NRD funding schedule:

- March – June Fiscal Year 1
Finalize invasive species management plans
Begin permitting
Perform baseline monitoring
Initiate pre-treatment cutting

- July – June Fiscal Year 2
 - Implement summer/fall treatment
 - Implement winter cutting and treatment
 - Remove cut vegetation
 - Conduct landowner workshops
 - Monitor first year treatment
 - Perform spring invasive treatment
- July – June Fiscal Year 3
 - Re-treat invasive species on all 5 sites
 - Remove cut vegetation
 - Monitor second year treatment
 - Conduct landowner workshops

Monitoring Program and Performance Criteria

Performance will be based on the reduction of invasive species cover within the project area (structural parameter). The goal is to reduce invasive species cover to less than 30 percent after the first year of treatment and to less than 5 percent after the second year of treatment. The applicant proposed monitoring light infiltration to the soil surface as a functional parameter of invasive species reduction. Because light availability may be reduced by regenerating native vegetation or influenced by ambient canopy conditions, the MA SubCouncil proposes an alternate functional parameter of monitoring percent native vegetation cover within delineated monitoring plots.

4.2.2.2 Project Evaluation

Environmental Impacts

Benefits to Resources: This project will benefit soil quality impacts by removing non-native species which negatively impact pH and nutrients in soil. Wetland quality and services will be improved by allowing native species regeneration. Plant community diversity will increase due to reduced invasive species competition, which is especially important in areas that have the potential to support rare and endangered species. Reduction of invasive species will also improve habitat value and thus contribute to the diversity and abundance of terrestrial wildlife species.

Adverse Impacts: No adverse impacts are anticipated.

Permits, including the filing of a Notice of Intent pursuant to the MWPA for local conservation commissions and MADEP, and a MESA Permit will be required for this project.

Socioeconomic Impacts

Benefits to Community: Invasive species removal from publicly accessible natural areas will enhance the local sense of community and well being. Public health and safety will be improved by reducing invasive species which may contribute to higher densities of Lyme disease bearing ticks. Aesthetics of areas frequently visited by the public will be improved by invasive species removal. The project will offer educational benefits by providing workshops and educational material to increase the community's awareness regarding the issue of invasive species and the importance of native habitats. Because all of the sites are publicly accessible, recreational activity will be benefited by restoring habitat, enhancing views, and offering improved native plant and wildlife viewing. Non-tribal cultural sites will benefit because visitors to the Norman Rockwell Museum will benefit by the enhancement of habitat along the Housatonic River. This project will benefit local partnerships by providing resources and project management and expertise to perform invasive species control on these sites.

Adverse Impacts: Minimal nuisance impacts may occur as a result of noise generated by equipment operation. The project will mitigate these impacts by cutting plant material between the hours of 9 am and 4 pm on weekdays.

Nexus to Natural Resource/Service Injury and Restoration Benefits Gained

Wildlife resources and habitat as well as recreational uses of natural resources were lost or injured due to degradation of the Housatonic River by PCB contamination from the GE Pittsfield facility. Invasive species removal will improve wildlife habitat and enhance recreational value of the Housatonic River. Environmental education is not the major focus of this project and amounts to a minor percentage of the overall project funding. Since the education component complements the primary restoration aspects of the project, the MA SubCouncil is willing to fund the project, despite the focus of Round 2 on non-educational restoration projects.

Letters of Support

Letters of support from the Sheffield Land Trust, the Norman Rockwell Museum, the Laurel Hill Association, and the Sedgwick Reserve were received with the Project Application.

Review Team

The Consensus Review Team score for this Project Application was the second-highest within its category. There was a consensus among reviewers that this project would provide substantial benefit and should be considered for funding. Reviewers commented that invasive species would be removed from several locations within the Housatonic watershed and several of the proposed invasive removal areas are in areas highly visible to the public with notable cultural and/or environmental resources.

MA SubCouncil Requested Adjustments to Proposal

As a condition for funding, Native Habitat Restoration will work with the MA SubCouncil to develop a monitoring program that includes appropriate and functional parameters to document native species-regeneration. Additionally, the MA SubCouncil

determined that approximately 2.4 acres of land proposed for invasive species control for this project is already scheduled for restoration under a Round 1 project. Native Habitat Restoration will identify 2.4 acres of land abutting the Sedgwick parcel; secure a letter of support from the property owner; and control invasive species on this property as proposed within the project application. The MA SubCouncil reserves the right to negotiate final terms of the agreement with the Applicant.

Considering the above and the merits of the proposal, the MA SubCouncil preliminarily approves funding this proposal with the revisions described above.

4.2.3 Restoration Project 203: Bartholomew's Cobble Floodplain Forest Restoration and Habitat Improvement Project

Applicant(s): Project Native and Trustees of Reservations

Location: Sheffield, Massachusetts

Requested NRD funding: \$285,410

Recommended NRD allocation: \$171,850

4.2.3.1 Summary of Proposed Action

Project Description

The Bartholomew's Cobble Floodplain Forest Restoration and Habitat Improvement Project will restore 10 acres of floodplain forest and control invasive species on an additional 75 acres of habitat adjacent to the Housatonic River in Sheffield, MA. Project Native, in partnership with the Trustees of Reservations will implement the restoration at Bartholomew's Cobble, which has been designated as a National Natural Landmark by the National Park Service. Any application of herbicide to control invasive species will be performed by professionals who are licensed pesticide applicators in the Commonwealth of Massachusetts. The Project will convert open field habitat back to its original habitat of floodplain forest which was historically present within the project area. The project area is also located within Massachusetts NHESP Habitat. In addition to the restoration, an educational kiosk describing the restoration project will be developed and installed near the floodplain forest restoration site.

Timeframe

Anticipated schedule for the following tasks:

- Year 1: Biological mapping of existing 10-acre floodplain forest.
Establish baseline of invasive and native species cover.
Develop floodplain forest restoration plan for 10-acre field.
Obtain necessary permits.
Invasive species control.
- Year 2: Continue invasive species control.
Prepare fields for restoration.
Monitor invasive and native species cover.
Develop and install educational kiosk.
- Year 3: Implement restoration plan of 10-acre field.
Continue invasive species control.
Monitor performance.

Monitoring Program and Performance Criteria

Structural parameters to be monitored include percent cover of invasive species within the project area and successful establishment of native trees within the 10-acre forest floodplain restoration area. Functional parameters to be monitored include percent cover of native vegetation following removal of invasive species and percent cover and composition of native vegetation following planting within 10-acre floodplain forest restoration area. Monitoring plots will be established randomly within restoration sites. Pre-treatment baseline data will be collected to determine percent cover of invasive and native species. The performance criteria to be evaluated include a reduction of invasive species cover to less than 5 percent within the project area. Also, the MA SubCouncil recommends using an 80 percent survivability performance standard for planted trees within the floodplain forest restoration area.

4.2.3.2 Project Evaluation

Environmental Impacts

Benefits to Resources: The removal of invasive, non-native species and restoration of floodplain forest will improve the quality of soil and groundwater and enhance the diversity of plant communities. The protection of native plant communities will preserve the habitats of local terrestrial wildlife species and enhance their ability to thrive in the Housatonic Valley. The project will help protect the diversity and abundance of more than 25 rare species and priority natural communities present at Bartholomew's Cobble.

Adverse Impacts: A subset of terrestrial wildlife may be adversely impacted as habitats are changed from existing fields to floodplain forest. Extensive field habitats will remain elsewhere on the reservation, ensuring that open habitat species will remain on the property. Short-term minimal adverse soil quality impacts may result from soil disturbance resulting from planting native species, however these impacts will be temporary and minor compared to agricultural practices currently implemented at the restoration site.

Permits, including the filing of a Notice of Intent and MESA Permit will be required for this project.

Socioeconomic Impacts

Benefits to Community: Removal of invasive species from the Bartholomew's Cobble area will benefit recreation activity and possibly benefit public health due to a reported positive correlation between Lyme disease and invasive species cover. Restoration of floodplain forest will benefit aesthetics by returning the area to a more natural condition. Removal of invasive species will improve the viewshed from the Ashley House, listed on the National Register of Historic Places, and the African American Heritage Trail, thus benefiting non-tribal cultural sites. The project will benefit local partnerships and collaborative efforts by providing opportunities for Project Native and the Trustees of Reservations to work together during the restoration of Bartholomew's Cobble. Significant investments in staffing and contraction services drawn from the local community will result in positive short-term commercial economic impacts.

Adverse Impacts: Some individuals may view the conversion of agricultural land to floodplain forest negatively, thus minimal adverse impacts to aesthetics may result from the restoration project. Because the proposed floodplain forest restoration site is currently devoted to hay production, minimal adverse impacts to existing resource-based industry may occur.

Nexus to Natural Resource/Service Injury and Restoration Benefits Gained

Natural communities of the Housatonic River were lost or injured due to degradation by PCB contamination from the GE Pittsfield facility. The proposed activities will restore degraded wildlife habitat in 85 acres of floodplain forest, control invasive species, and re-establish native plants along the Housatonic River.

Letters of Support

Letters of support were not received with the Project Application.

Review Team

The Consensus Review Team score for this Project Application was slightly below the mean value in this category. There was a consensus among reviewers that the resulting magnitude of ecological benefits would be substantial if the Project were successfully implemented.

MA SubCouncil Requested Adjustments to Proposal

The original scope of work for this project included: 1) restoration of degraded habitat at Bartholomew's Cobble resulting from sediment laden storm water runoff on Weatogue Road; 2) establishment of an educational native plant nursery and demonstration garden at the Bartholomew's Cobble Visitor's Center; 3) construction of a pond for irrigation purposes and propagation of wetland plant species at the Project Native facility in Great Barrington, MA; and 4) creation of a wetland seed bank at the Project Native facility. When the proposal application was submitted, Project Native anticipated that funds would be available from the Massachusetts Environmental Trust (MET) to construct appropriate storm water control structures on Weatogue Road and eliminate future sedimentation to Bartholomew's Cobble. Because funding for the repair of Weatogue Road was not awarded by the MET, the MA SubCouncil believes that any habitat restoration performed to remediate damage from stormwater runoff would likely be undone during future storm events and therefore proposes not to fund this activity. The remaining tasks, although potentially providing benefit, are not proposed for funding because they do not directly contribute to the restoration of the Bartholomew's Cobble property and provide no assurances that they will restore, replace, or acquire injured natural resources. Based on this reduction of the scope of work the MA SubCouncil proposes to award funding solely for the floodplain forest restoration, invasive species control, and installation of an educational kiosk on the Bartholomew's Cobble property.

Also, the MA SubCouncil recommends modifying the proposed monitoring program by adding a performance standard of 80 percent survivability for planted trees within the floodplain forest restoration area. The MA SubCouncil reserves the right to negotiate final terms of the agreement with the Applicant.

Considering the above and the merits of the proposal, the MA SubCouncil preliminarily approves funding this proposal with the revisions described above.

4.3 SUMMARY OF ENVIRONMENTAL AND SOCIOECONOMIC IMPACTS OF PREFERRED ALTERNATIVES

Table 4 presents a summary of impacts for the selected projects as determined by the MA SubCouncil.

Table 4: Project Impacts – Preferred Alternatives

Impact Category	Impact	Proposal Number				
		203	204	207	212	215
Environmental	Air quality	NE	NE	NE	MA	MA
	Instream flow	NE	NE	NE	MA,B	B
	Surface water quality	B	NE	NE	MA,B	B
	Sediment quality	B	NE	NE	MA,B	B
	Soil quality	B	B	NE	B	NE
	Groundwater quality	B	NE	NE	B	NE
	Wetlands quality and services	B	NE	NE	MA,B	B
	Diversity and abundance of aquatic species	B	B	NE	B	B
	Diversity and abundance of terrestrial wildlife species	B	B	B	B	B
	Diversity of plant communities	B	B	NE	B	NE
Social	Other: Diversity of rare species	-	B	B	-	-
	Impacts on minority or low income populations	NE	NE	NE	B	NE
	Impacts on local sense of community and well being	B	B	B	B	B
	Impacts on aesthetics	MA,B	B	MA	B	MA,B
	Impacts on public health or safety	B	B	B	B	B
	Impacts on recreational activity	B	B	MA,B	NE	MA,B
	Impacts to Native American Trust Resources	NE	NE	NE	NE	NE
	Impacts on non-Tribal cultural sites	B	B	NE	B	NE
	Impacts on education	B	B	B	B	B
	Impacts on local partnerships and collaborative efforts	B	B	B	B	B
Economic	Impacts on availability and quality of drinking water	NE	NE	NE	NE	NE
	Impact on subsistence activity	NE	NE	NE	NE	NE
	Nuisance impacts	NE	MA	B	NE	B
	Short-term commercial economic impact of restoration action	R	R	NE	B	R
	Impacts on property values	NE	B	NE	NE	B
	Impacts on recreational expenditures and related business	NE	B	B	B	B
	Impacts on existing resource-based industries	MA,B	NE	NE	MA	B
	Impacts on commercial water users	NE	NE	NE	NE	NE
	Impacts on river-based commercial navigation	NE	NE	NE	NE	NE
	Impact on wastewater dischargers	NE	NE	NE	NE	NE

Intensity Levels: “B” – Beneficial Impact; “NE” – No Effect; “MA” – Minimal Adverse Impact; “SA” – Significant Adverse Impact; “-” – No Response
 *203-Bartholomew’s Cobble, 204-Invasive Species Control, 207-Bat Gates, 212-Sackett Brook, 215-Habitat Continuity

4.4 SUMMARY OF CUMULATIVE ENVIRONMENTAL AND SOCIOECONOMIC IMPACTS OF PREFERRED ALTERNATIVES

The MA SubCouncil selected a variety of Preferred Restoration Alternatives to restore resources and/or services lost as a result of GE's release of PCBs and hazardous materials into the Housatonic River. To assess the cumulative impacts of these Alternatives, this section focuses on how restoration actions would combine with other factors, both positive and negative, to influence the environmental quality of the Housatonic River watershed. In the regulations implementing NEPA, the Council on Environmental Quality defines cumulative impacts as the "impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions" 40 CFR § 1508.7.

The cumulative environmental consequences are anticipated to be largely beneficial since the MA SubCouncil proposes to implement projects that would achieve recovery of injured natural resources. Aquatic restoration, land conservation, improved control of point and non-point pollution sources, and other efforts included in the Preferred Alternatives would help counteract other pre-existing factors negatively affecting water quality and wildlife habitat.

The Preferred Restoration Alternatives selected as part of this Final RP/SEA will complement and enhance pre-existing restoration initiatives on-going in the Housatonic River watershed. The discovery of PCB contamination as a result of GE activities has greatly heightened environmental awareness in the watershed. A variety of research and conservation efforts are complete or underway in the region and, if adequately funded through other sources, could continue to proceed independently of the Restoration Program that is addressed in this Final RP/SEA. Although it is difficult to identify such efforts exhaustively, the EOEEA's 5-Year Watershed Action Plan (EOEA 2003) highlighted the following initiative, among others, that has taken place as a result of heightened environmental awareness:

- The Housatonic River RP was developed based upon a collaborative process that included all conservation interests in the watershed (both public and private). Restoration under the Preferred Alternatives will complement these and other conservation and regulatory efforts to increase cumulative benefits for the watershed.

In addition, restoration efforts other than those described in this Final RP/SEA will continue to occur in the context of existing state and federal regulatory and conservation programs. Examples are described below. These efforts and the selected Preferred Alternatives will provide additive environmental benefits to the Housatonic River watershed.

- Wetland filling is regulated through permit programs operated by the ACOE (Sections 10 and 404). In accordance with “no net loss of wetlands” policies, activities causing impacts may require mitigation that includes restoration activities.
- A variety of federal programs provide for the conservation of natural resources; for instance, the Department of Agriculture’s Natural Resource Conservation Service (NRCS) Wetland Reserve Program pays farmers to retire marginally productive cropland for the benefit of wildlife habitat. Other federal habitat conservation programs include the NRCS Conservation Reserve Program, the NRCS Wildlife Habitat Incentive Program, and the USFWS Partners for Fish and Wildlife Program.
- Massachusetts implements wetland restoration and conservation programs with funds obtained from Section 104(b)(3) Wetlands Program Development Grants.
- USEPA administers grants under Section 319 of the CWA to fund state non-point source control efforts. The grants cover technical assistance, financial assistance, education, training, technology transfer, demonstration projects, and monitoring to assess success of specific projects.
- Massachusetts implements various programs with funds obtained from Section 106 CWA Water Pollution Control Program Grants.
- Numerous non-profit organizations (e.g., HVA and the Mass Audubon) purchase and manage land in the Housatonic watershed for recreation and open space conservation.

The Preferred Alternatives will also help to minimize negative environmental and socioeconomic forces discussed in Section 2.0 (Affected Environment). Most notably, restoration will likely enhance residents’ and visitors’ enjoyment of the natural environment, through general aesthetic improvement and creation of recreational opportunities. Commercial activity associated with increased recreation will help to partially offset job losses in traditional sectors such as manufacturing and farming. Affected industries will likely include hotels, restaurants, guide services, and retail. Additionally, the public’s understanding of health risks associated with environmental damage can be enhanced by public knowledge of and participation in restoration efforts. The MA SubCouncil will consider and strive to minimize negative cumulative impacts from projects implemented under the Restoration Program.

5.0 NON-SELECTED PROJECT APPLICATIONS

Seven Restoration Project Applications were not proposed for funding. These Project Applications were not selected based on the results of the Evaluation Criteria scoring as applied to each Project Application, the range of potential benefits associated with these projects relative to the proposed Preferred Alternatives, and funding constraints imposed by the Round 2 funding availability of \$1.0 million.

