



Conservation Commission AGENDA

Thursday, February 26, 2026 - 6:00 PM

Regular Meeting
Agawam Senior Center
954 Main Street
Agawam, MA 01001

A. Conservation Commission

- 1) REQUEST FOR DETERMINATION CONT.-769 Silver Street-Agawam Energy Center, LLC
- 2) Write Order of Conditions-38 Tuckahoe Drive-Town of Agawam
- 3) APPROVAL OF MINUTES-February 12, 2026
- 4) Correspondence and Complaints

November 25, 2025

Town of Agawam
36 Main Street
Agawam, MA 01001
United States

**RE: Request for Determination of Applicability, Agawam Energy Center
769 Silver Street, Agawam, MA**

Dear Members of the Agawam Conservation Commission:

BSC Group, Inc. (BSC) is submitting this Request for Determination of Applicability (RDA) Application on behalf of the Agawam Energy Center, LLC (the Applicant) for the property located at 769 Silver Street (G6_2_6) and adjacent parcels (the Site).

Enclosed please find the complete RDA application and accompanying materials. If you have any questions or require additional information, please contact Melissa Kaplan at MKaplan@BSCGroup.com or Don Wardwell of Longroad Energy at donald.wardwell@longroadenergy.com.

Truly yours,
BSC GROUP, INC.



Melissa Kaplan, PWS
[Licensing and Permitting Team Lead](#)

cc: Don Wardwell, Longroad Energy

Enclosure

Request for Determination of Applicability
Agawam Energy Center Project

**Town of Agawam
Conservation Commission
November 2025**

Prepared for:
*Longroad Energy
125 High Street
Boston, MA 02210*

BSC Job #0101939.00

Prepared by:



180 Glastonbury Boulevard, Suite 305
Glastonbury, CT 06033

Table of Contents

Request for Determination of Applicability
Agawam Energy Center Project
November 2025

WPA FORM 1

ATTACHMENT A FIGURES

ATTACHMENT B NARRATIVE

ATTACHMENT C MASSDEP DATA FORMS AND SITE PHOTOGRAPHS



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

Agawam

City/Town

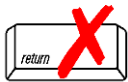
WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. General Information

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Applicant:

Agawam Energy Center, LLC

Name

125 High Street, Suite 1705

Mailing Address

Boston

City/Town

415.792.6071

Phone Number

Michael.Alvarez@longroadenergy.com

MA
State

02110
Zip Code

Fax Number (if applicable)

2. Representative (if any):

BSC Group, Inc.

Firm

Melissa Kaplan

Contact Name

180 Glastonbury Boulevard, Suite 305

Mailing Address

Glastonbury

City/Town

617-896-4517

Phone Number

mkaplan@bscgroup.com

E-Mail Address

CT
State

06033
Zip Code

Fax Number (if applicable)

B. Determinations

1. I request the Agawam Conservation Commission make the following determination(s). Check any that apply:

- ☒ a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- ☒ b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- ☒ c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- ☐ d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance** or **bylaw** of:

Name of Municipality

- ☐ e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).



Massachusetts Department of Environmental Protection

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Agawam

City/Town

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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

769 Silver Street

Street Address

Agawam

City/Town

G6-2-6

Assessors Map/Plat Number

3965

Parcel/Lot Number

- b. Area Description (use additional paper, if necessary):

The Site is approximately 17.2 acres in size and includes existing buildings and storage structures, gravel and paved yard areas, a pond (previously designated by NHESP as a Potential Vernal Pool), a maintained grassy field within the northeastern portion of the Site, and woodlands along the eastern boundary. See the Narrative in Attachment B for more details

- c. Plan and/or Map Reference(s):

Agawam Energy Center USGS Site Location Map

Title

8/28/2025

Date

Agawam Energy Center Environmental Resources Map

Title

11/24/2025

Date

Title

Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

The Applicant proposes to develop an approximately 250 megawatt (MW), 1,000 megawatt hour (MWh) battery energy storage system (BESS) on the 17.2 acre site located at 769 Silver Street (Map G6, Block 2, Lot 6). The project will consist of battery containers, transformers, inverters, equipment pads, a substation and associated infrastructure. The proposed BESS site will be accessed from Silver Street. The battery containers will be surrounded by a perimeter fence that will act as a physical, visual, and sound barrier.