5.1 AQUATIC BIOLOGICAL RESOURCES AND HABITAT

5.1.1 Project Application 208: Upper Hathaway Brook Dam Removal Project

Applicant(s): The City of Pittsfield, Massachusetts

Location: Dalton, Massachusetts

Requested NRD funding: \$500,000

5.1.1.1 Summary of Proposed Action

The Applicant (City of Pittsfield) proposed to restore stream connectivity and aquatic biological resource habitat within Hathaway Brook by removing Upper Hathaway Dam located in Dalton, Massachusetts. The goals of the project were to restore connectivity of Hathaway Brook and allow migration of brook trout and other aquatic organisms from the Housatonic River to the upper reaches of the brook; restore natural flow patterns; reestablish natural sediment and nutrient transport; improve water quality; and enhance habitat value and long-term sustainable benefits for aquatic organisms.

The City of Pittsfield proposed to remove the upper dam wall, remove a portion of the impounded sediment; perform re-grading, and reestablish stream bed characteristics. The project was to occur in conjunction with the Lower Hathaway Dam removal project which is required by MADEP as a compensatory mitigation project for the repair of Ashley Lake Dam.

5.1.1.2 Project Evaluation

Environmental and Socioeconomic Impacts

Adverse environmental or socioeconomic impacts associated with the construction phase of the dam removal (e.g., surface water quality and aesthetics) were anticipated to be minimal and short-term. Additional details on environmental and socioeconomic impacts can be found in Part D of the Project Application.

Nexus to Natural Resource/Service Injury and Restoration Benefits Gained

As proposed, the Upper Hathaway Dam Removal project would restore stream continuity and benefit injured natural resources and services. However, the apparent cost-benefit ratio of this project is low based on 1) the project cost as supplied by the applicant, and 2) the relatively small upstream watershed.

Letters of Support

One Letter of support from the MADER was received with the Project Application.

Review Team

The Consensus Review Team score for this Project Application was second-lowest within its category. The basis for the assigned score was influenced by factors including limited detail provided in the budget and minimally described contingency actions should desired conditions not be achieved. Reviewers also noted that the cost-benefit ratio of this project appeared relatively low based on the project cost presented by the applicant and the relatively small upstream watershed.

Considering the above, the details of the proposal, and the limited NRD funding available, the MA SubCouncil recommends that NRD funds not be allocated for this project.

5.1.2 Project Application 210: Secum Brook: Habitat and Geomorphic Assessment and Habitat Implementation

Applicant(s): Inter-Fluve, Inc.

Location: Lanesborough and New Ashford, Massachusetts

Requested NRD funding: \$64,300

5.1.2.1 Summary of Proposed Action

The applicant (Inter-Fluve, Inc.) in partnership with Trout Unlimited proposed to describe factors contributing to the degradation of aquatic habitat or the impairment of fish passage on Secum Brook within the Towns of Lanesborough and New Ashford, MA. Phase 1 of the project was to perform geomorphic and habitat assessment and survey road crossings of Secum Brook to develop descriptions of potential restoration projects within the brook. Phase 2 of the project would have resulted in the installation of large woody debris habitat structures and replacement of undersized and perched culverts at road crossings. The applicant intended to develop a scope of work and budget for Phase 2 work (implementation) as a deliverable for Phase 1.

5.1.2.2 Project Evaluation

Environmental and Socioeconomic Impacts

No adverse environmental or socioeconomic impacts were anticipated to result from the proposed planning activities. However, the construction of restoration actions, assuming appropriate design/engineering and best management practices, could produce minimal adverse environmental and socioeconomic impacts primarily associated with short-term affects during construction. Additional details on environmental and socioeconomic impacts can be found in Part D of the Project Application.

Nexus to Natural Resource/Service Injury and Restoration Benefits Gained

Although the exact restoration projects to be implemented through the Project Application are yet to be determined, the envisioned types of projects would provide benefits to aquatic resources. However, the potential magnitude of the benefits cannot be quantified at this time.

Letters of Support

One letter of support from the MADER was received with the Project Application.

Review Team

The Consensus Review Team score for this Project Application was below average within its category. The basis for the assigned score was influenced by factors including cost and uncertainty of project implementation and associated potential benefits. Reviewers experienced difficulty in evaluating this proposal based on interpretation as only a habitat assessment proposal (Phase 1 only) or an assessment and implementation proposal (Phase 1 and Phase 2 combined). The final consensus score was based on evaluating Phase 1 and Phase 2 components combined, acknowledging that the proposal may have scored higher had the applicant written the proposal to include more detail relating to Phase 2.

Considering the above, the details of the proposal, and the limited NRD funding available, the MA SubCouncil recommends that NRD funds not be allocated for this project.

5.1.3 Project Application 213: Springside Pond Restoration Project

Applicant(s): The City of Pittsfield

Location: Pittsfield, Massachusetts

Requested NRD funding: \$605,000

5.1.3.1 Summary of Proposed Action

The applicant (City of Pittsfield) proposed a pond restoration at the Springside Park in Pittsfield, MA. The goal of the Springside Pond Restoration Project was to restore a 0.5-acre degraded urban pond to a natural functioning open water resource and provide improved recreational opportunity. Water levels in Springside Pond are not maintainable due to leakage at the man-made dam and spillway. A portion of the pond bottom has a concrete cap layer and much of the pond has been filled in with sediment. The Project proposed to dry-dredge sediment from the pond, repair the pond dam and retaining wall, implement best management practices to control erosion within the watershed and sedimentation of the pond, install benches around the pond, construct an open-air pavilion, and stock fish within the pond.

5.1.3.2 Project Evaluation

Environmental and Socioeconomic Impacts

Significant adverse environmental impacts were anticipated to wetlands quality and services from the permanent loss of bordering vegetated wetlands and to surface water quality impacts in the form of increased turbidity during construction. Other adverse environmental and socioeconomic impacts associated with the construction phase of the project (e.g., air quality and aesthetics) were anticipated to be minimal and short-term. Additional details on environmental and socioeconomic impacts can be found in Part D of the Project Application.

Nexus to Natural Resource/Service Injury and Restoration Benefits Gained

The proposed activities appeared to be related more to park rehabilitation than habitat restoration and the applicant did not provide a clear connection to injured resources. Additionally, the proposal did not adequately describe the preferred restoration alternative out of the possible approaches, provide sufficient detail in the budget narrative, or demonstrate that the natural recovery period would be advanced to any great extent.

Letters of Support

Letters of support from the Pittsfield Board of Park Commissioners, the Pittsfield Conservation Commission, State Senator Benjamin B. Downing, the Berkshire Regional Planning Commission, the Morningside Initiative Steering Committee, and members of the Herbert Arboretum, Inc. Board of Directors, were received with the Project Application.

Review Team

The Consensus Review Team score for this Project Application was the lowest within its category. The basis for the assigned score was influenced by factors including a perceived low magnitude of ecological benefits and low relationship of expected costs to expected benefits. There was a consensus among reviewers that the proposed project appeared to be more related to park rehabilitation than habitat restoration and the applicant should consider seeking other funding sources.

Considering the above, the details of the proposal, and the limited NRD funding available, the MA SubCouncil recommends that NRD funds not be allocated for this project.

5.2 WILDLIFE RESOURCES AND HABITAT

5.2.1 Project Application 201: Sheffield Covered Bridge Park

Applicant(s): Town of Sheffield, Massachusetts

Location: Sheffield, Massachusetts

Requested NRD funding: \$7,800

5.2.1.1 Summary of Proposed Action

The applicant (Town of Sheffield) proposed invasive species control and native species restoration on Town-owned property scheduled for development as a park for recreation, community events, educational sessions, and small boat access to the Housatonic River. The goal of the Sheffield Covered Bridge Park project was to remove approximately 2,400 square feet Japanese knotweed (*Polygonum cuspidatum*) within the project area and restore the area with native plants.

5.2.1.2 *Project Evaluation*

Environmental and Socioeconomic Impacts

No adverse environmental or socioeconomic impacts were anticipated to result from the proposed activities.

Nexus to Natural Resource/Service Injury and Restoration Benefits Gained

Removal of invasive species and native plant restoration would likely provide benefits to injured natural resources and services. During a MA SubCouncil visit to the proposed restoration site in August of 2009, it was observed that substantial progress had been made towards controlling Japanese knotweed at the site and the need for future project funding was not clear.

Letters of Support

No letters of support were received with the Project Application.

Review Team

The Consensus Review Team score for this Project Application was relatively low. The basis for the assigned score was influenced by factors including concern related to apparent discrepancies between the proposed methods of herbicide treatment of Japanese knotweed and those approved by the Conservation Commission (i.e., foliar spraying versus stem injection). Additionally, the cost of the native plantings appeared relatively high as compared to other restoration projects.

5.2.2 Project Application 206: Pittsfield State Forest Skyline Restoration Project

Applicant(s): Massachusetts Department of Conservation and Recreation (DCR)

Location: Pittsfield, Lanesborough, and Hancock, Massachusetts

Requested NRD funding: \$298,000

5.2.2.1 *Summary of Proposed Action*

The Applicant (DCR) proposed to perform restoration at six different locations along Skyline Trail in the Pittsfield State Forest. Current conditions within the proposed restoration areas include mud holes, blocked drainages, eroded trail segments, channelized trails, degraded wetland and stream crossings, braided trails, and degraded trail side terrestrial habitat due to off-road vehicle misuse. Sediments from the degraded areas presently enter headwater streams, increase turbidity, and generally degrade instream habitat conditions.

The Applicant proposed activities including two stream crossings, one wetland restoration, a trail re-route, and three erosion/mud hole restorations. Proposed restorations were intended to restore conditions along approximately 5,200 feet of the Skyline Trail. The Applicant proposed to partner with trail user groups including the Western Mass ATV Association, the New England Mountain Biking Association, and the Snowmobile Association of Massachusetts to improve stewardship of the trails and natural resources of Pittsfield State Forest.

5.2.2.2 *Project Evaluation*

Environmental and Socioeconomic Impacts

Adverse environmental or socioeconomic impacts associated with the construction phase of the proposed activities (e.g., surface water quality and recreational activity) were anticipated to be minimal and short-term. Additional details on environmental and socioeconomic impacts can be found in Part D of the Project Application.

Nexus to Natural Resource/Service Injury and Restoration Benefits Gained

Improved stream crossings, wetland restoration, and repair to storm water drainage systems would likely provide benefit to injured natural resources and services. However, the magnitude of such benefits is currently unknown and long-term maintenance of proposed restoration measures is not assured.

Letters of Support

Letters of support were not received with the Project Application.

Review Team

The Consensus Review Team score for this Project Application was below average within its category. The basis for the assigned score was influenced by factors including a lack of detail provided in the proposal related to existing resources affected and proposed restoration methods. In addition, there was concern among reviewers that current enforcement of Off Highway Vehicle (OHV) usage may not be adequate and there was little assurance that restoration efforts would not be undone in the future by OHV use.

Considering the above, the details of the proposal, and the limited NRD funding available, the MA SubCouncil recommends that NRD funds not be allocated for this project.

5.2.3 Project Application 209: Proposal for Riparian Corridor Enhancement along the Housatonic River

Applicant(s): ESS Group, Inc.

Location: Housatonic Watershed in Massachusetts

Requested NRD funding: \$274,710

5.2.3.1 Summary of Proposed Action

The Project Applicant (ESS Group, Inc.), in partnership with the HVA, proposed to restore and rehabilitate seven vegetated riparian buffers along the Housatonic River between Pittsfield and Sheffield, MA. Elements of the Project Application included: 1) stabilization and rehabilitation of eroded streambanks with conventional and biological engineering techniques; 2) removal of non-native invasive plant species and site preparation; 3) restoration of vegetated buffers with native plants; and 4) long-term monitoring of restoration work. Proposed restoration sites included Wahconah Park – Pittsfield, Lee Athletic Field – Lee, Housatonic River Walk – Great Barrington, Railroad Street Youth Project – Great Barrington, Appalachian Trail Crossing at Kellogg Road – Sheffield, Maple Avenue – Sheffield, and Rannapo Road – Sheffield in Massachusetts.

5.2.3.2 *Project Evaluation*

Environmental and Socioeconomic Impacts

No adverse environmental or socioeconomic impacts were anticipated to result from the proposed restoration activities. However, implementation of streambank stabilization, assuming appropriate design/engineering and best management practices, could produce minimal adverse environmental and socioeconomic impacts primarily associated with short-term effects during construction. Additional details on environmental and socioeconomic impacts can be found in Part D of the Project Application.

Nexus to Natural Resource/Service Injury and Restoration Benefits Gained

The proposed restoration activities would likely provide benefit to injured natural resources and services; however, the magnitude of ecological benefit cannot be quantified at this time because severity of bank erosion, cause of riverbank erosion, and coverage of invasive species at the sites were not documented. Additionally, it appears as though many of the proposed sites have some degree of protection from vegetated buffer strips but other areas not proposed for restoration have no riparian buffer at all.

Letters of Support

Letters of support from the City of Pittsfield, the Town of Great Barrington, the Great Barrington River Walk, and the Appalachian Trail Conservancy were received with the Project Application.

Review Team

The Consensus Review Team score for this Project Application was the lowest within its category. The basis for the assigned score was influenced by factors including a lack of detail in the budget and relatively high design costs in relation to project implementation. Reviewers also commented that additional detail regarding the site specific methods of restoration including, bio-stabilization techniques, invasive species control measures, and species and densities of restoration plantings would have improved the Project Application score.

Considering the above, the details of the proposal, and the limited NRD funding available, the MA SubCouncil recommends that NRD funds not be allocated for this project.

5.2.4 Project Application 214: Columbia Mill Dam Removal

Applicant(s): Housatonic Valley Association (HVA)

Location: Lee, Massachusetts

Requested NRD funding: \$250,000

5.2.4.1 *Summary of Proposed Action*

The Project Applicant (HVA), in partnership with the MADER, American Rivers, and Schweitzer-Mauduit International, Inc., proposed to remove the Columbia Mill Dam in Lee, Massachusetts to facilitate fish passage, enhance navigability, improve water quality, protect public safety, and provide continuity of habitat for a range of aquatic species. This dam is on the mainstem of the Housatonic River and within the GE/PCB

Housatonic River, Rest of River (ROR) Resource Conservation and Recovery Act (RCRA) remedial area, as defined by USEPA Region 1. USEPA Region 1 investigations have documented elevated levels of PCBs in the impoundment sediments upstream of the Columbia Mill dam. Currently, USEPA has not determined ROR remedial actions for disposition of those elevated PCB-laden sediments. NRD funding was requested for project management, preliminary and final design, sediment sampling, permitting, and a portion of the sediment removal. The partner Schweitzer-Mauduit agreed to contribute \$400,000 to assist with the dam removal. The total project cost, including sediment disposal, was estimated at \$1,798,000.

5.2.4.2 Project Evaluation

Environmental and Socioeconomic Impacts

Adverse environmental and socioeconomic impacts associated with the dam removal were anticipated to be short-term. Dam removal may increase potential for release of pollutants to ambient air from dust associated with the dam removal construction activities. There may also be significant short-term and long-term adverse impacts to surface water and sediment quality associated with suspension and migration of PCB-contaminated sediment.

Nexus to Natural Resource/Service Injury and Restoration Benefits Gained

Dam removal would restore natural geomorphic processes, re-establish a natural sediment transport regime, and improve general biological functions of the Housatonic River. However, a decision regarding the ROR cleanup has not been reached at this time. Although the MA SubCouncil considers the Columbia Mill Dam Removal a project that could provide noteworthy restoration to the Upper Housatonic River, the proposed project site is located within an area that is potentially subject to future remedial action and as such would necessitate significant coordination with the USEPA Region 1 and MADEP, and require assurances of consistency with the regulatory decisions regarding the ROR.

Letters of Support

Letters of support from Schweitzer-Mauduit International, Inc., American Rivers, and the MADER were received with the Project Application.

Review Team

The Consensus Review Team score for this Project Application was the highest of all proposals received. Reviewers acknowledged that this project, if funded, would present a substantial challenge to the Applicant and require considerable collaboration with the USEPA Region 1 and other entities. Reviewers were also concerned that because over \$1 million of additional funding would be necessary to complete the dam removal, completion of the project is uncertain at this time.

Considering the above, the details of the proposal, and the limited NRD funding available, the MA SubCouncil recommends that NRD funds not be allocated for this project.

5.3 SUMMARY OF ENVIRONMENTAL AND SOCIOECONOMIC IMPACTS OF NON-SELECTED PROJECT APPLICATIONS

Table 5 presents a summary of impacts for the non-selected Project Applications as determined by the MA SubCouncil.

Table 5: Project Impacts – Non-Selected Project Applications

Impact Category	Impact	Proposal Number							
		201	206	208	209	210	213	214	
Environmental	Air quality	NE	NE	MA	NE	NE	MA	MA	MA
	Instream flow	NE	B	MA,B	B	B	MA,B	MA,B	SA,B
	Surface water quality	NE	MA,B	MA,B	B	B	SA,B	SA,B	SA,B
	Sediment quality	NE	MA,B	B	B	NE	B	B	SA,B
	Soil quality	B	B	MA,B	NE	NE	MA,B	MA,B	SA,B
	Groundwater quality	NE	NE	NE	B	NE	MA,B	MA,B	B
	Wetlands quality and services	B	B	NE	B	B	SA,B	SA,B	B
	Diversity and abundance of aquatic species	B	B	B	B	B	MA,B	MA,B	B
	Diversity and abundance of terrestrial wildlife species	B	NE	B	B	NE	MA,B	MA,B	B
	Diversity of plant communities	B	B	B	B	B	MA	MA	B
Social	Other: amphibian habitat	-	B	-	-	-	-	-	-
	Impacts on minority or low income populations	B	NE	NE	NE	NE	NE	NE	NE
	Impacts on local sense of community and well being	B	NE	NE	B	B	B	B	B
	Impacts on aesthetics	B	B	MA,B	B	B	MA,B	MA,B	MA,B
	Impacts on public health or safety	B	B	B	B	B	B	B	B
	Impacts on recreational activity	B	MA,B	B	B	B	MA,B	MA,B	MA,B
	Impacts to Native American Trust Resources	NE	NE	NE	NE	NE	NE	NE	NE
	Impacts on non-Tribal cultural sites	NE	NE	NE	NE	NE	NE	NE	NE
	Impacts on education	B	B	B	B	B	B	B	B
	Impacts on local partnerships and collaborative efforts	B	B	B	B	B	B	B	B
Economic	Impacts on availability and quality of drinking water	NE	NE	NE	NE	NE	NE	NE	NE
	Impact on subsistence activity	NE	NE	NE	NE	NE	NE	NE	NE
	Nuisance impacts	NE	B	NE	B	B	B	B	B
	Short-term commercial economic impact of restoration action	NE	B	B	B	B	B	B	B
	Impacts on property values	B	NE	NE	B	B	B	B	B
	Impacts on recreational expenditures and related business	B	B	B	B	B	B	B	B
	Impacts on existing resource-based industries	NE	NE	NE	NE	B	NE	NE	NE
	Impacts on commercial water users	NE	NE	NE	NE	NE	NE	NE	NE
	Impacts on river-based commercial navigation	NE	NE	NE	NE	NE	NE	NE	NE
	Impact on wastewater dischargers	NE	NE	NE	NE	NE	NE	NE	NE

Intensity Levels: “B” – Beneficial Impact; “NE” – No Effect; “MA” – Minimal Adverse Impact; “SA” – Significant Adverse Impact; “-” – No Response
 *201-Sheffield Covered Bridge, 206-Pitsfield State Forest, 208-Upper Hathaway Brook, 209-Riparian Corridor Enhancement, 210-Secum Brook, 213-Springside Pond, 214-Columbia Mill

6.0 COMPLIANCE WITH OTHER AUTHORITIES

As discussed in Section 1.1, the two major federal laws guiding the restoration of the GE/Housatonic River Site are CERCLA and NEPA. CERCLA provides the basic framework for natural resource damage assessment and restoration (NRDAR), while NEPA sets forth a specific process of impact analysis and public review. The major state law governing the MA SubCouncil's NRD activities is M.G.L. ch. 21E, and for evaluating environmental impacts is MEPA. However, in developing and implementing the RP/SEA for the GE/Housatonic River Site, the MA SubCouncil must comply with other applicable laws, regulations, and policies at the federal, state and local levels. Section 6.1 below lists these potentially relevant laws and policies and discusses their applicability with respect to the restoration of the GE/Housatonic River Site.

In addition to laws and regulations, the MA SubCouncil must consider relevant environmental or economic programs or plans in developing and implementing the RP/SEA. The most important of these is the site cleanup, but other efforts are ongoing or planned in or near the affected environment. By coordinating restoration with all relevant programs and plans, the MA SubCouncil can ensure that the restoration does not duplicate other efforts, but enhances the overall effort to improve the environment of the Housatonic River.

The following list of laws, policies, and directives may not be exhaustive for each Preferred Alternative. By sponsoring the Preferred Alternatives, the MA SubCouncil has a responsibility to ensure that activities using NRD funds comply with all relevant laws, policies, and directives. As described in Paragraph 3.6 of the RPSP, however, Project Applicants receiving NRD funding will be responsible for obtaining all relevant permits and formally complying with any and all laws, policies, ordinances, or other local, Commonwealth, and federal requirements applicable to the expenditure of the NRD funding. While the Round 2 NRD funding will be disbursed by the Commonwealth of Massachusetts, thereby automatically mandating compliance with certain Commonwealth requirements, Project Applicants receiving NRD funding may also be responsible for compliance with certain federal requirements applicable to the expenditure of the NRD funding.

6.1 LAWS

6.1.1 Federal Laws

Clean Water Act (CWA) (a.k.a., Federal Water Pollution Control Act), 33 USC §1251 et seq.

The CWA is the principle law governing pollution control and water quality of the Nation's waterways. Section 404 of the law authorizes a permit program for the disposal of dredged or fill material in the Nation's waters, administered by the ACOE. In general, restoration projects which move significant amounts of material into or out of waters or wetlands—for example, dam removal—require 404 permits. It is probable that some of

the Housatonic River restoration projects in Massachusetts will require such permits. In such cases, the project proponent—for example, a municipality or local natural resources trust—must obtain the appropriate permits before implementing the regulated activities. In granting permits to applicants for dredge and fill, applicants may be required to undertake mitigation measures such as habitat restoration to compensate for losses resulting from the project.

Under Section 401 of the CWA, restoration projects that entail discharge or fill to wetlands or waters within federal jurisdiction must obtain certification of compliance with state water quality standards. The MADEP implements the 401 Water Quality Certification Program through 314 CMR 9.00. In general, restoration projects with minor wetlands impacts (i.e., a project covered by an ACOE Programmatic General Permit) are not required to obtain 401 Certification, while projects with potentially large or cumulative impacts to critical areas require certification.

Endangered Species Act (ESA), 16 USC §1531 et seq.

The ESA establishes a policy that all federal departments and agencies seek to conserve endangered and threatened species and their habitats, and encourages such agencies to utilize their authorities to further these purposes. Under the Act, the Departments of Commerce and/or Interior publish lists of endangered and threatened species. Section 7 of the Act requires that federal agencies and departments consult with the Departments of Commerce and/or Interior to minimize the effects of federal actions on endangered and threatened species.

The bog turtle (*Clemmys muhlenbergii*) is listed under the ESA as threatened species and exists in the Massachusetts section of the Housatonic River watershed.

The MA SubCouncil has preliminarily determined that the Preferred Alternatives would not have any adverse effects upon threatened or endangered species, as determined from information presented in the Project Applications. The Applicants may be required to consult with the USFWS's Endangered Species Program before implementing restoration projects.

Fish and Wildlife Coordination Act (FWCA), 16 USC §661 et seq.

The FWCA requires that federal agencies consult with the USFWS, the National Marine Fisheries Service, and state wildlife agencies for activities that affect, control, or modify waters of any stream or bodies of water, in order to minimize the adverse impacts of such actions on fish and wildlife resources and habitat. The federal agencies required to consult include permitting agencies such as the ACOE. This consultation is generally incorporated into the process of complying with Section 404 (see CWA, above), NEPA or other federal permit, license, or review requirements.

Rivers and Harbors Act, 33 USC §401 et seq.

The Rivers and Harbors Act regulates development and use of the Nation's navigable waterways. Section 10 of the Act prohibits unauthorized obstruction or alteration of navigable waters and invests the ACOE with authority to regulate discharges of fill and

other materials into such waters. Restoration actions that require Section 404 permits (see CWA, above) are likely to also require permits under Section 10 of the Rivers and Harbors Act, but a single permit generally serves for both; therefore, the MA SubCouncil can ensure compliance with the Rivers and Harbors Act through the same mechanisms.

American Indian Religious Freedom Act of 1978 (42 U.S.C. 1996)

Under this statute, information on American Indian, Eskimo, Aleut, and Native Hawaiian religious and heritage issues must receive good-faith consideration during restoration planning and decision making. The MA SubCouncil has determined that there are no federally-recognized Native American Tribal Nations in the Massachusetts portion of the Housatonic River watershed.

Native American Graves Protection and Repatriation Act of 1990 (25 U.S.C. 3001-3013)

This law protects Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony on federally owned or controlled lands, Indian tribal lands, and Native Hawaiian land. The Preferred Alternatives will not occur on lands that are owned or will be owned by the federal government or federally-recognized Indian tribes.

Antiquities Act (16 U.S.C. 431-433) and Archaeological Resources Protection Act (ARPA), as amended (16 U.S.C. 470aa-470 mm)

The Antiquities Act was enacted in 1906 to protect historic and prehistoric ruins, monuments, and objects of antiquity on federally owned or controlled lands. The ARPA protects resources that are determined to be of archaeological interest, at least 100 years old, and located on lands owned by the federal or tribal governments. The Preferred Alternatives do not involve land that is or will be owned by the federal or tribal governments.

National Historic Preservation Act of 1966 (16 U.S.C. 470)

Section 106 of this statute requires that federal agencies consider the effects of their actions on sites listed or eligible for listing on the National Register of Historic Places. If federal actions will impact such sites, the federal agency must consult with the state and local Historic Preservation Officers. Identification of such sites has not yet been performed for the Preferred Alternatives. The MA SubCouncil will ensure that potentially affected historic sites are identified and appropriately treated and may request the Applicant to consult with state and local Historic Preservation Officers.

Bald and Golden Eagle Protection Act of 1940, as amended (16 U.S.C. 668-668d)

This law prohibits the killing, capturing, collecting, molestation, or disturbance of bald and golden eagles, their nests, and critical habitat. The Preferred Alternatives are not anticipated to adversely affect bald and golden eagles, their nests, or critical habitat. For the Preferred Alternatives that may affect these natural resources, consultation under the ESA will be necessary and will ensure that adverse impacts are avoided.

Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C. 703-712 et seq.)

Under this law, it is unlawful to kill, import, export, possess, buy, or sell any bird listed under the MBTA or its feathers, body parts, nests, and eggs. The Preferred Alternatives are not anticipated to cause these illegal activities.

Federal Advisory Committee Act (FACA) of 1972 (86 Stat. 770, 5 U.S.C. Appendix 2)

The FACA applies to a formal group of private citizens brought together at the request of a federal agency to provide consensus advice or recommendations to the federal agency. Such a "FACA Committee" is required to be chartered with Congress. The USFWS is the federal Trustee agency on the MA SubCouncil and did not request consensus advice from any group of private citizens.

6.1.2 State Laws**Massachusetts Endangered Species Act (MESA), MGL Ch. 131A**

MESA works in much the same way as the federal ESA (Section 6.1.1, above) to list and protect rare species and their habitats. Like the federal ESA, MESA defines specific species as "endangered" or "threatened" and considers a third category as well: "species of special concern." MESA protects more species than the ESA; listed species include federally-protected species as well as others of specific concern to Massachusetts. MESA is administered by the Massachusetts NHESP, which identifies rare species habitats and other high-priority natural areas. Compliance of the proposed restoration with MESA overlaps ESA compliance. Before implementing restoration projects, the Applicants will consult with NHESP to ensure that no aspects of the proposed activities would have a negative effect on species designated as endangered, threatened, or of special concern by the Commonwealth of Massachusetts.

Massachusetts Environmental Policy Act (MEPA), MGL Ch. 30 §61 et seq.

MEPA is the state equivalent of NEPA (Section 6.1.1, above). MEPA sets forth a process of environmental review and requires Commonwealth agencies to consider and minimize adverse environmental impacts of State actions on the environment. Like NEPA, MEPA requires public notification and comment before decisions are finalized. The document used to assess impacts is the Environmental Impact Report (EIR), which must be approved by the MEPA office within the EOEEA before major State actions can proceed. The law applies to projects directly undertaken by State agencies as well as private projects seeking permits, funds, or lands from the State, but does not apply to private projects requiring local approval only. MEPA review is expressly required for projects that dredge, fill or alter more than one acre of wetlands.

Both NEPA and MEPA encourage consolidation of the two processes where possible to avoid duplication of effort. Therefore, this RP/SEA is also an EIR, conforming to the notice, comment, timing, content, and other relevant provisions of MEPA. Likewise, future restoration actions that require additional NEPA documentation will, where appropriate, incorporate MEPA process into restoration decision-making. Since MEPA is somewhat more inclusive than NEPA, some restoration actions which do not require

NEPA review may require review under MEPA; in such cases, separate MEPA review will be undertaken by the MA SubCouncil.

Public Waterfront Act ("Chapter 91"), MGL Ch. 91

Chapter 91 is designed to protect public rights in Massachusetts waterways, not unlike the federal Rivers and Harbors Act, above, which it predates. It ensures that public rights to fish, fowl, and navigation are not unreasonably restricted and that unsafe or hazardous structures are repaired or removed. Chapter 91 also protects the waterfront property owner's ability to approach his land from the water, and helps protect wetland resource areas by requiring compliance with the MWPA. It is administered by MADEP's Division of Wetlands and Waterways through a program of permits and licenses. Chapter 91 authorization is required for alterations of tidelands, great ponds, and some rivers and streams, as well as for dredging and construction of piers, wharves, floats, retaining walls, revetments, pilings, bridges, dams and some waterfront buildings. The Act requires public, municipal and agency notification before a project is authorized, and provides for public hearings, review by affected parties, and the imposition of conditions before authorization is granted. Certain Chapter 91 projects also require MEPA review (see above). In order to maintain RP compliance with Chapter 91, the recipients of grant funding from the MA SubCouncil will seek the approval of the Division of Wetlands and Waterways before implementing restoration actions that fall within the law's scope and will ensure that the law's notification provisions are met where required.

Rivers Protection Act, St. 1996, C. 258

The Rivers Protection Act, passed in 1996, modifies the MWPA (see below) to strengthen and expand existing protection of watercourses and the lands adjacent to them. The Act establishes a "riverfront area" that extends 200 ft (25 ft in certain urban areas) from the mean annual high water line on each side of perennially flowing rivers and streams. Details regarding Riverfront Area may be found in 310 CMR 10.58. The Act requires projects in the riverfront area to meet two performance standards: no practicable alternatives, and no significant adverse effect. The local conservation commission or the state Department of Environmental Protection reviews projects to ensure that the riverfront area is protected for the eight interests in the MWPA. Compliance with the Rivers Protection Act will be maintained through compliance with the MWPA (see below).

Wetlands Protection Act, MGL Ch. 131 §40

The MWPA restricts the removal, filling, dredging or alteration of fresh and salt water wetlands and coastal areas. Permit authority for the administration of the law is delegated to local conservation commissions with oversight and involvement of the MADEP. The Act requires landowners who plan work in a wetland to notify these entities as well as abutters and other nearby landowners, and provides for public hearings and the imposition of conditions before permission is granted. More direct State involvement is required where wetlands greater than 5000 square feet are affected. In order to maintain RP compliance with the MWPA, recipients of grant funding from the MA SubCouncil will seek the approval of the local conservation commission and/or other appropriate authorities before implementing restoration actions that fall within the law's

scope, and will ensure that nearby landowners and other affected parties are notified, as appropriate, of planned restoration actions.

Other Potentially Applicable State Laws

Massachusetts 401 Water Quality Certification Program, 314 CMR 9.00 (discussed under CWA, above).

6.1.3 Local Laws

As appropriate, restoration actions will consider and comply with local zoning ordinances, comprehensive plans, shoreline plans, growth management plans, construction grading or fill permits, noise permits, wetlands bylaws and permits, and other relevant laws, regulations, bylaws, and ordinances.

6.2 POLICIES AND DIRECTIVES

6.2.1 Federal Policies and Directives

The following describes federal policies and Presidential Executive Orders that are relevant to the Preferred Alternatives.

U.S. Fish and Wildlife Service Mitigation Policy (Fish and Wildlife Service Manual, 501 FW 2)

It is the policy of the USFWS to seek to mitigate losses of fish, wildlife, and their habitats, and uses thereof, from land and water developments. This policy seeks to ensure “no net loss” of fish and wildlife habitat. The MA SubCouncil does not anticipate that the Preferred Alternatives will cause adverse impacts to wetlands, but if impacts may occur, this policy may apply.

Executive Order 11988 – Floodplain Management

This 1977 Executive Order directs federal agencies to avoid, to the extent possible, the long-term and short-term adverse effects associated with the occupancy and modification of floodplains and to avoid direct or indirect support of development in floodplains wherever there is a practicable alternative. The Preferred Alternatives are consistent with this directive in that no development is being endorsed in floodplains other than low-impact recreational amenities that cannot be constructed elsewhere and still achieve the recreational goals of the project. For example, canoe ramps, by nature, must be constructed at the water’s edge. Best management practices and environmentally-responsible engineering/design will minimize any short-term impacts. In addition, some of the Preferred Alternatives will conserve, protect, and enhance the wildlife habitat values in floodplain areas of the Housatonic River through the establishment of conservation restrictions that will prevent future development and the implementation of habitat restoration activities.

Executive Order 11990 – Protection of Wetlands

Issued by President Jimmy Carter in 1977, Executive Order 11990 instructs each federal agency to avoid, to the extent possible, the long-term and short-term adverse effects associated with the destruction or modification of wetlands. It is not anticipated that any

of the Preferred Alternatives will adversely affect wetlands. However, projects that will affect wetlands will need appropriate regulatory permits before construction can begin. Along with these regulatory processes, the MA SubCouncil will work with the Applicants to ensure that wetland impacts are avoided and/or minimized.

Executive Order 12898 – Environmental Justice

This Order directs federal agencies to assess whether their actions have disproportionately adverse human health or environmental effects on minority or low-income populations. None of the Round 2 Preferred Alternatives are proposed for implementation within Environmental Justice Communities.

Executive Order 13186 – Migratory Bird Protection

This Order directs federal agencies to avoid or minimize, to the extent possible, adverse impacts on migratory birds while conducting agency actions. None of the Preferred Alternatives are expected to cause adverse impacts to migratory birds, other than temporary disturbances during some construction activities. Rather, the Preferred Alternatives under the Wildlife Resources and Habitat restoration priority category will protect and enhance migratory bird habitat.

6.2.2 State and Local Policies

As appropriate, restoration actions will consider and comply with other relevant policies at the state and local levels, e.g. the MADEP Stormwater Discharge Policy.