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

Agawam

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C. Project Description (cont.)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

The work will be conducted completely outside of all Areas Subject to Protection under M.G.L. c. 131, Section 40 listed in 310 CMR 10.02(1), as well as all buffer zones associated with Areas Subject to Protection.

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- ☐ Single family house on a lot recorded on or before 8/1/96
- ☐ Single family house on a lot recorded after 8/1/96
- ☐ Expansion of an existing structure on a lot recorded after 8/1/96
- ☐ Project, other than a single family house or public project, where the applicant owned the lot before 8/7/96
- ☐ New agriculture or aquaculture project
- ☐ Public project where funds were appropriated prior to 8/7/96
- ☐ Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- ☐ Residential subdivision; institutional, industrial, or commercial project
- ☐ Municipal project
- ☐ District, county, state, or federal government project
- ☐ Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



Massachusetts Department of Environmental Protection

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Agawam

City/Town

WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

Lucia Family Realty, LLC

Name

PO Box 777

Mailing Address

Agawam, MA

City/Town

MA

State

01001

Zip Code

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Michael U. Alvarez

Michael U. Alvarez, COO

11/24/2025

Date

Melissa Kaplan

Signature of Representative (if any)

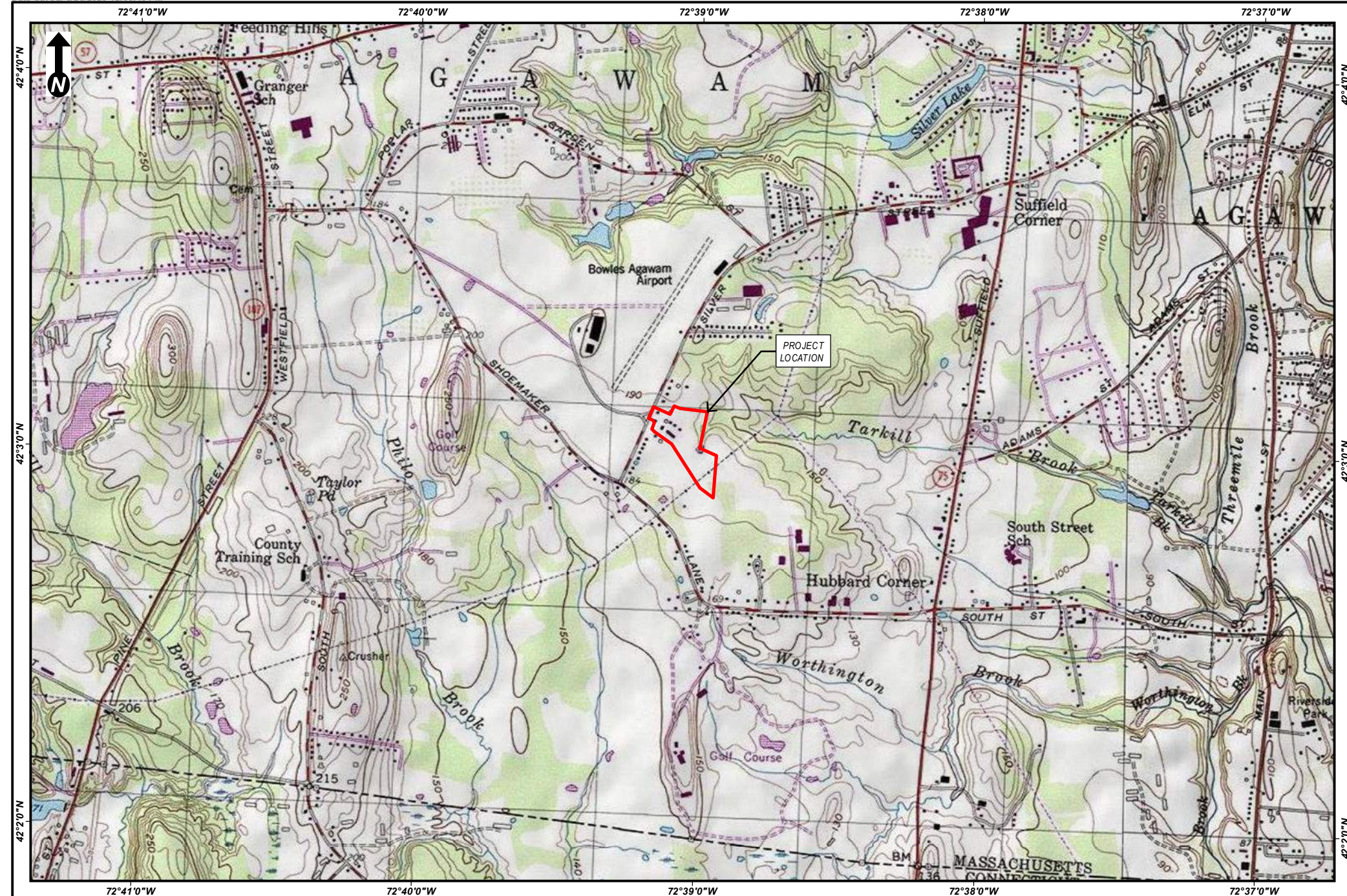
11/24/2025

Date

Attachment A

Request for Determination of Applicability Agawam Energy Center Project

Figures

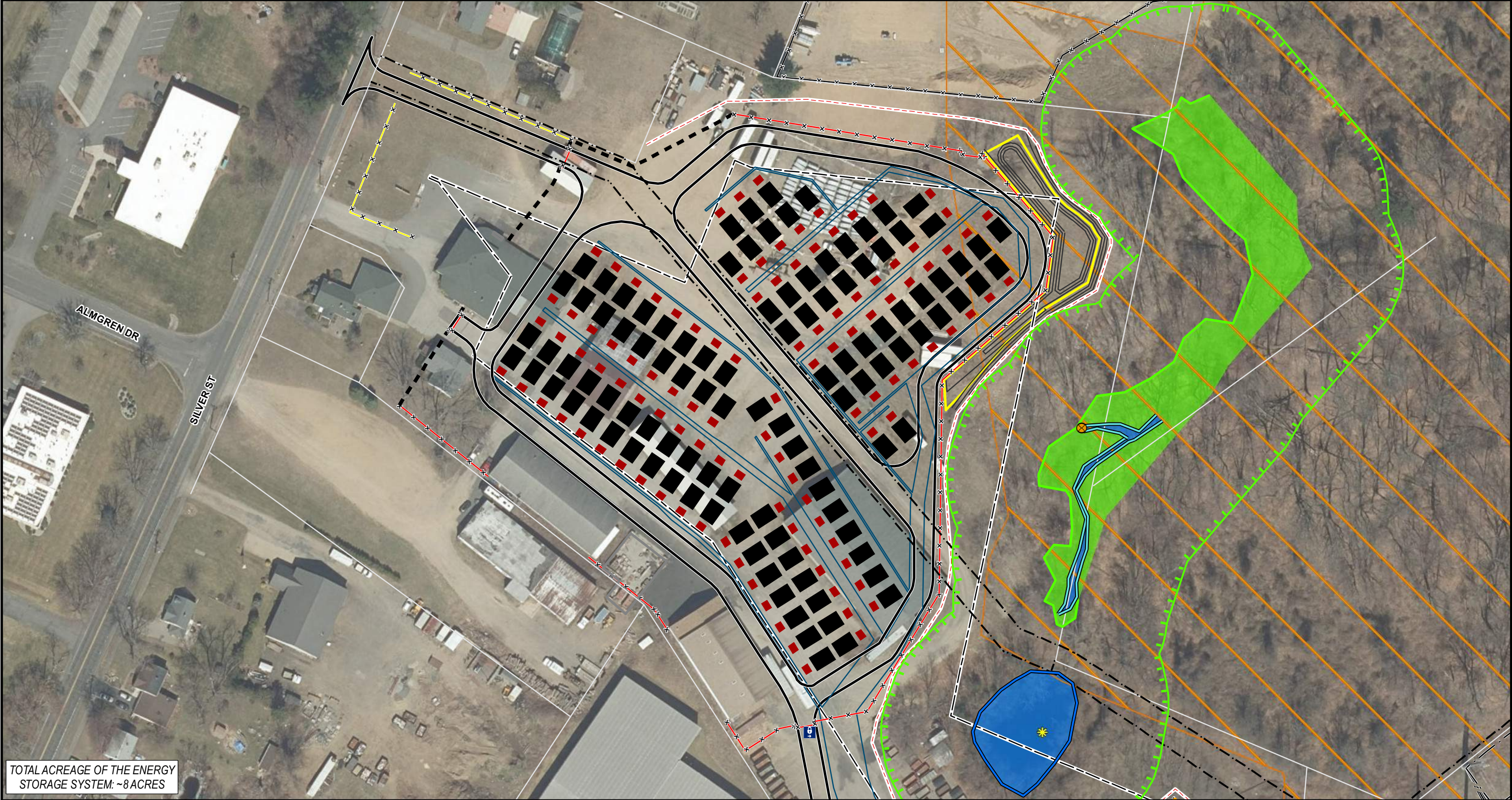


Scale: 1:24,000
1 inch = 2,000 feet
0 1,000 2,000
Feet
(Page Size 8.5 x 11)

AGAWAM ENERGY CENTER
USGS Site Location Map
Agawam, MA

Source: Copyright ©
2013 National
Geographic Society, i-
cubed

longroad
BSC GROUP
Page 10 of 103



TOTAL ACREAGE OF THE ENERGY STORAGE SYSTEM: ~8 ACRES

Index Map

Legend

BESS Equipment	Limit of Work	Parcel Boundary	Potential Vernal Pools
Transformer	Proposed Chain Link Fence	Field Delineated Stream Bank	Culvert
Proposed Substation Perimeter	Proposed Wood Privacy Fence	Field Delineated Pond Bank	Gate
Proposed Substation Infrastructure	Proposed Soundwall	Field Delineated Open Water*	
115KV Generator Tie Line	100ft Setback	Field Delineated Wetland Boundary	
Stormwater Management Area	Existing Easement	Field Delineated Wetland*	
Proposed Pavement	Existing Overhead Line	100ft Buffer to Wetlands & Streams	
Proposed Grading	Existing Fence	Perennial Stream	
Underground Collection Trench	Existing Concrete	NHESP Priority & Estimated Habitats	