7.0 LIST OF PREPARERS

Todd Chadwell Stantec Consulting 30 Park Drive Topsham, ME 04086	Michael Chelminski Stantec Consulting 30 Park Drive Topsham, ME 04086
Kenneth Munney U.S. Fish and Wildlife Service 70 Commercial Street, Suite 300 Concord, NH 03301-5087	Karen I. Pelto Massachusetts Department of Environmental Protection One Winter Street, 6 th Floor Boston, MA 02108

8.0 LIST OF AGENCIES, ORGANIZATIONS, AND PARTIES CONSULTED FOR INFORMATION

Mark Barash, Office of the Solicitor, US Department of the Interior

Robin Heubel, NRDAR Coordinator, Northeast Regional Office, US Fish and Wildlife Service

Lealdon Langley, Director, Wetlands and Waterways Program, Bureau of Resource Protection, Massachusetts Department of Environmental Protection

9.0 PUBLIC COMMENTS RECEIVED WITH PROJECT APPLICATIONS

SHEFFIELD WHINNIES 4-H CLUB
C/O Mary Brazie, Leader
172 Egremont Plain Road
North Egremont MA 01230
413-528-2367

April 13, 2009

Massachusetts SubCouncil
Housatonic River RFR
c/o Stantec Consulting
30 Park Drive
Topsham MEW 04086-1737

Dear Massachusetts SubCouncil Members:

Please accept this Letter of Commitment for volunteer participation in the proposed project "Horsekeeping Best Management Practices for Water Quality Protection and Restoration" led by Diane Mas of the Department of Civil and Environmental Engineering at the University of Massachusetts Amherst.

The Sheffield Whinnies 4-H Club is the only 4-H horse club in Berkshire County. The club currently has 16 members that participate in a variety of education and public service events including Horse Bowl, Hippology, Horse Judging. The Massachusetts 4-H program is well known for its emphasis on equine science and agriculture. The horse program is the project with the largest in 4-H membership in our state and is also the most popular program nationally. Through their work in 4-H many members are learning important life skills that extend beyond their years in 4-H.

Our role in collaborating on the proposed project consists of providing a location for a public environmental education event, publicizing the event through our members, and providing feedback on the environmental educational materials most useful and relevant to horse owners, especially the "backyard" horse owners that constitute the major of the 4-H families. The project will also provide young people living in the Housatonic River watershed the opportunity to gain knowledge about the natural resources in their local area and how their actions directly affect the quality of the environment.

Thank you for your consideration of this project. Please feel free to contact me if you have questions about participation by the Sheffield Whinnies 4-H Club.

Sincerely,


Mary Brazie,
Leader

April 2, 2009

Massachusetts SubCouncil
Housatonic River RFR
c/o Stantec Consulting
30 Park Dr.
Topsham, ME 04086-1737

Dear Massachusetts SubCouncil Members:

Please accept this Letter of Commitment for volunteer participation in the proposed project "Horsekeeping Best Management Practices for Water Quality Protection and Restoration" led by Dr. Diane Mas of the Department of Civil and Environmental Engineering at the University of Massachusetts Amherst.

Colonial Carriage and Driving Society, based in Berkshire County, was founded for the purpose of developing and furthering the art of driving for pleasure and to offer instruction and information on all aspects of carriage driving, including horse management. We currently have 100 members from Western Massachusetts and Eastern New York. We hold a variety of events throughout the year including Sleigh Rallies, Pleasure Shows, Tub Parades, Pleasure Drives, Fun Driving Days, Traditional Driving Days and Driving Clinics that are attended by horse owners and equine enthusiasts from Berkshire County and beyond.

Our role in collaborating on the proposed project consists of providing a location for a public environmental education event, publicizing the event through our newsletter and website to reach horse owners in the Housatonic River watershed, and providing feedback on the on the environmental educational materials most useful and relevant to horse owners.

Thank you for your consideration. Please feel free to contact me if you have questions about Colonial Carriage and Driving Society's role in this project.

Sincerely,

Harvey Waller

Colonial Carriage & Driving Society, President

Massachusetts SubCouncil
Housatonic River RFR
c/o Stantec Consulting
30 Park Dr.
Topsham, ME 04086-1737

Dear Massachusetts SubCouncil Members:

Please accept this Letter of Commitment for volunteer participation in the proposed project "Horse-keeping: Best Management Practices for Water Quality Protection and Restoration" led by Dr. Diane Mas of the Department of Civil and Environmental Engineering at the University of Massachusetts Amherst.

Holiday Brook Farm is located in Dalton, along the headwaters of the Housatonic River watershed. Four streams (Duncan, Holiday, Anthony & Egypt brooks) run through the farm and empty into Waconah Falls Brook. The farm currently encompasses some 1300 acres of hay fields, forest, pasture and vegetable fields and produces hay, compost, maple syrup, natural & grass-fed meats and firewood. Also on-site is an organic vegetable CSA and farm-stand, horse boarding stable and lessons, and a daffodil bulb & fern operation. The farm also imports horse manure from off-farm horse stables in order to produce their top quality, screened compost (about 4000 yards annually).

Our role in collaborating on the proposed project consists of providing a location for a public environmental education event, publicizing the event through our website and other outreach mechanisms including our CSA and horse stable, and providing feedback on the on the environmental educational materials most useful and relevant to horse owners.

Thank you for your consideration of this project. Please feel free to contact me if you have questions regarding Holiday Brook Farm's participation.

Sincerely,

Desiree Robertson-DuBois
Farm Co-manager
Holiday Farm, Inc.
d/b/a Holiday Brook Farm



Board of Directors
John Wightman, *President*
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Nancy Smith, *Emeritus*

April 20, 2009

Massachusetts SubCouncil
Housatonic River Natural Resources Trustees
c/o Woodlot Alternatives, Inc.
30 Park Drive
Topsham, ME 04086-1737

Dear Trustees,

I am writing in support of Native Habitat Restoration's proposal to control invasive species in the floodplain forests and riparian buffer of the Housatonic River. This project will help conserve the biodiversity of the Housatonic River watershed by restoring an important ecosystem type that is rare in Massachusetts.

Our Rob's Landing and June Mountain properties were donated for to allow access to the Housatonic River, to maintain agriculture and to protect the conservation values of the land and June Mountain. These properties protect floodplain forests and riparian buffer to the Housatonic River. Rob's Landing is choked out with invasive species threatening the habitat along the river, the agricultural and recreational use of the property. This project is critical to preserving the biodiversity found at this site.

Most of our stewardship work is done with volunteers. Without this partnership with Native Habitat Restoration we would not have sufficient resources or project management expertise to do this invasives control and native restoration project. The experience of the principals of Native Habitat Restoration in this area makes us confident in the future and reliability of this new company.

Sincerely,

Kathy Orlando
Executive Director, Land Protection

April 27, 2009

Massachusetts SubCouncil
Housatonic River Natural Resources Trustees
c/o Woodlot Alternatives, Inc.
30 Park Drive
Topsham, ME 04086-1737

9 Glendale Road
PO Box 308
Stockbridge, MA 01262

T 413.298.4100
F 413.298.4142

www.nrm.org

*A non-profit
educational
museum*

Re: Proposal for Invasive Species Control in the Housatonic River Watershed

Dear SubCouncil,

I am writing to express the Norman Rockwell Museum's strong support for Native Habitat Restoration's proposal to control invasive species in the floodplain forests, lowland forests and riparian buffer of the Housatonic River. This project will help conserve the biodiversity of the Housatonic River watershed by restoring important community types through the removal of invasive species.

The Norman Rockwell Museum is an important cultural site in the Northeast. This property protects the riparian buffer to the Housatonic River. The riparian buffer is heavily invaded with non-native invasive species threatening the habitat along the river and the public's enjoyment of this property. This project is critical to preserving the biodiversity found at this site.

We look forward to working in partnership with Native Habitat Restoration to restore floodplain forests along the Housatonic River. Although Native Habitat Restoration is a new company, its owners have a long history of implementing successful conservation projects that improve the quality of life in the region.

Most sincerely,



Laurie Norton Moffatt
Director/CEO



THE LAUREL HILL ASSOCIATION
Post Office Box 24
Stockbridge, Massachusetts 01262

April 20, 2009

Massachusetts SubCouncil
Housatonic River Natural Resources Trustees
c/o Woodlot Alternatives, Inc.
30 Park Drive
Topsham, ME 04086-1737

Re: Proposal for Invasive Species Control in the Housatonic River Watershed

Dear SubCouncil,

The Laurel Hill Association is the nation's oldest existing village improvement association. I am writing to express the Association's strong support for Native Habitat Restoration's proposal to control invasive species in the floodplain forests, lowland forests and riparian buffer of the Housatonic River. This project will help conserve the biodiversity of the Housatonic River watershed by restoring important community types through the removal of invasive species.

The Laurel Hill Association owns and is steward to nearly 400 acres of properties, which were donated to provide for recreational opportunities and to protect the conservation values of the land. Two of these properties, Bowker's Wood and The Mary Flynn Trail protect lowland forests and riparian buffer to the Housatonic River. Both are heavily invaded with non-native invasive species threatening the habitat along the river and the recreational use of these properties. This project is critical to preserving the biodiversity found at these sites.

We look forward to working in partnership with Native Habitat Restoration to restore floodplain forests along the Housatonic River. Although Native Habitat Restoration is a new company, its owners have a long history of implementing successful conservation projects that improve the quality of life in the region.

Sincerely,

Thomas Schuler
President

Sedgwick Reserve, LLC
22 Main Street, PO Box 418
Stockbridge, MA 01262

April 27, 2009

Massachusetts SubCouncil
Housatonic River Natural Resources Trustees
C/o Woodlot Alternatives, Inc.
30 Park Drive
Topsham, ME 04086-1737

Re: Proposal for Invasive Species Control in the Housatonic River Watershed

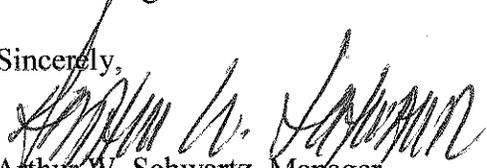
Dear SubCouncil,

On behalf of the Sedgwick family, I am writing to express our enthusiastic support for Native Habitat Restoration's proposal to control invasive species in the floodplain forests, lowland forests and riparian buffer of the Housatonic River. This project will help conserve the biodiversity of the Housatonic River watershed by restoring important community types through the removal of invasive species.

The Sedgwick property, owned by Sedgwick Reserve, LLC, is under a conservation restriction to the Trustees of Reservation. The Sedgwick family donated a CR on this historic 45 acre property in 2003. The property contains more than 40 acres of ecologically significant floodplain forest and fields and almost a mile of frontage on the Housatonic River and Konkapot Brook. This project is critical to preserving the biodiversity found at this site.

We look forward to working in partnership with Native Habitat Restoration to restore floodplain forests along the Housatonic River and to further restoration of the Housatonic River habitats.

Sincerely,



Arthur W. Schwartz, Manager
Sedgwick Reserve, LLC



April 16, 2009

Housatonic River Natural Resource Trustees
 c/o Stantec Consulting
 30 Park Drive
 Topsham, ME 04086-1737

Re: Proposal for Aquatic Invasive Species Management in the Housatonic River

Dear Housatonic River Natural Resource Trustees:

I am writing on behalf of The Massachusetts Department of Conservation and Recreation Lakes and Ponds Program to express our strong support for the "Proposal for Aquatic Invasive Species Management in the Housatonic River" submitted by ESS Group, Inc. (ESS) in partnership with the Housatonic Valley Association (HVA) for NRD Round II funding.

Our Program is largely responsible for the Massachusetts' aquatic invasive species effort and we are keenly aware of the very real threat that aquatic invasive species pose to the ecology and beauty of the Housatonic River and its watershed. We are especially concerned about the potential for these species to tarnish the success of the remediation and natural resource restoration efforts in the river and connected lakes and ponds. Our time to act appears to be limited. Therefore, setting up a sustainable watershed-wide program to immediately monitor and manage this threat is essential to preventing the incursion of these species into our water resources.

It is our opinion that the timing of this project could not be better and we are pleased to offer our full support to the ESS/HVA team on their proposal. Furthermore, we look forward to working with the project team to streamline and integrate the efforts of the proposed Housatonic River watershed monitoring program with ongoing aquatic invasive species prevention efforts at the State level. We are particularly concerned with three aquatic invasive species groups that may be spread through the river system: Zebra and Quagga mussels, Didymo (Rock-Snot), Spiny Water Flea and Fish Hook Flea. We would look forward to working with the ESS/HVA team to expand on education, prevention, and early detection of these devastating species.

In light of the urgency for action on this issue, we strongly encourage the NRD Trustees to accept this project proposal.

Sincerely,

Tom Flannery, Aquatic Ecologist
 MA DCR Lakes and Ponds Program

COMMONWEALTH OF MASSACHUSETTS · EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS

Department of Conservation and Recreation
 251 Causeway Street, Suite 600
 Boston MA 02114-2119
 617-626-1250 617-626-1351 Fax
 www.mass.gov/dcr



Deval L. Patrick
 Governor

Timothy P. Murray
 Lt. Governor

Ian A. Bowles, Secretary, Executive
 Office of Energy & Environmental Affairs

Richard K. Sullivan, Jr., Commissioner
 Department of Conservation & Recreation
 No. 209 - Aquatic Invasive Species Mgmt



THE CITY OF PITTSFIELD, MASSACHUSETTS
Department of Community Development

Deanna L. Ruffer
 Director

James M. Ruberto
 Mayor

April 15, 2009

Housatonic River Natural Resource Trustees
 c/o Stantec Consulting
 30 Park Drive
 Topsham, ME 04086-1737

Re: Proposal for Aquatic Invasive Species Control in the Housatonic River

Dear Housatonic River Natural Resource Trustees,

I am writing on behalf of the City of Pittsfield to express our support for the "*Proposal for Aquatic Invasive Species Control in the Housatonic River*" submitted by ESS Group, Inc. (ESS) in partnership with the Housatonic Valley Association (HVA) for NRD Round II funding.

As the lake manager for the City of Pittsfield, I am keenly aware of the very real threat that aquatic invasive species pose to the ecology and beauty of water resources in the watershed, especially at Onota and Pontoosuc lakes. We are continually challenged by the presence of aquatic invasive species at our city lakes and have taken an active role in trying to prevent and/or manage this issue. Most recently, the city has been actively engaged with the MA DCR Lakes and Ponds Program on a zebra mussel prevention program, though more needs to be done. Establishing a watershed-wide program to monitor and manage the threat that aquatic invades pose is critical to preventing the further incursion of these species into our water resources.

The City supports the proposal by ESS and HVA and urges the Trustees to give the project every consideration.

Sincerely,


James McGrath
 Park, Open Space, & Natural Resource Program Manager



Energy in tune with you.

LITTLEVILLE POWER COMPANY, INC.
A SUBSIDIARY OF ENEL NORTH AMERICA, INC.

Enel North America, Inc.

One Tech Drive, Suite 220, Andover, MA 01810
Tel. 978 681 1900 Fax 978 681 7727

April 21, 2009

Housatonic River Natural Resource Trustees
c/o Stantec Consulting
30 Park Drive
Topsham, ME 04086-1737

Re: Housatonic River NRD Program Round II Funding;
Proposal for Aquatic Invasive Species Management in the Housatonic River.

Dear Housatonic River Natural Resource Trustees:

Littleville Power Company, Inc. owns and operates the Glendale Hydroelectric Project, which is located on the Housatonic River in Stockbridge, MA. As a company that is dependent upon the river resource, we are quite aware of the threat that aquatic invasive species pose to the ecology and function of the Housatonic River. We are especially concerned about the potential for these species to tarnish the success of the remediation and natural resource restoration efforts in the river. As zebra mussels have already been found in the Housatonic drainage, it is essential that a watershed-wide invasive species monitoring and management program be implemented immediately to prevent any further incursion of these species into the basin.

Therefore, we would like to express our strong support for the "Proposal for Aquatic Invasive Species Management in the Housatonic River" submitted by ESS Group, Inc. (ESS) in partnership with the Housatonic Valley Association (HVA) for Natural Resource Damages Assessment and Restoration (NRD) Round II funding. While the current proposal is limited to the monitoring and management of aquatic invasive species, we believe that the program should eventually address plants and other invasive species which may threaten the well-being of the river. We believe that the ESS/HVA team is especially qualified to design and implement such a program, and we are pleased to offer them our full support on their proposal. We look forward to working with the project team in the future as this program develops.

In light of the urgency for action on this issue, we strongly encourage the NRD Trustees to accept and fully fund the ESS/HVA team's proposal.

Thank you for your consideration of this letter of support. Please do not hesitate to contact me at (978) 681-1900, extension 809 if you have any questions concerning this matter.

Sincerely,
Littleville Power Company, Inc.

Kevin M. Webb
Environmental Affairs Coordinator

cc: V. Engel, LPC



Commonwealth of Massachusetts

RIVERWAYS PROGRAM

Building Partnerships, Protecting Rivers

Tim Purinton, Acting Director

April 28, 2009

Housatonic River NRD Fund – Project Proposal
Stantec Consulting
30 Park Drive
Topsham, ME 04086-1737

Re: Upper Hathaway Dam Removal

Dear MA SubCouncil of the Housatonic River Natural Resource Trustees:

The mission of the Riverways Program (Riverways) is to promote the restoration and protection of the ecological integrity of the Commonwealth's watersheds: rivers, streams and adjacent lands. Riverways was created in 1987 to encourage and support local river protection and restoration initiatives as a vital complement to state action.

I am writing in support of the City of Pittsfield's application for funding to remove Upper Hathaway Dam. The City of Pittsfield is seeking to restore stream connectivity and aquatic biological resource habitat within Hathaway Brook by removing Upper Hathaway Dam located in Dalton, Massachusetts within the Housatonic River watershed. Hathaway Brook is a tributary to Sackett Brook, which in turn is a tributary to the Housatonic River. The deteriorating Upper Hathaway Dam serves to impound Hathaway Reservoir and is part of a water supply for the City that is no longer in service.

Removing Upper Hathaway Dam will restore geomorphic processes, water quality, and species that depend on flowing water, such as brook trout and long-nosed suckers. Removing dams from small coldwater streams such as Hathaway Brook is particularly important as these streams are frequently the last high-quality refugia habitat in the watershed. Furthermore, these streams supply clear, cool water to larger streams. This project will complement the removal of Lower Hathaway Dam, which is being undertaken as a compensatory mitigation project for the repair of Ashley Lake Dam (please note that no Housatonic River NRD Funds are being requested for the removal of the Lower Hathaway Dam).