1 inch = 100 feet

0 50 100

Feet

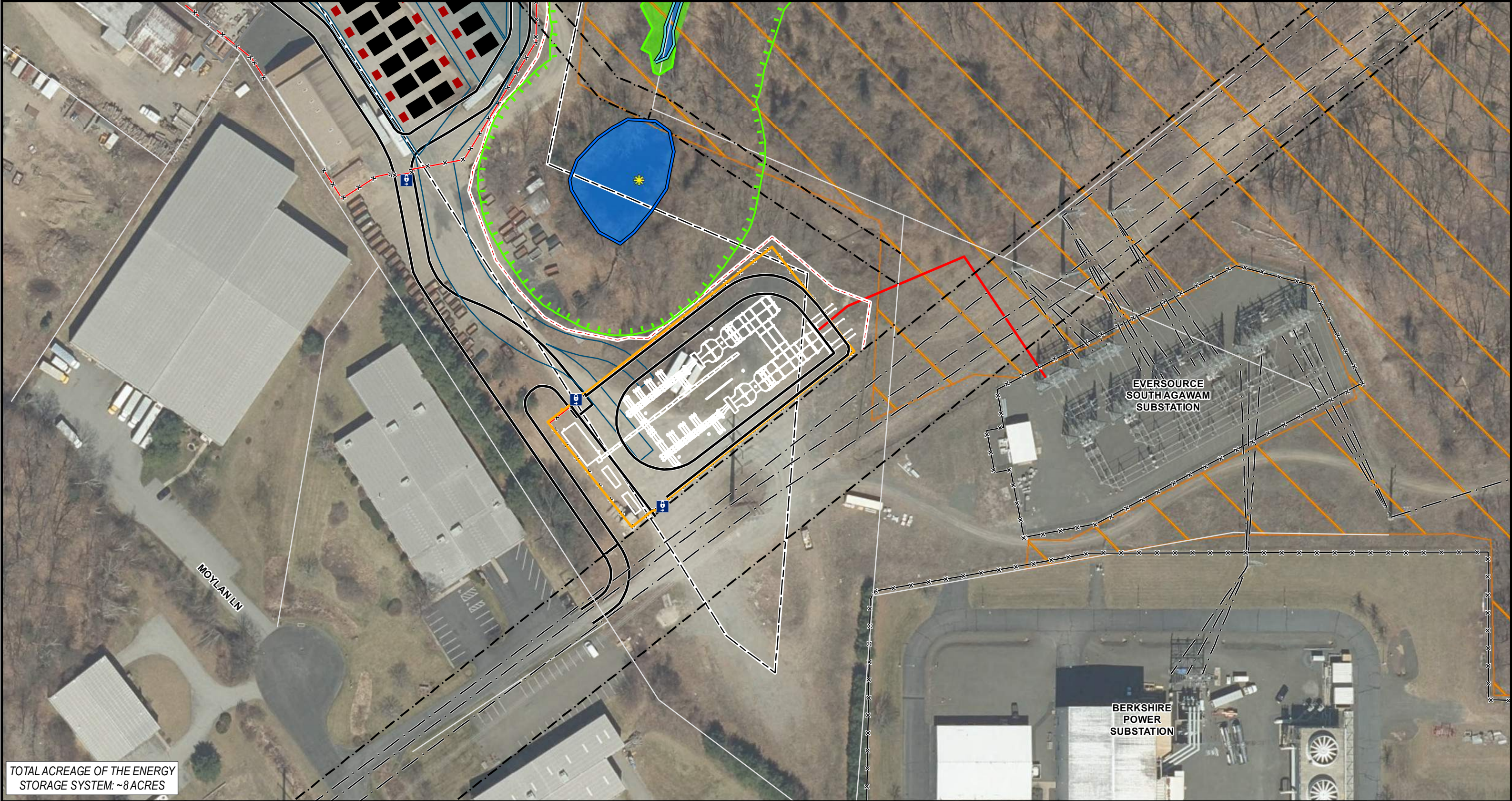
*Indicates Layers Set to Transparency

AGAWAM ENERGY CENTER

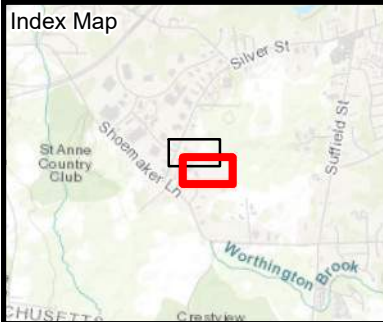
Site Plan

Agawam, MA
Page 1 of 2

MassGIS
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



TOTAL ACREAGE OF THE ENERGY STORAGE SYSTEM: ~8 ACRES



Legend

BESS Equipment	Limit of Work	Parcel Boundary	Potential Vernal Pools
Transformer	Proposed Chain Link Fence	Field Delineated Stream Bank	Culvert
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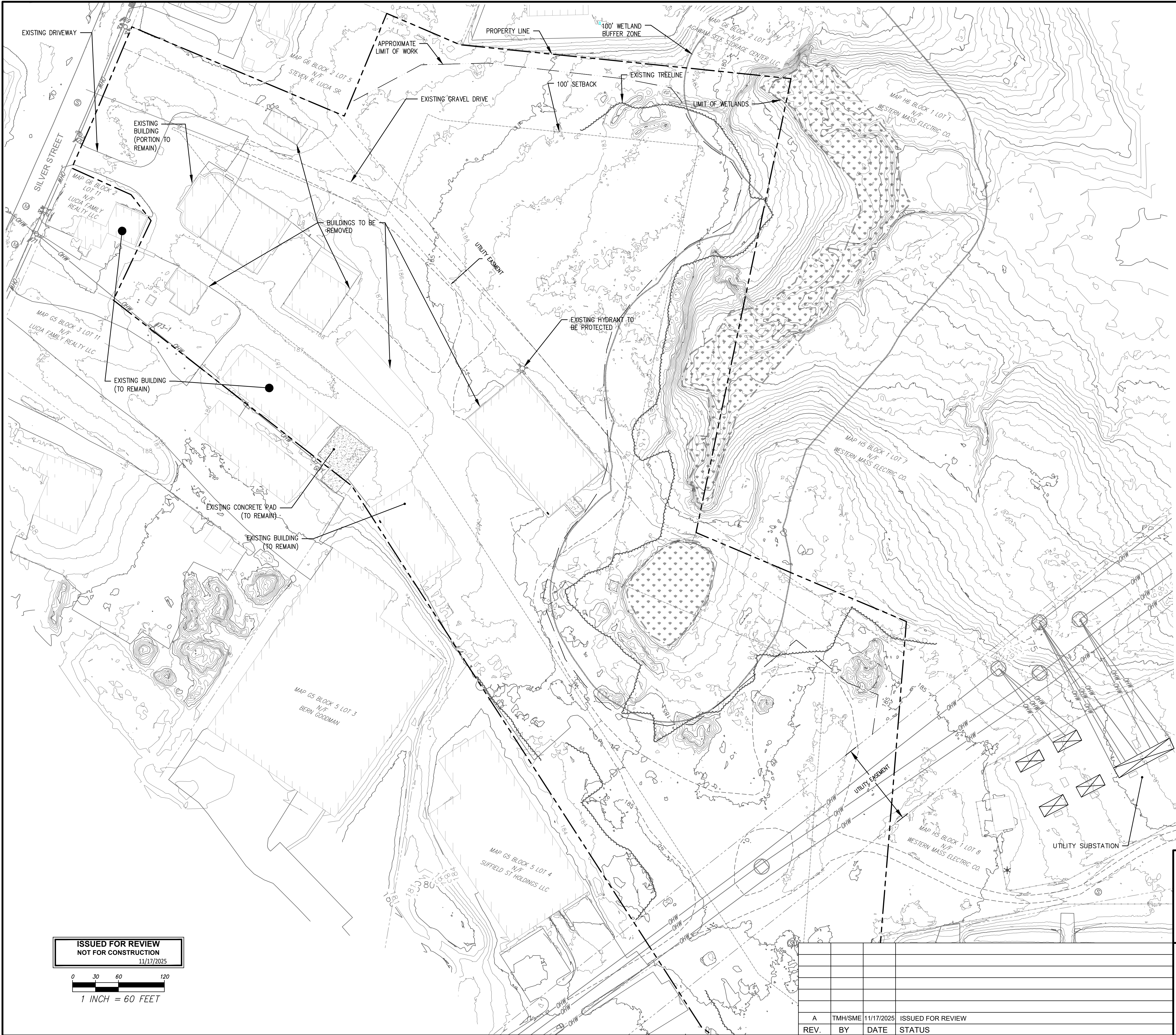
1 inch = 100 feet