Please do not hesitate to contact me regarding our support of this project.

Sincerely,

Tim Purinton, Acting Director

CC: Bruce Collingwood, City of Pittsfield

251 Causeway Street • Suite 400 • Boston, Massachusetts 02114 • www.massriverways.org • (617) 626-1540
Riverways Program, A Division of the Department of Fish and Game

Deval L. Patrick, Governor
Commonwealth of Massachusetts

Ian A. Bowles, Secretary
Executive Office of Energy
& Environmental Affairs

Mary B. Griffin, Commissioner
Department of Fish and Game



THE CITY OF PITTSFIELD, MASSACHUSETTS
Department of Community Development

Deanna L. Ruffer
 Director

James M. Ruberto
 Mayor

May 5, 2009

Housatonic River Natural Resource Trustees
 c/o Stantec Consulting
 30 Park Drive
 Topsham, ME 04086-1737

Re: Proposal for Wetland Restoration at Wahconah Park, City of Pittsfield, Massachusetts

Dear Natural Resource Trustees,

I am writing on behalf of the City of Pittsfield to express our support for the proposal for riparian habitat restoration along the Housatonic River submitted by ESS Group, Inc. (ESS) in partnership with the Housatonic Valley Association (HVA) for NRD Round II funding.

The City's Wahconah Park is the location for one of the candidate restoration sites. A 21,500 sq. ft. area of historically impacted wetland would be the beneficiary of restoration actions. This restored wetland would greatly enhance the ecology of the site and help to naturally control and treat stormwater. Furthermore, the proposal for future restoration dovetails nicely with the City's current plans to renovate the Park's parking area and to construct a new canoe launch on the river.

It is my opinion that the timing of this project could not be better and we are pleased to offer our full support to the ESS/HVA team on their proposal. In light of the urgency for action on this issue, we encourage the NRD Trustees to accept this project proposal.

Sincerely,

A handwritten signature in blue ink, appearing to read "James R. McGrath", is written over the word "Sincerely,".

James R. McGrath
 Director
 Parks, Open Space and Natural Resource Program
 City of Pittsfield

Kevin O'Donnell
Town Manager



Town Hall, 334 Main Street
Great Barrington, MA 01230

67

Telephone: (413) 528-1619 ext 2

Fax: (413) 528-2290

E-mail: kodonnell@townofgb.org

Website: www.townofgb.org

TOWN OF GREAT BARRINGTON
MASSACHUSETTS

OFFICE OF THE TOWN MANAGER

April 29, 2009

Massachusetts Subcouncil Trustees

Housatonic River NRD Fund – Project Proposal

c/o Woodlot Alternatives, Inc.

30 Park Drive

Topsham, ME 04086-1737

Dear Trustees,

The Town of Great Barrington supports the project proposed by the partnership of ESS Group, Housatonic Valley Association, and the Great Barrington Land Conservancy to implement a riparian buffer restoration project along the Housatonic River. As you may be aware, our community has been dedicated to restoring the River and its uses, as evidenced by the success of the Great Barrington Housatonic River Walk.

The current project will result in the stabilization and restoration of the riverbank downstream of the River Walk, including the new canoe launch and the site of the Schneider Youth Building and Great Barrington Skate Park. This area is experiencing severe erosion and invasive plant species are becoming more and more dominant. As the owner of this land, we see the proposed project as a benefit to the community and the environment. Therefore, the Town of Great Barrington supports this proposal and it looks forward to working with the project proponents to continue its involvement in the restoration of the Housatonic River.

Sincerely,

Kevin O'Donnell

Town Manager

private:stream



GREAT BARRINGTON HOUSATONIC RIVER WALK

April 23, 2009

Massachusetts Subcouncil Trustees
 Housatonic River NRD Fund – Project Proposal
 C/o Woodlot Alternatives, Inc.
 30 Park Drive
 Topsham, ME 04086-1737

Dear Trustees,

River Walk enthusiastically supports the project proposed by ESS Group to implement a suite of riparian buffer restoration projects along the Housatonic River. We are pleased to be included among them.

Presently ESS is working to install a canoe launch along the downstream section of River Walk. The launch site lies within a 500' stretch of riverbank that would benefit greatly from extensive exotic invasive removal and native plantings. Within this stretch, 75' of riverbank is currently undergoing stabilization using bioengineering techniques, requiring intensive native planting. Immediately downstream of the River Walk is a riverbank section controlled by Railroad Street Youth that is in dire need of stabilization and knotweed eradication. Taken together, these adjoining sites amount to a sizable restoration area.

From twenty years of experience, River Walk has learned that riparian buffer restorations require attention and maintenance long after the initial installation. River Walk is prepared to assume responsibility for the ongoing maintenance of this, along with its other restorations. The Railroad Street Youth group plans to incorporate the maintenance of their section into their regular program of youth activities. I can think of no better way to pass along a stewardship ethic to the next generation.

It has been a complete pleasure working with ESS on the design and installation of River Walk's new canoe launch. We eagerly look forward to this next partnership. I have complete confidence in their ability to accomplish the proposed riparian restorations throughout the Housatonic River. The impact will be considerable.

Sincerely,

Rachel Fletcher
 Director, River Walk

P.O. BOX 1018 • GREAT BARRINGTON, MA 01230
 tel. 413-528-3391 • fax 413-528-5224

www.gbriverwalk.org • river@gbriverwalk.org No. 209 - Riparian Corridor Enhancement



May 5, 2009

Massachusetts Subcouncil Trustees
 Housatonic River NRD Fund – Project Proposal
 c/o Woodlot Alternatives, Inc.
 30 Park Drive
 Topsham, ME 04086-1737

Dear Trustees,

On behalf of the Appalachian Trail Conservancy (ATC), I am writing in support of the Housatonic Valley Association (HVA) and the ESS Group, Inc.'s application for funding from the Housatonic NRD Fund. This letter serves as both our support of the project and permission to work on Appalachian Trail (AT) corridor lands at the Trail crossing of Kellogg Rd in Sheffield, MA pending subsequent NEPA policy review by the landowner, the National Park Service (NPS).

The Appalachian Trail Conservancy is a volunteer-based nonprofit organization dedicated to the conservation of the 2,175-mile Appalachian National Scenic Trail, a 250,000-acre greenway extending from Maine to Georgia. ATC works cooperatively with volunteers of the Appalachian Mountain Club-Berkshire Chapter, the National Park Service, MA Department of Conservation and Recreation, and other conservation organizations to protect AT values in Massachusetts.

HVA and ESS, Inc. seek funding from Round 2 of the NRD program in order to implement restoration and rehabilitation projects focused on vegetated riparian buffers and associated functions they provide along the Housatonic River. On AT lands this would include biostabilization, invasive plant control, and buffer restoration. This much needed restoration work is aligned with the natural resource management goals of ATC and will critically aid in ensuring a healthy terrestrial and aquatic ecosystem along this popular and widely used stretch of the AT.

Please let me know if you have any questions regarding this request for support.

Sincerely,

/s/

Adam Brown
 Conservation Resources Manager – New England Region
 Appalachian Trail Conservancy

Copy: Sarah Bransom, NPS AT Park Office
 Laura Belleville, ATC Director of Conservation
 Becky Barnes, MA DCR Region 5 Trails Supervisor
 Jim Pelletier, AMC MA AT Committee Chair

Join the Journey™

Kellogg Conservation Center, P.O. Box 264, South Egremont, MA 01258

Phone: 413.528.8002 Fax: 413.528.8003 (please call before faxing) www.atc.org No. 209-1001 Riparian Corridor Enhancement

A volunteer-based nonprofit organization responsible for the conservation and protection of the Appalachian Trail since 1925



Commonwealth of Massachusetts

RIVERWAYS PROGRAM

Building Partnerships, Protecting Rivers

Tim Purinton, Acting Director

May 4th, 2009

Housatonic River NRD Fund – Project Proposal
Stantec Consulting
30 Park Drive
Topsham, ME 04086-1737

Re: Habitat and Geomorphic Assessment, Secum Brook

Dear MA SubCouncil of the Housatonic River Natural Resource Trustees:

The mission of the Riverways Program (Riverways) is to promote the restoration and protection of the ecological integrity of the Commonwealth's watersheds: rivers, streams and adjacent lands. Riverways was created in 1987 to encourage and support local river protection and restoration initiatives as a vital complement to state action.

I am writing to give support to Trout Unlimited and their team being led by Inter-Fluve, Inc. to conduct a habitat and geomorphic assessment project on Secum Brook, one of the headwater tributaries to the Housatonic River that flows into Pontoosuc Lake. The main goal is to identify and describe areas of concern and provide preliminary tasks and cost estimates for their restoration. Riverways has worked with Inter-Fluve on a number of projects including current dam removal and river restoration projects on the Shawsheen, Mill and Eel Rivers and Red Brook. Inter-Fluve works exclusively on river restoration projects and utilizes the expertise of scientists and engineers in a multi-disciplinary approach to restore river functionality and aquatic habitat.

Riverways has also worked closely with local chapter of Trout Unlimited (TU) on river restoration projects including the restoration of Yokum Brook (Becket), North Hoosic (Cheshire and Clarksburg), Eel River (Plymouth) and Red Brook (Wareham). TU is a well-known active proponent of river restoration in Massachusetts. The willingness of TU to support the restoration of rivers and streams and mobilize members of their organization into action is truly exceptional.

Thank you for your consideration.

Sincerely,

Tim Purinton, Acting Director

CC: Gene Chague, Peter Shilling and Carl Kronberg, Trout Unlimited

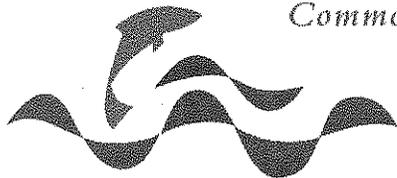
251 Causeway Street • Suite 400 • Boston, Massachusetts 02114 • www.massriverways.org • (617) 626-1540

Riverways Program, A Division of the Department of Fish and Game

Deval L. Patrick, Governor
Commonwealth of Massachusetts

Ian A. Bowles, Secretary
Executive Office of Energy
& Environmental Affairs

Mary B. Griffin, Commissioner
Department of Fish and Game



Commonwealth of Massachusetts

RIVERWAYS PROGRAM

Building Partnerships, Protecting Rivers

Tim Purinton, *Riverways Acting Director*

April 21st, 2009

Housatonic River NRD Fund – Project Proposal
Stantec Consulting
30 Park Drive
Topsham, ME 04086-1737

Re: Sackett Brook Restoration Project

Dear MA SubCouncil of the Housatonic River Natural Resource Trustees:

The mission of the Riverways Program (Riverways) is to promote the restoration and protection of the ecological integrity of the Commonwealth's watersheds: rivers, streams and adjacent lands. Riverways was created in 1987 to encourage and support local river protection and restoration initiatives as a vital complement to state action.

On behalf of Riverways, I offer strong support to and partnership in the Massachusetts Audubon Society's proposal to restore a section of Sackett Brook at the Canoe Meadows Wildlife Sanctuary in Pittsfield. The proposed restoration project would be a valuable action to enhance both aquatic and terrestrial biological and habitat resources, as it includes the removal of the Gravesleigh Pond Dam and another structure currently interfering with the natural flow of Sackett Brook, and the restoration of a native floodplain forest community in a portion of hayfield adjacent to the brook.

The Gravesleigh Pond Dam ranks in the top 5 percent of more than 2,600 dams assessed in our Restoration Potential Model scoring system, and therefore is among the most worthwhile dam removal projects in the Commonwealth. The Model includes elements such as the length of stream miles that would be opened above the dam with removal, the road density in the watershed, the presence of NHESP Living Waters resources, and whether coldwater fish resources have been identified in the area.

Riverways staff has visited the site, offered expertise in developing the project proposal, and provided references and resources to Mass Audubon to help with technical and budgetary components of the project. If funded through the NRD program, Riverways will continue its partnership with Mass Audubon with an in-kind donation of at least 20 hours per year of staff time over the course of 5 years. We have worked with Mass Audubon previously in the successful removal of the Galloway Brook dam at the Cook's Canyon Wildlife Sanctuary in Barre, and look forward to continuing our partnership in restoring Sackett Brook.

Sincerely,

Tim Purinton, Acting Director

251 Causeway Street • Suite 400 • Boston, Massachusetts 02114 • www.massriverways.org • (617) 626-1540

Riverways Program, A Division of the Department of Fish and Game

Deval L. Patrick, Governor
Commonwealth of Massachusetts

Ian A. Bowles, Secretary
Executive Office of Energy
& Environmental Affairs

Mary B. Griffin, Commissioner
Department of Fish and Game



MassWildlife

Commonwealth of Massachusetts

Division of Fisheries & Wildlife

Andrew Madden, *District Manager*

May 1, 2009

Housatonic NRD Trustees
Stantec Consulting
30 Park Drive
Topsham, ME 04086

RE: Sackett Brook Restoration Project

Dear NRD Trustees:

The Massachusetts Division of Fisheries and Wildlife (DFW) Western District would like to offer support for the proposed Sackett Brook Restoration project.

Fish population surveys of Sackett Brook in its upper reaches, indicate that it is a quality cold water stream. Restoring fish passage and reducing habitat fragmentation is important to the long term viability of our cold water resources. We support the idea of the dam removal and habitat restoration on Sackett Brook, which is consistent with DFW goals to protect and enhance natural resources. The effect of the project on rare and endangered species (which is the statutory responsibility of DFW) will need to be considered if and when the project reaches a design phase.

We look forward to following the progress of Mass Audubon in its effort to restore Sackett Brook and we are hopeful that the NRD Trustees will consider funding restoration and enhancement projects such as this.

Sincerely,

Andrew Madden
Western District Manager

www.masswildlife.org

Division of Fisheries and Wildlife

Western District, 400 Hubbard Avenue, Pittsfield, MA 01201 (413) 447-9789 Fax (413) 442-0047

An Agency of the Department of Fisheries, Wildlife & Environmental Law Enforcement

No. 212 - Sackett Brook Resoration



April 16, 2009

Mr. Stuart Weinreb
Mass Audubon
208 South Great Rd.
Lincoln, MA 01773

Re: Sackett Brook Dam Removal, Pittsfield MA

Dear Mr. Weinreb:

We are pleased to submit this budget estimate for work at the subject site. This proposal is based on the photographs provided and discussions with you. The purpose of this estimate is to assist your office in preparation of a grant application for funding of a project that would include the removal of an abandoned concrete dam and a concrete bridge over the Sackett Brook. No drawings were provided for the existing structure or the site and river topography. Before cost estimates can be finalized it is necessary to perform a field survey and measurement of the existing structures.

The work consists of the removal of an existing concrete dam and restoration of the stream channel and banks disturbed by the work. In order to avoid uncontrolled releases of sediment the work will be scheduled to be performed during low flow conditions. We also recommend using a temporary dam installed upstream of the concrete dam structure and a temporary bypass channel to divert flow around the structure during the removal and restoration work. There is a volume of sediment collected on the upstream side of the dam that would need to be removed prior to removal of the dam and restoration of flow in the brook at this location. The thickness and properties of the sediments is not known at this time. Prior to finalizing plans the sediments should be sampled and tested and the thickness confirmed.

Excess earth and natural rock will be disposed of either on site outside the buffer zone and the 200 ft. Rivers Protection Act zone or at a nearby facility that will accept earth material and rock. Concrete debris from the spillway structures will be hauled offsite to a legal recycling disposal facility. The stream banks will be restored and stabilized.

SCOPE OF WORK

T Ford Company, Inc. (TFCI) proposes the following scope of work:

1. Prepare a submittal describing the proposed temporary dam and bypass and construction sequence. Work with Mass Audubon and it's consultant to prepare support documents for permit applications. Meet with Mass Audubon and Town Conservation Commission to present and discuss the project as part of the permitting process.



2. Mobilize labor, equipment and materials to perform the work. Install silt fence and hay bales to prevent erosion of disturbed earth into the stream. We anticipate approximately 100 lf of erosion controls along each bank of the brook at the work area.
3. Perform one day of tree clearing with a two man crew. Trees which block access for the equipment necessary to perform the work will be felled and left where they drop or be dragged out of the way. Felled trees will be limbed and the slash left in piles. We will work with your staff to select pathways for equipment that result in as little clearing as possible. However the equipment necessary to remove the dam is rather large (track mounted excavator and hoe-ram).
4. Furnish and install a temporary diversion dam upstream of the existing structure. We anticipate using a Portadam which consists of a heavy duty membrane supported by steel frames. We have based the budget estimate on a maximum 40 ft. long temporary structure bank to bank.
5. Construct a temporary bypass channel on one side of the brook. The channel will extend from a point upstream of the Portadam to a discharge point downstream of the dam. The channel will be constructed of erosion resistant materials and will be sized to handle a reasonable flow that may be expected during the dam removal. At the discharge point downstream of the dam we will set up a velocity dissipater to prevent scour of the stream and bank.
6. Based on weather and stream flow conditions proceed with the removal of the dam. Demolish the concrete structure and remove it from the stream channel.
7. Restore stream bed using natural rounded stone and cobbles. Fill large holes, if any, created by removal of buried portions of the spillway structure. We have included importing up to 70 tons of backfill stone. Grade the stream banks to a stable slope.
8. Place and grade stockpiled topsoil over the disturbed area. Seed the disturbed area with cover with chopped straw.
9. Load and haul concrete debris to an off site concrete recycling facility. We estimate approximately 100 tons of concrete debris. This is based on a rough estimate of 50 cy of concrete structure.
10. Demobilize equipment and remove hay bales and silt fence.



ESTIMATED COST

The estimated cost for the work described above is \$110,000.00. We estimate three weeks to perform the work assuming no stoppages due to weather.

If you wish to remove the footbridge located downstream of the dam during the same mobilization we estimate the additional cost at \$ 14,000.00.

The following assumptions and/or exceptions apply to this proposal:

- a) All permits and engineering by others.
- b) One mobilization.
- c) Tree cutting estimated at one day.
- d) Less than 200 cy of sediment to be removed prior to removal of dam.
- e) Chemical testing of sediments by others prior to removal.
- f) Upgrading of access roads necessary to support truck traffic is not included.
- g) Depth of concrete removal estimated at less than 6 ft. from top of overflow section of dam.
- h) Wood sheeting and/or formwork driven into the streambed for the original construction may be present. We will remove as much as possible but may not be able to remove the full depth.
- i) On site or local disposal of sediments after drying.
- j) Work to be performed during low flow conditions.

Thank you for the opportunity to provide this estimate. Good luck with your Grant application. Please call with any questions.

Sincerely,

T FORD COMPANY, INC.

Jack Enos

John L. Enos, P.E.
Vice President



The HEBERT ARBORETUM

874 North Street
Pittsfield MA 01201
ph 413 499 9343
fax 413 448 2867

info@hebertarb.org
www.hebertarb.org

At Springside Park, P.O. Box 344, Pittsfield, Ma. 01201 ~ 413-443-5348

August 1, 2009

NRD Trustees
C/o Stantec Consulting
30 Park Drive
Topsham, ME 04086

RE: Springside Pond Restoration Project

To whom this concerns,

I just received a copy of the letter of Bob Presutti, Vice-President, submitted to James McGrath, Park, Open Space, and Natural Resource Manager of the City of Pittsfield. I enclose that along with the letter David Frazier and I sent to James McGrath in regard to the Springside Pond Restoration Project, for your records.

Sincerely,

Elizabeth Kulas
President



The HEBERT ARBORETUM

874 North Street
Pittsfield MA 01201
ph 413 499 9343
fax 413 448 2867

info@hebertarb.org
www.hebertarb.org

May 3, 2009

James McGrath
Park, Open Space, and Natural Resource Manager
City of Pittsfield
70 Allen Street
Pittsfield, MA 01201

The Herbert Arboretum, Inc. Board of Directors is pleased to support efforts to restore the lower ponds near Springside Avenues. We have followed the city's efforts since the early studies were completed several years ago, and now cheer your presentation. Providing a healthy and safe play area for children is a fine goal to which we give our support.

We remain ready to help while wishing you well in this endeavor.

Bill Carrigan
Bill Carrigan

Dave Frazier

Jack Gillis
DUNCAN McQUEEN FBO

Jack Gillis

Judy Gitelson
Judy Gitelson

Duncan McQueen
Duncan McQueen

Bob Presutti
Bob Presutti



The HEBERT ARBORETUM

At Springside Park, P.O. Box 344, Pittsfield, Ma. 01201 ~ 413-443-5348

874 North Street
Pittsfield MA 01201

May 5, 2009

Jim McGrath
Long Range Park Planning
City Hall, 70 Allen Street
Pittsfield, MA 01201

Dear Jim,

The Hebert Arboretum's response to your request of support for the pond restoration project is as follows. Five board members support the project that you are requesting the grant for; Bob Presutti, Vice-President, Jack Gillis, Treasurer, Judy Gitelson, Clerk/Secretary, Bill Carrigan and Duncan McQueen. Two members can not determine whether they support this project because they have not been allowed to read the grant proposal. Those members are Elizabeth Kulas, President and David Frazier.

The Hebert Arboretum board would like to see the complete grant application so we can determine the future ramifications of this grant proposal. You are welcome to come to any board meeting to discuss this. We meet on the second Thursday of each month, 6:30pm Morningside School. Just let us know when you would like to attend.

Sincerely,

Elizabeth Kulas
President

David Frazier
Director Special Projects



CITY OF PITTSFIELD

Pittsfield Board of Park Commissioners, 70 Allen Street Room 205, Pittsfield, MA 01201 (413) 499-9368

April 21, 2009

Natural Resource Damage Trustees
c/o Stantec Consulting
30 Park Drive
Topsham, ME 04086

Re: Springside Pond Restoration Project

Dear Trustees:

It is with great enthusiasm that the Pittsfield Board of Park Commissioners supports the City of Pittsfield's application for an aquatic restoration project at the Springside Pond. This project will help to continue the forward momentum that has begun to gain speed in Springside Park and in the Morningside neighborhood.

Springside Park is Pittsfield's largest city park. Just north of the downtown area, the park serves many neighborhoods and their needs for both passive and active recreation. The pond has always been a critical element within the park, serving not only as an important ecological feature in the landscape but also as a place where wading and ice skating have taken place over the years. The pond now suffers from years of deferred maintenance and in fact detracts from the park experience. Its rebirth is important to the park, the neighborhood, and the City.

The Board of Parks Commissioners urges your favorable consideration of this project request. We look forward to working with city staff and the Trustees as this most important aquatic restoration project advances. In advance, we thank you for your full support.

Respectfully,

Sheila LaBarbera, Chairman
Clifford Nilan
Dr. John Herman
Charles Garivaltis



CITY OF PITTSFIELD

PITTSFIELD CONSERVATION COMMISSION, CITY HALL, 70 ALLEN STREET, PITTSFIELD, MASSACHUSETTS 01201 413-499-9359

May 5, 2009

Natural Resource Damage Trustees
c/o Stantec Consulting
30 Park Drive
Topsham, ME 04086

Re: Springside Pond Restoration Project

Dear Trustees:

The Pittsfield Conservation Commission is very supportive of the Springside Pond Restoration Project. The Project will restore a degraded urban pond that provided valuable habitat for aquatic organisms as well as upland species.

The Pond is part of an extensive wetland resource system within Springside Park. At the Northerly boundary of the Springside Park, there is a large wetland marsh that discharges into a stream channel that flows throughout the entire length of the Park. The majority of this land area is forested open space. The stream channel flows into a smaller pond upstream of the lower pond, and discharges into the final section of the stream channel that cuts through a forested V-Shaped valley into Springside Pond.

The stream channel used to have small brown trout that could migrate into the pond during the winter months if necessary for survival. There was a large variety of different fisheries and amphibian organisms that used the Pond. The Pond provided important food, shelter, migratory and overwintering areas, and breeding areas for wildlife.

The Conservation Commission thought this project was so important that it allocated funds from the Conservation Fund to assist in the development of this grant application. The watershed area of Springside Pond discharges into a stormwater drainage system that eventually discharges into Silver Lake, which is part of the Housatonic River watershed.

The Springside Pond Restoration Project will provide a valuable asset to the environmental condition of the watershed, and also provide valuable recreational enhancement. The Conservation Commission respectfully requests your serious consideration of funding this important aquatic restoration project.

Sincerely,

James Conant, Pittsfield Conservation Commission Chairman



COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE

STATE HOUSE, BOSTON 02133-1053

COMMITTEES:

ETHICS & RULES (CHAIR)
 HIGHER EDUCATION (VICE CHAIR)
 BILLS IN THE THIRD READING (VICE CHAIR)
 FINANCIAL SERVICES
 VETERANS & FEDERAL AFFAIRS
 CONSUMER PROTECTION & PROFESSIONAL LICENSURE
 POST AUDIT & OVERSIGHT

SENATOR BENJAMIN B. DOWNING
 BERKSHIRE, HAMPSHIRE & FRANKLIN DISTRICT
 STATE HOUSE, ROOM 413-F
 TEL. (617) 722-1626
 FAX (617) 722-1623

20 BANK ROW, SUITE 202
 PITTSFIELD, MA 01201
 TEL. (413) 442-4008
 FAX (413) 442-4077

April 14, 2009

NRD Trustees
 c/o Stantec Consulting
 30 Park Drive
 Topsham, ME 04086

Re: Springside Pond Restoration Project, Pittsfield, MA

To Whom It May Concern:

I write to offer my support for the City of Pittsfield's grant application to conduct a much-needed pond restoration project at Springside Park, located on North Street. As you may be aware, Springside Park is a well known destination, which hosts numerous community events and is also the home to the beautiful gardens of the Vincent J. Herbert Arboretum.

The improvements that are being proposed will help to restore an urban pond to a more natural functioning open water resource. This will yield numerous benefits which include: an improved aquatic habitat, better water quality and enhanced public recreational access. This will be a multi-year, multi-phase project that will also include efforts to address previously identified areas within the Springside Pond drainage area that are known to contribute to the erosion problems that have negatively impacted the pond.

The proposed project is crucial for the safety and well being of the park. I believe that the restoration of this parcel of land will encourage and stimulate ongoing park and neighborhood revitalization efforts, inevitably enhancing a neglected neighborhood in the City of Pittsfield. I urge you to give your strongest consideration the City's application. Thank you in advance for your time and attention; please do not hesitate to contact me at (413) 442.4008 if I can provide additional information.

Sincerely,

BENJAMIN B. DOWNING, State Senator
 Berkshire, Hampshire, and Franklin District

BBD/ajk



BERKSHIRE REGIONAL PLANNING COMMISSION
1 FENN STREET, SUITE 201, PITTSFIELD, MASSACHUSETTS 01201
TELEPHONE (413) 442-1521 • FAX (413) 442-1523
www.berkshireplanning.org

JOHN P. HICKEY, Chair
JAMES MULLEN, Vice-Chair
SHEILA IRVIN, Clerk
CHARLES P. OGDEN, Treasurer

NATHANIEL W. KARNS, A.I.C.P.
Executive Director

April 28, 2009

NRD Trustees
c/o Stantec Consulting
30 Park Drive
Topsham, ME 04086

RE: Springside Pond Restoration Project

Dear Trustees:

The Berkshire Regional Planning Commission (BRPC) enthusiastically supports the proposal submitted by the City of Pittsfield for the *Springside Pond Restoration Project*.

The *Springside Pond Restoration Project* will yield numerous benefits, including improved aquatic habitat, improved water quality and enhanced public recreational access. This will be a multi-year, multi-phase project that will also include efforts to address previously identified areas within the Springside Pond drainage area that are known to contribute to the erosion problems that have negatively impacted the pond. Once realized, these actions will contribute to and stimulate ongoing park and neighborhood revitalization efforts in one of the City of Pittsfield's most degraded neighborhoods.

BRPC recently assisted the City with the preparation of a comprehensive Master Plan and an Open Space and Recreation Plan. The *Springside Pond Restoration Project* is consistent with the City's Open Space and Recreation Plan goal to "Protect, preserve and maintain natural resources to ensure an adequate amount, variety, and distribution of open space and water resources to maintain biodiversity and provide benefit to the public" by protecting a critical water body to maintain water quality, habitat, recreational value and aesthetics.

We hope that you look with favor upon this proposal.

Sincerely,



Nathaniel W. Karns, AICP
Executive Director

Morningside Initiative Steering Committee
29 Courtland Place
Pittsfield MA 01201

April 20, 2009

NRD Trustees
C/O Stantec Consulting
30 Park Drive
Topsham ME 04086

RE: Springside Pond Restoration Project

To Whom It May Concern:

On behalf of the Morningside Initiative Steering Committee, I would like to express our support for the Springside Pond Restoration Project.

The Morningside Initiative has been active for the past 5 years attempting to improve the quality of life for all residents in the Neighborhood. The Neighborhood has a large amount of resident that are living below the poverty level. The initiative is working on many aspects of the quality of life issues, such as lowering crime rates, increase the amount of affordable and quality housing and restoring pride that once flourished within this neighborhood.

Springside Pond is on the boundary of the initiative footprint and was once a place where all neighborhood residents could gather for a day at the Park. The goal of restoring the pond to a more natural functioning open water body with improved water quality and aquatic habitat will also enable the park to become an enhanced public recreational area. This restoration could once again enable the park to become an asset that provides a summer gathering area as well as a winter recreational area with ice skating and sliding.

The initiative first placed this project as a priority to enhancing the neighborhood in its first draft of an action plan in 2004 and has continued each year to work toward ensuring the reuse of a once beautiful neighborhood resource.

Once again we would like to endorse this project and will continue to work with the City to make Springside Pond a neighborhood asset once again.

Sincerely,



Peter M Marchetti
Chairman of the Morningside Initiative Steering Committee
Pittsfield City Councilor at Large



The HEBERT ARBORETUM

874 North Street
Pittsfield MA 01201
ph 413 499 9343
fax 413 448 2867

info@hebertarb.org May 3, 2009
www.hebertarb.org

James McGrath
Park, Open Space, and Natural Resource Manager
City of Pittsfield
70 Allen Street
Pittsfield, MA 01201

The Herbert Arboretum, Inc. Board of Directors is pleased to support efforts to restore the lower ponds near Springside Avenues. We have followed the city's efforts since the early studies were completed several years ago, and now cheer your presentation. Providing a healthy and safe play area for children is a fine goal to which we give our support.

We remain ready to help while wishing you well in this endeavor.

Bill Carrigan
Bill Carrigan

Judy Gitelson
Judy Gitelson

Dave Frazier

Duncan McQueen
Duncan McQueen

Jack Gillis
DUNCAN McQUEEN FBO

Jack Gillis

Bob Presutti
Bob Presutti

November 26, 2008

Massachusetts Riverways Program
Department of Fish and Game
251 Causeway Street, Suite 400
Boston, MA 02114

Attention: Tim Puriton

Reference: Columbia Mill Dam, Lee, MA

Dear Tim:

Schweitzer-Mauduit International, Inc. (SWM) and Massachusetts Riverways Program employees began discussion regarding the restoration of the Housatonic River between the SWM Columbia and Eagle Mills in the Town of Lee on or about April 2, 2008. This discussion was undertaken as a result of SWM's interest in pursuing the best alternative for the Columbia Mill Dam, which has become unnecessary after the recent closing of three paper mills owned by SWM. Subsequently, a site visit was completed on April 17, 2008 by you, Beth Lambert of Massachusetts Riverways, and Brian Grayber of American Rivers.

This initial discussion and site visit resulted in a Site Reconnaissance and Cost Estimate (Report) prepared by Stantec Consulting of Topsham Maine, dated June 2008. The Report was sponsored by Massachusetts Riverways.

On October 23, 2008 a meeting was held at the SWM office in Lee, MA to discuss the Report and to review the steps that lie ahead. A general outline of a typical river restoration program was described as follows:

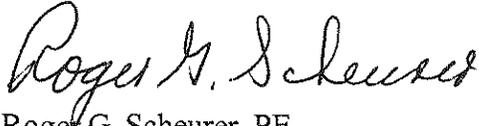
- Year 1 – Funds and fees are established.
- Year 2 – Design and permits are completed
- Year 3 - Construction is completed.

SWM is interested in working toward the restoration of the river by breaching the Columbia Mill Dam, if the cost to take this path is considerably less than the cost to continue maintenance of the dam. Upon removal of the dam, this industrial site will lose a significant water source and lose the ability to generate hydroelectric power.

SWM will commit \$400,000 towards the Construction phase of the project and will support the State and local efforts to complete the project. We reserve the right to review the status of the restoration efforts and withdraw if, in our opinion, actions are not proceeding in an acceptable manner.

We welcome the next phase of activity and look forward to possibility of restoring the Housatonic River to its natural course. Should you have any questions or comments, feel free to call upon the undersigned at any time.

Sincerely,
SCHWEITZER-MAUDUIT INTERNATIONAL, INC.



Roger G. Scheurer, PE
Manager- Lee Mills

Cc: ✓ Dennis C. Regan, Housatonic Valley Association
Elizabeth Knight



May 6, 2009

Dennis Regan
Berkshire County Director
Housatonic Valley Association
P.O. Box 251
South Lee, MA 01260

RE: Housatonic River NRD Fund – Habitat Continuity Project Proposal

Dear Mr. Regan:

I am writing to express American Rivers' strong support for the Housatonic Valley Association's Housatonic River Natural Resources Damages proposal to remove the Columbia Mill Dam from the river's mainstem in Lee, Massachusetts. The dam's removal will be a critical step to improving habitat, fish passage, and recreation in the Housatonic River. While our staff have worked on more than one hundred dam removal projects around the country, it is a rare opportunity to achieve the benefits associated with removing a dam from the mainstem of a river.

American Rivers has been involved in the planning stages of the project and we are committed to providing technical and scientific assistance through project implementation. Together with the Housatonic Valley Association and the Massachusetts Riverways Program, the project is being led by a strong team of experienced dam removal project managers and scientists. In addition, the dam's owner has shown a commitment to the project that will greatly facilitate completing the dam's removal and associated river restoration.

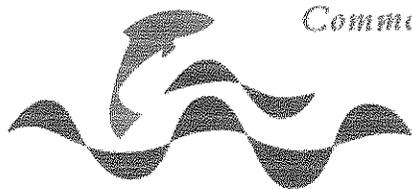
The American Rivers River Restoration Program is staffed by engineers, scientists, and planners with cumulatively decades of experience completing dam removal projects. We continue to support the efforts of community partners to remove dams that no longer make sense and open opportunities for ecological restoration. American Rivers is the leading national organization standing up for healthy rivers so communities can thrive. American Rivers protects and restores America's rivers for the benefit of people, wildlife and nature. Founded in 1973, American Rivers has more than 65,000 members and supporters nationwide.

Please feel free to contact me with any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "Brian Graber".

Brian Graber
Associate Director, River Restoration Program
American Rivers
413-585-5896



Commonwealth of Massachusetts

RIVERWAYS PROGRAM

Building Partnerships, Protecting Rivers

Tim Purinton, *Riverways Acting Director*

March 26, 2009

Housatonic River NRD Fund – Project Proposal
Stantec Consulting
30 Park Drive
Topsham, ME 04086-1737

Dear Members of the Massachusetts SubCouncil,

Riverways Program (Riverways) in the Massachusetts Department of Fish and Game strongly supports the Housatonic Valley Association's (HVA) proposal to remove the Columbia Mill Dam and restore a significant reach of the mainstem of the Housatonic River in Lee. Removal of the dam will restore continuity to a total of 69 miles above and below the dam, including 9 miles of mainstem river and 60 miles of tributary streams.

Riverways provided funding for the initial feasibility study and has worked closely with Dennis Regan of HVA and Brian Graber of American Rivers to develop this project and ensure its eventual success. Riverways staff is prepared to continue to provide technical assistance to the project leads, sharing information and lessons learned from our multiple dam removals – including experience gained on the Mill Street Dam in Pittsfield. Removal of the Columbia Mill dam and the remnants of the Eagle Mill Dam will promote a more natural flow regime, improve aquatic habitat, and, importantly, enhance fishery resource values.

Dam removal is important not only for the ecological health of the Housatonic River Watershed but also complements efforts to improve access and promote recreational use of the river. This project is not only technically feasible but is an exciting initiative that will serve as a model of partnership building and ecological restoration.

We urge you to support this worthy proposal and look forward to continuing our strong working relationship with HVA.

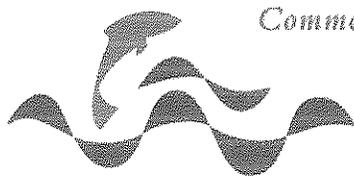
Sincerely,

Tim Purinton, Acting Director

CC: Roger Scheurer, Schweitzer-Mauduit International, Inc.

251 Causeway Street • Suite 400 • Boston, Massachusetts 02114 • www.massriverways.org • (617) 626-1540

Riverways Program, A Division of the Department of Fish and Game



Commonwealth of Massachusetts

RIVERWAYS PROGRAM

Building Partnerships, Protecting Rivers

Tim Purinton, Acting Director

May 4th, 2009

Housatonic River NRD Fund – Project Proposal
 Stantec Consulting
 30 Park Drive
 Topsham, ME 04086-1737

Re: Housatonic River NRD Fund – River Continuity Project Proposal

Dear MA SubCouncil of the Housatonic River Natural Resource Trustees:

On behalf of the Riverways Adopt-A-Stream Program, I am writing to express our support for the grant proposal being submitted by The Housatonic Valley Association (HVA), and Berkshire Environmental Action Team (BEAT) to implement a program to use local volunteers to locate and assess culvert barriers to fish and wildlife in the upper Housatonic Watershed.

As a member of the River Continuity Partnership, the Riverways Program has trained volunteers to survey stream crossings, worked with partners to develop action plans based on survey findings and to implement culvert replacement and retrofit projects to facilitate fish and aquatic organism passage. The project proposal will identify the most critical barriers and implement strategies to provide continuity of habitat for a range of aquatic species. Riverways will train and work with volunteers from the HVA, BEAT and Trout Unlimited to conduct surveys and collect information about in-stream/stream corridor conditions and barriers to fish passage.

Few people consider the effects of road crossings and other infrastructure on the quality of stream habitat. The design and condition of a stream crossing determines whether a stream behaves naturally and whether fish and wildlife can migrate along the stream corridor. Many crossings are barriers to fish and wildlife. Based on our pilot river continuity projects, we have demonstrated ways to design a stream crossing that allows wildlife unrestricted access to a watershed, maintain natural stream conditions, and help protect roads and property from some of the damaging effects of flooding.

As part of the River Continuity Partnership, the Riverways Program has sought opportunities to demonstrate culvert or crossing replacements to improve and enhance fish and wildlife passage. Not only will this project serve as a model for in-stream restoration work, but it also serves as a model of community and partner support and involvement.

We hope that funds through the Housatonic River NRD Fund will further expand upon this partnership and help to complete this innovative and comprehensive river continuity restoration project.

Sincerely,

Tim Purinton, Acting Director

CC: Jane Winn, BEAT
 Dennis Regan, HVA

251 Causeway Street • Suite 400 • Boston, Massachusetts 02114 • www.massriverways.org • (617) 626-1540

Riverways Program, A Division of the Department of Fish and Game



The Nature Conservancy in Massachusetts
 205 Portland Street, Suite 400
 Boston, MA 02114-1708

tel [617] 227.7017
 fax [617] 227.7688

nature.org/massachusetts

May 5, 2009

Housatonic River NRD Fund – Project Proposal
 Stantec Consulting
 30 Park Drive
 Topsham, ME 04086-1737

Re: Housatonic River NRD Fund – River Continuity Project Proposal

Dear MA SubCouncil of the Housatonic River Natural Resource Trustees:

I am writing in support of a proposal submitted by the Housatonic Valley Association and the Berkshire Environmental Action Team to survey stream crossings.

The mission of The Nature Conservancy is to preserve the plants, animals and natural communities that represent the diversity of life on Earth by protecting the lands and waters they need to survive. The Conservancy recognizes habitat fragmentation as a significant threat to aquatic ecosystems, and removal and mitigation of barriers to animal movement and ecosystem processes is a priority strategy in Massachusetts.

The Nature Conservancy and our partners have successfully implemented this volunteer assessment approach in several watersheds across New England and are pleased to see implementation of these methods in additional geographies.

The project plans to use survey methods (forms, training, and database); prioritization (UMASS CAPS/Critical Linkages); and design standards for replacement culverts that the Conservancy was a key partner in developing. We will coordinate with and provide support to the project through the MA River and Stream Continuity Partnership.

Thank you for your consideration of this proposal.

Sincerely,

Alison A. Bowden

Freshwater Program Director

BERKSHIRE REGIONAL PLANNING COMMISSION
1 FENN STREET, SUITE 201, PITTSFIELD, MASSACHUSETTS 01201
TELEPHONE (413) 442-1521 • FAX (413) 442-1523
www.berkshireplanning.org

JOHN P. HICKEY, Chair
JAMES MULLEN, Vice-Chair
SHEILA IRVIN, Clerk
CHARLES P. OGDEN, Treasurer

NATHANIEL W. KARNS, A.I.C.P.
Executive Director

May 5, 2009

Housatonic River NRD Fund – Project Proposal
Stantec Consulting
30 Park Drive
Topsham, ME 04086-1737

Re: Housatonic River NRD Fund – River Continuity Project Proposal

Dear MA SubCouncil of the Housatonic River Natural Resource Trustees:

The Berkshire Regional Planning Commission (BRPC) is looking forward to working with The Housatonic Valley Association (HVA) and Berkshire Environmental Action Team (BEAT) in development of the River Continuity Project; BRPC will use the data generated by this project and work with BEAT and HVA to review the selection of culverts to be replaced based on CAPS. BRPC will also provide space and presentation equipment for BEAT to give a presentation on how the Massachusetts River and Stream Crossing Standards improve habitat connectivity for wildlife under roads to BRPC staff, highway superintendents, MassHighway District 1 staff and local engineering firms.

Sincerely,


Alison Church
Transportation Program Manager



COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
 STATE HOUSE, BOSTON 02133-1063

SENATOR BENJAMIN B. DOWNING
 BERKSHIRE, HAMPSHIRE & FRANKLIN DISTRICT
 STATE HOUSE, ROOM 413-F
 TEL. (617) 722-1626
 FAX (617) 722-1623

20 BANK ROW, SUITE 202
 PITTSFIELD, MA 01201
 TEL. (413) 442-4008
 FAX (413) 442-4077

COMMITTEES:

ETHICS & RULES (CHAIR)
 HIGHER EDUCATION (VICE CHAIR)
 BILLS IN THE THIRD READING (VICE CHAIR)
 FINANCIAL SERVICES
 VETERANS & FEDERAL AFFAIRS
 CONSUMER PROTECTION & PROFESSIONAL LICENSURE
 POST AUDIT & OVERSIGHT

May 5, 2009

Housatonic River Natural Resources Damages Fund
 Stantec Consulting
 30 Park Drive
 Topsham, ME 04086-1737

Re: BEAT and HVA - Housatonic River NRD Fund Grant

To Whom It May Concern:

I write to register my support for the proposal of the Berkshire Environmental Action Team (BEAT) and The Housatonic Valley Association (HVA) for grant assistance from the Housatonic River Natural Resources Damages (NRD) Fund. A successful application will implement a stream continuity project to locate and assess culvert barriers to fish and wildlife in the upper Housatonic Watershed, determining which culvert replacement projects would offer the best environmental outcomes. I ask that this application be given every due consideration.

BEAT and HVA have historically worked with the community, in the form of local volunteers, to help people understand and become involved in protecting the environment. This grant will enable them to continue the vast work they do in the region by allowing HVA and BEAT to work with the Massachusetts Riverways Program, The Nature Conservancy, Massachusetts Water Resources Research Center, UMASS Department of Natural Resources, and a local engineering firm, Foresight Engineering, to conduct an extensive Stream Cross Study Analysis. This analysis will determine which culvert replacements would reconnect the most habitats. It is my belief that not only will this project serve as a model for in-stream restoration work, but as a model of community and partner support and involvement.

The proposed project is important to the success of the organization and this grant is a vital component in proceeding with the work. The Berkshire Environmental Action Team and The Housatonic Valley Association contribute significantly to our community by ensuring the lasting beauty and the continual protection of the unique environment that is at the heart of Berkshire County. I offer my strongest possible recommendation in support of this grant request. Thank you in advance for your time and consideration and please do not hesitate to contact me at (413) 442-4008 if I can provide additional information.

Sincerely,

BENJAMIN B. DOWNING State Senator
 Berkshire, Hampshire & Franklin District

BBD/aek



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Comments were solicited from the public following the presentation of the Draft Round 2 RP/SEA at a public meeting in Lenox, Massachusetts on August 3, 2010. Public comments were also accepted after the meeting via letter and email through August 23, 2010 (Appendix D). Public comments and questions regarding the Draft Round 2 RP/SEA during the August 23, 2010, public meeting were recorded in the meeting minutes. Public comments during the meeting addressed both the planning process implemented to date by the MA SubCouncil and the Project Applications received in response to the Round 2 funding solicitation. A summary of comments and questions received during the public meeting is presented below, and the minutes from this public meeting are included in Appendix E.

10.0 PUBLIC COMMENTS ON DRAFT RP/SEA

10.1 PROJECT EVALUATION

A question was asked regarding Threshold Criterion No. 2 (Does the proposed project restore, rehabilitate, replace, and/or acquire the equivalent of natural resources or natural resource services that were injured by the release of PCBs or other hazardous substances?). Specifically, it was asked how much weight is given to this criterion and other criteria in the selection of preferred alternatives given that most of the preferred projects are habitat restoration projects. In response, the MA SubCouncil stated that Threshold Criteria are used to screen completeness and appropriateness of proposals, and that Threshold Criteria and Evaluation Criteria are considered in selection of preferred projects. Additionally, it was stated that all project applications must meet all Threshold Criteria in order to move on to the Evaluation Stage.

As a follow-up question, the public asked how the Round 2 project proposal for Springside Pond (Project Application No. 213) could be improved for possible submittal for funding in the future. The MA SubCouncil responded that reviewers scored projects based on point values associated with the Evaluation Criteria as described in Section 3.2 of the Draft Round 2 RP/SEA. As described in this section of the Draft Round 2 RP/SEA, evaluation scores are advisory to the MA SubCouncil. The proposed preferred alternatives were selected based on a combination of Review Team scores, public comment, independent analysis of the proposals, and the goals of Round 2 (e.g., implementing a suite of projects that address at least one of the two habitat restoration priority categories).

10.2 NRD PROCESS

The public asked if work proposed under this RP/SEA was the same as remediation work in Pittsfield. The MA SubCouncil responded that activities included in this RP/SEA were for the purpose of restoration work and not part of the previous remediation work in Pittsfield or possible future remediation work on the “Rest-of-River” segment of the Housatonic River. The MA SubCouncil added that project funds are to be used for NRD

restoration work; are not part of the Rest-of-River work; and represent a parallel but separate process.

In response to a question asking where the money for the restoration projects come from, the MA SubCouncil explained the NRDAR settlement process and stakeholders for the GE/Housatonic River project, which include Massachusetts, Connecticut, U.S. Fish and Wildlife Service, and the National Oceanic and Atmospheric Administration. It was noted that the NRD settlement with General Electric was approximately \$15M split between the Massachusetts and Connecticut SubCouncils, and that this money had accrued some interest prior to disbursement for project work. It was further explained that the expenditure of funding was at the discretion of the MA SubCouncil, and not General Electric.

10.3 LAND ACQUISITION

Several comments were received from the public supporting land acquisition and that land acquisition had not been well represented in the preferred projects selected for Round 1 and Round 2. The public asked what had happened to the land acquisition component of the Round 2 solicitation. In response, the MA SubCouncil noted that a future Round 3 solicitation for projects will likely emphasize land acquisition.

11.0 LITERATURE CITED

Collins, M., K. Lucey, B. Lambert, J. Kachmar, J. Turek, E. Hutchins, T. Purinton, and D. Neils. 2007. Stream barrier removal monitoring guide. Gulf of Maine Council on the Marine Environment. Online at <http://www.gulfofmaine.org/streambarrierremoval>.

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[HRR] Housatonic River Restoration, Inc. 1999. Revised 2003. The Housatonic River Restoration Plan. Online at http://www.hvatoday.org/education/river/hrr_plan.html.

[Woodlot] Woodlot Alternatives, Inc. 2002a. Ecological Characterization of the Housatonic River. Prepared for the U.S. Environmental Protection Agency. September.

Woodlot. 2002b. Ecological Characterization of the Housatonic River Downstream of Woods Pond. Prepared for the U.S. Environmental Protection Agency. September.

[Woodlot and IEC] Woodlot Alternatives, Inc. and Industrial Economics, Inc. 2005a. Restoration Planning Strategy. Prepared for the Massachusetts SubCouncil of the Housatonic River Natural Resource Trustees. February 18, 2005.

Woodlot and IEC. 2005b. Restoration Project Selection Procedure. Prepared for the Massachusetts SubCouncil of the Housatonic River Natural Resource Trustees. June 30, 2005.

Roy F. Weston, Inc. 1998. Upper Reach-Housatonic River Ecological Risk Assessment. Prepared under EPA Contract No. 68-W5-0009. Roy F. Weston, Inc., West Chester, PA.

APPENDIX A
Public libraries where documents can be accessed

Final Round 2 Restoration Plan and Supplemental Environmental Assessment

Great Barrington Mason Library
231 Main Street
Great Barrington, MA 01230-1604
(413) 528-2403

Lee Public Library
100 Main Street
Lee, MA 01238
(413) 243-0385

Lenox Public Library
18 Main Street
Lenox, MA 01240
(413) 637-0197

Berkshire Athenaeum
One Wendell Avenue
Pittsfield, MA 01201-6385
(413) 499-9488

Bushell-Sage Library
48 Main Street
Sheffield, MA 01257-0487
(413) 229-7004

Stockbridge Library
Main Street
P.O. Box 119
Stockbridge, MA 01262-0119
(413) 298-5501

APPENDIX B

Newspapers and radio and television stations used for public announcements

Final Round 2 Restoration Plan and Supplemental Environmental Assessment

Newspapers used for public outreach include:

- Berkshire Eagle, Pittsfield, MA
- Berkshire Record, Great Barrington, MA
- Pittsfield Gazette, Pittsfield, MA
- Springfield Union, Springfield, MA
- Republican, Springfield, MA
- The Advocate, Williamstown, MA
- The Advocate, Lenox, MA
- Pennysaver, Lee, MA
- Yankee Shopper, Pittsfield, MA
- Shoppers Guide, Great Barrington, MA
- North Adams Transcript, North Adams, MA
- Lakeville Journal, Lakeville, CT
- Litchfield County Times, Litchfield, CT

Radio stations used for public outreach include:

- WBEC 1420 AM, Pittsfield
- WAMQ 105.1 FM, Great Barrington
- WCFM 91.9 FM, Williamstown
- WNAW 1230 AM, North Adams
- WSBS 860 AM, Great Barrington
- WUPE, Pittsfield
- WBEC, Pittsfield
- WSBS, Great Barrington
- WBRK, Pittsfield
- WAMC, Albany N.Y.
- WAMQ, Great Barrington
- WCFM, Williamstown
- WNAW, North Adams
- WKZE, Litchfield, CT

Television stations used for public outreach include:

- Channel 22, Springfield, MA
- PCTV, Pittsfield, MA
- CTSB, Lee, MA
- WRGB, Albany
- WNYT, Albany
- News Channel 40, Springfield, MA
- WTEN, Albany

APPENDIX C

Final Results of Round 2 Threshold Criteria Evaluation

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Natural Resources Damages (NRD) regulations require that restoration activities restore, rehabilitate, replace, or acquire the equivalent of the resources and services that were injured or lost. The first step in evaluating the proposed projects involved identifying projects that met the minimum requirements for consideration as restoration projects. These “Threshold Criteria” include consistency with the goals of the MA SubCouncil, federal regulations, and other applicable federal, state, and local regulations and laws. The Threshold Criteria are summarized below. Additional details regarding the Threshold Criteria Evaluation process may be found in the Final Restoration Project Selection Procedure.

Threshold Criteria

1. Does the application contain the information necessary to proceed with an evaluation as described in this document?

(A “NO” response may render the proposed project ineligible for further consideration.)

2. Does the proposed project restore, rehabilitate, replace, and/or acquire the equivalent of natural resources or natural resource services that were injured by the release of PCBs or other hazardous substances?

(A “NO” response renders the proposed project ineligible for further consideration.)

3. Is the proposed project, or any portion of the proposed project, an action that is presently required under other federal, state, or local law?

(A “YES” response renders the proposed project ineligible for further consideration.)

4. Is the proposed project, or any portion of the proposed project, inconsistent with any federal, state, or local law, regulation, or policy?

(A “YES” response renders the proposed project ineligible for further consideration.)

5. Will the proposed project, in terms of its cost, be consistent with the stated goals of the MA SubCouncil to retain sufficient funds to 1) accomplish restoration over at least three rounds of proposal solicitations and 2) serve a wide geographic area that benefits the restoration priority categories?

(A “No” response renders the proposed project ineligible for further consideration.)

6. Will the proposed project, or any portion of the proposed project, be inconsistent with any ongoing or anticipated remedial actions (i.e., primary restoration) in the Housatonic River watershed?

(A “YES” response renders the proposed project ineligible for further consideration.)

Additionally, as stated at public meetings prior to release of the Request for Responses (RFR) and in the RFR (EEA 09 NRD 02), the focus of Round 2 was to be on Habitat Restoration. Although proposals that included Environmental Education or Recreation components were considered fundable, these activities were required to be secondary within habitat restoration proposals. Proposals that were judged to primarily address the secondary restoration categories of Environmental Education or Recreation were eliminated from further consideration.

The MA SubCouncil evaluated all 15 proposals submitted in response to the Round 2 Habitat Restoration RFR. A total of 12 proposals passed the Threshold Criteria Evaluation and proceeded to Stage 2 Evaluation. The 3 proposals that did not meet the Threshold Criteria requirements or were not primarily focused on habitat restoration are identified below with the MA SubCouncil's justification for their final decision. These 3 proposals will not be considered for funding during Round 2 even though the proposed projects may provide restoration benefits to injured natural resources.

Proposal No. 202 - Horsekeeping Best Management Practices for Water Quality Protection and Restoration

The intent of this project, as detailed in the Project Application, was to reduce non-point source contaminants and restore riparian habitat through an Environmental Education and Outreach program targeted at the community of horse owners in the Housatonic River watershed. The proposal requested \$30,463 in NRD funding to utilize an existing network of horse-related organizations in the watershed to connect horse-owners with information necessary for understanding local natural resources and identifying best management practices useful in reducing non-point source pollution.

This proposal was eliminated from consideration because it did not propose to restore, rehabilitate, replace, and/or acquire natural resources or natural resource services that were injured by the release of PCBs or other hazardous substances (Threshold Criterion No. 2).

Although the MA SubCouncil considers protection of resources through outreach to be a valuable endeavor, environmental education is not a primary restoration category in Round 2. Projects focused on environmental education may potentially be considered for funding during Round 3, but the restoration categories for later NRD funding have not been defined to date.

This proposal was therefore eliminated from consideration for this funding round because it was viewed to be an Environmental Education proposal. As stated in the Applicant's project abstract:

“This project aims to reduce NPS contaminants and restore riparian habitat through an Environmental Education and Outreach (EEO) program targeted at the horse owning community of the Housatonic River Watershed.”

Proposal No. 205 - Proposal for Aquatic Invasive Species Management in the Housatonic River

The intent of this project, as detailed in the Project Application, was to implement an invasive species monitoring network that would focus on zebra mussels (*Dreissena polymorpha*), quagga mussels (*Dreissena bugensis*), fishhook water fleas (*Cercopagis penguii*), spiny water fleas (*Bythotrephes longimanus*), and rock snot (*Didymosphenia geminate*). The proposal requested \$144,100 in NRD funding to:

1. Coordinate with regional, state, and interstate agencies to integrate and standardize the monitoring protocols and education program;
2. Assess the invasion risk for each targeted aquatic invasive species throughout the watershed;
3. Perform baseline invasive species monitoring of 30 lake, pond, and stream sites throughout the watershed;
4. Purchase up to six invasive species field monitoring kits and three lab kits;
5. Present up to four regional workshops to enlist and train citizen and volunteer groups;
6. Develop and distribute educational materials within the watershed;
7. Develop and implement an ongoing monitoring network and program; and
8. Provide annual reporting and a final project summary report.

This proposal was eliminated from consideration because it did not clearly restore, rehabilitate, replace, and/or acquire the equivalent of natural resources or natural resource services that were injured by the release of PCBs or other hazardous substances (Threshold Criterion No. 2).

The stated emphasis of this project was to monitor for the presence of aquatic invasive species within the Housatonic River Watershed. As stated by the Applicant, "Once populations of these species are established in a water body, there is no accepted, legally permissible method to actively control or eradicate them." The proposal presented a means for establishing a regional monitoring network, but there were no assurances that action will be taken once populations of invasive species were identified. The MA SubCouncil is aware that there is a Draft Early Detection and Rapid Response to Aquatic Invasive Species in Massachusetts Generic Protocol developed by the Massachusetts Aquatic Invasive Species Working Group, however this draft protocol has not been finalized. Additionally, the State may restrict access to invaded waters on State-owned land, but there is no procedure for quarantining public or private land. There are no assurances that the State has adequate funding to implement control of invasive species once identified or that control measures will have any measurable efficacy. In summary, although new introductions of invasive species may be identified as a result of funding this project, there are no assurances that implementation of the project will result in preventing the spread of invasive species. Thus the proposal does not restore natural resources.

The MA SubCouncil believes that control of invasive species detrimental to aquatic ecosystems is critical, however until there is an established mechanism for responding to

new introductions, efforts should be directed towards informing the public on how to best avoid transferring these species between water bodies.

Proposal No. 211 - Housatonic River Restorative EcoStation

The intent of this project, as detailed in the Project Application, was to develop an integrated natural treatment system to be installed along the Housatonic River to restore the aquatic resources and habitat contaminated with hazardous materials, including polychlorinated biphenyls (PCBs). The proposal requested \$806,300 in NRD funding to implement an “EcoStation” on GE land within the East Street Area 2 – South location that would use a greenhouse, bacterial fermenter, and mycelial production unit; to create bioswales adjacent to the Housatonic River; and distribute products from the “EcoStation” to the bioswales.

This proposal was eliminated from consideration because the primary stated goals were PCB elimination and remediation and the proposed project was not consistent with the East Street design at the proposed “EcoStation” location. The project was viewed to be inconsistent with ongoing remedial actions (Threshold Criterion No. 6). Also, because the proposal did not appear to be coordinated with USEPA Region 1 and GE, the proposal did not have information necessary to proceed with evaluation (Threshold Criterion No. 1).

APPENDIX D

Public Comments on Round 2 Draft RP/SEA

8/3/10

I STRONGLY SUPPORT LAND

ACQUISITION - TO SAVE THE LAND FOR

THE FUTURE

RON SMITH

Berkshire County League of Sportsmen

APPENDIX E

Minutes from the August 3, 2010, Public Meeting

Meeting Notes



Stantec

Round 2 Draft Restoration Plan and Supplemental Environment Assessment

GE/Housatonic River Natural Resource Restoration / FILE 195600014

Date/Time: August 3, 2010 5:30 PM
Place: Lenox Town Hall, Lenox, Massachusetts
Next Meeting: Not Scheduled
Attendees: Karen Pelto (MA DEP), Trustee Representative, MA SubCouncil
Kenneth Munney (USFWS), Trustee Representative, MA SubCouncil
Thomas Potter (MA DEP), Alternative Trustee Representative, MA SubCouncil
Todd Chadwell (Stantec), Consultant for MA SubCouncil
Michael Chelminski (Stantec) , Consultant for MA SubCouncil
Public Attendees (see Attachment 1 [attendance sheet])
Absentees: Not applicable
Distribution: Named Attendees and Project Website

Item:

Action:

Meeting Item

The meeting formally commenced at 5:33 PM with an introduction by Todd Chadwell. The introduction included a description of the Round 2 Draft Restoration Plan/Supplemental Environmental Assessment (Draft Round 2 RP/SEA) and the purpose of the meeting, which was to present the Draft RP/SEA in a public forum and solicit comments on the draft plan. It was noted that verbal comments would be accepted but that written submission of comments via letter or email would also be appreciated in order to provide accurate documentation. The public was also directed to a printed agenda and asked to sign-in with their name and affiliation. In response to erroneous prior announcements in the Berkshire Eagle, it was noted that this meeting was not addressing issues related to ongoing discussions by others (e.g., USEPA) regarding remedial actions for the "Rest of River" reach of the Housatonic River.

Mr. Chadwell introduced a visual slide presentation that would be used as a guide to this meeting (a printed copy of this slide presentation is attached here).

One Team. Infinite Solutions.

Mr. Chadwell introduced Massachusetts SubCouncil representatives and consultants present.

5:40 PM – 6:06 PM: Mr. Chadwell provided oral commentary to the 25-slide visual slide presentation, and noted that questions should be withheld until the question-and-answer period following this presentation.

6:07 PM: Questions and comments received from audience. The numbering of items below is provided to clarify each question/comment and the associated response.

Public Question No. 1: *Can comments address non-selected project applications or do they need to be restricted to preferred alternatives?*

Response No. 1 *(Mr. Chadwell): Questions and comments can address non-selected project applications in addition to preferred alternatives.*

Public Question No. 2: *How much weight is given to Threshold Criterion No. 2 and other criteria in the selection of preferred projects given that most of the preferred projects are habitat restoration projects?*

Response No. 2 *(Mr. Chadwell): Explained Threshold Criterion No. 2, that Threshold Criteria are used to screen completeness and appropriateness of proposals, and that Threshold Criteria and Evaluation Criteria are considered in selection of preferred projects. All project applications must meet all Threshold Criteria in order to move on to the Evaluation Stage.*

Response No. 2 *(Kenneth Munney): Explained that project funds are to be used to restore, rehabilitate, replace, and/or acquire equivalent natural resources or services that were injured by release of PCBs or other contaminants. Furthermore, this statement is a central tenet for all NRDAR projects, non-exclusive of the Housatonic River and provides a core unifying theme for all restoration initiatives under the NRDA program.*

Stantec to post Evaluation
Criteria scoring sheet to
project website.

Public Question No. 2 Follow-Up: *How could the Round 2 project proposal for Springside Pond (Project Application No. 213) be improved for possible future submittal for funding through this project?*

Response No. 2 Follow-Up: (Mr. Chadwell): Explained that the Springside Pond Restoration Project (Project Application No. 213) passed the Threshold Criteria and explained that this was a screening process. Reviewers scored projects based on point values associated with the Evaluation Criteria as described in Section 3.2 of the Draft Round 2 RP/SEA. A copy of the Evaluation Criteria was shown to the questioner, is included in the original project solicitation guidelines and will be made available to the public separately for easier viewing. As described in Section 3.2 of the Draft Round 2 RP/SEA, evaluation scores are advisory to the MA SubCouncil. The proposed preferred alternatives were selected based on a combination of Review Team scores, public comment, independent analysis of the proposals, and the goals of Round 2 (e.g., implementing a suite of projects that address at least one of the two habitat restoration priority categories).

Public Question No. 3: Is this the same project as the remediation work in Pittsfield?

Response No. 3 (Mr. Chadwell): This project is for restoration work and is not part of the previous remediation work in Pittsfield or possible future remediation work on the "Rest-of-River" segment of the Housatonic River.

Response No. 3 (Kenneth Munney): Explained that project funds are to be used for NRD restoration work, are not part of the Rest-of-River work, and represent a parallel but separate process.

Public Question No. 4: Question initiated with a comment that land acquisition is not well-represented in the preferred projects selected in Round 1 and Round 2. Question was what happened to the land acquisition component of the Round 2 solicitation? Following with comment that land acquisition represents the best long-term use of project funds.

Response No. 4 (Mr. Munney): Noted that a future Round 3 solicitation for projects will likely emphasize land acquisition, and that this reflects a semantic change from the Round 2 land acquisition component described in earlier documents (e.g., Round 3 will effectively be the Round 2 land acquisition component).

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August 3, 2010 5:30 PM
Round 2 Draft Restoration Plan and Supplemental Environment Assessment
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Noted that the project timeline has been extended due in part to changes in the MA SubCouncil.

Public Question No. 4 Follow-Up: *Comment encouraging the MA SubCouncil to focus on land acquisition.*

Response No. 4 Follow-Up: *(Mr. Munney): Asked that comments be submitted by letter and/or email and that the MA SubCouncil would consider these comments.*

Public Question No. 5: *Where does money for this project come from?*

Response No. 5 *(Mr. Munney): Explained the NRDAR settlement process and stakeholders for the GE/Housatonic River project, which include Massachusetts, Connecticut, U.S. Fish and Wildlife Service, and the National Oceanic and Atmospheric Administration. Noted that the NRD settlement with GE was approximately \$15M split between the Massachusetts and Connecticut SubCouncils, and that this money has accrued some interest prior to disbursement for project work.*

Response No. 5 *(Ms. Pelto): Explained that expenditure of funding is at the discretion of the MA SubCouncil, and not General Electric.*

Public Question No. 6: *Question regarding status of two land acquisition projects selected as preferred alternatives for funding Round 1 and whether this money would be reallocated if selected projects did not proceed through implementation (acquisition of land)?*

Response No. 6 *(Ms. Pelto): Explained that money is being held for selected Round 1 land acquisition projects pending resolution of ongoing studies and/or issues specific to each site. If these issues are not resolved, then monies would be reallocated to a future funding round.*

Public Question No. 7: *Is the amount of funding set (e.g., \$15M distributed as \$7.5M to each state/SubCouncil)?*

Response No. 7 *(Mr. Munney): Explained that funding is fixed based on the NRDAR settlement and that this funding is separated from funding for remediation work*

Stantec

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Round 2 Draft Restoration Plan and Supplemental Environment Assessment

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and funding. Furthermore, once all NRD funds are allocated to restoration projects, probably within the next few years via Round 3 funding, there will be no more money available for restoration projects throughout the watershed based on NRD funding.

Public Question No. 8: *Comment that land acquisition projects should have permanent protection (e.g., Article 97).*

Response No. 8 (Mr. Chadwell): *Responded that previous documents had indicated that land acquisition projects would be permanently protected.*

Public Question No. 9: *Comment suggesting that all remaining funds be dedicated to land acquisition and question whether the Round 3 process will be solely for land acquisition?*

Response No. 9 (Mr. Chelminski): *Noted that Mr. Munney previously addressed this (see Response No. 4), that the Round 3 solicitation is expected to be for land acquisition, and referenced the previously-developed project guidance documents as references for the funding process.*

Response No. 9 (Mr. Munney): *Noted that the MA SubCouncil would evaluate remaining funds when considering future funding rounds.*

Public Question No. 10: *How will the restoration be conducted within the 10 miles of the remedial area?*

Response No.10 (Mr. Munney): *The NRD restoration projects are not necessarily restricted to the area that undergoes remediation. In fact, Restoration Rounds 1 and 2, and probably Round 3 will result in restoration projects throughout the Housatonic River watershed. EPA/GE will undertake restoration in conjunction with the areas that undergo remediation, which will be separate from the NRD restoration process and projects.*

Stantec and the Trustees thanked people for their attendance and participation and again encouraged folks to send in comment letters before the August 23rd deadline.

The meeting adjourned at 6:35 PM.

Stantec

August 3, 2010 5:30 PM

Round 2 Draft Restoration Plan and Supplemental Environment Assessment

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The foregoing is considered to be a true and accurate record of all items discussed. If any discrepancies or inconsistencies are noted, please contact Stantec.

STANTEC CONSULTING SERVICES INC.

Michael Chelminski, P.E.

Senior Associate, Environmental Management

michael.chelminski@stantec.com

Attachment: Evaluation Scoring Sheet

Reviewer ID _____	Application ID _____	TOTAL SCORE _____
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PROJECT APPLICATION EVALUATION FORM
Housatonic River NRD Fund, Round 2 – Habitat Restoration

Project Name: _____

For each evaluation criterion, circle the appropriate number of points to be awarded. Subtotal the points for each category of criteria. Note the grand total score in the box above.

A. RELEVANCE AND APPLICABILITY OF PROJECT					
	High	Medium	Low	Score	Not Addressed
1. Natural Recovery Period	15	9	0		
2. Location of Project	15	9	0		
3. Sustainable Benefits	15	9	0		
4. Magnitude of Ecological Benefits	15	9	0		
5. Human Health and Safety	10	6	0		
6. Benefits to Multiple Restoration Categories	10	6	0		
7. Enhancement of Remediation/Response Actions	5	3	0		
Subtotal (max=85)					
B. TECHNICAL MERIT					
	High	Medium	Low	Score	Not Addressed
1. Technical/Technological Feasibility	15	9	0		
2. Technical Capacity of Applicant and Project Team	15	9	0		
3. Potential for Adverse Environmental Impacts	10	6	0		
4. Measurable Results	10	6	0		
5. Contingency Actions	10	6	0		
6. Administrative Capacity of Applicant and Project Team	5	3	0		
Sub-total (max = 65)					

Reviewer ID _____

Application ID _____

C. PROJECT BUDGET					
	High	Medium	Low	Score	Not Addressed
1. Relationship of Expected Costs to Expected Benefits	15	9	0		
2. Implementation-oriented	15	9	0		
3. Budget Justification and Understanding	15	9	0		
4. Leveraging of Additional Resources	10	6	3		
5. Coordination and Integration	5	3	0		
6. Comparative Cost-effectiveness	Preferred	Not Preferred			
Sub-total (max = 60)					
D. SOCIOECONOMIC MERIT					
	High	Medium	Low	Score	Not Addressed
1. Enhancement of Public's Relationship with Natural Resources	5	3	0		
2. Fostering Future Restoration and Stewardship	5	3	0		
3. Community Involvement	5	3	0		
4. Potential for Adverse Socioeconomic Impacts	5	3	0		
5. Complementary with Community Goals	5	3	0		
6. Public Outreach	5	3	0		
7. Diverse Partnerships	5	3	0		
Sub-total (max = 35)					
GRAND TOTAL (max = 245)					

Reviewer ID _____	Application ID _____
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PROJECT APPLICATION EVALUATION FORM
Housatonic River NRD Fund, Round 2 – Habitat Restoration

Project Name: _____

Use the space below to provide brief comments that justify your individual score for the Project Application and any subsequent score revisions. If you require additional pages, please include the Application ID, Reviewer ID and Project Name at the top of each page. Thank you.