0 50 100
Feet
**Indicates Layers Set to Transparency*

AGAWAM ENERGY CENTER

Site Plan

Agawam, MA
Page 2 of 2

MassGIS
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

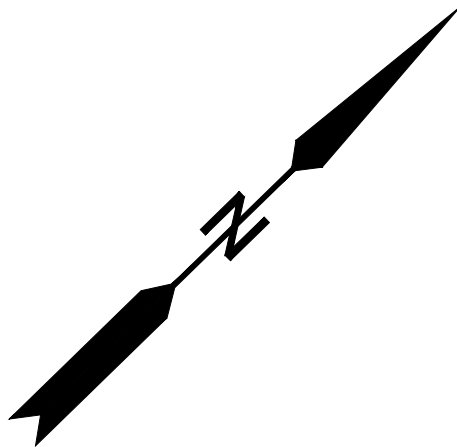


LEGEND

- PROPERTY LINE
- 100' PROPERTY SETBACK
- LIMIT OF WETLANDS
- 100' WETLAND BUFFER
- UTILITY EASEMENT
- EXISTING 1-FOOT CONTOUR
- EXISTING 5-FT CONTOUR
- EXISTING TREE LINE
- LIMIT OF WORK

NOTES

- EXISTING CONDITIONS SURVEY CONDUCTED BY MILLSTONE LLC.



ISSUED FOR REVIEW
NOT FOR CONSTRUCTION
11/17/2025

0 30 60 120
1 INCH = 60 FEET

A	TMH/SME	11/17/2025	ISSUED FOR REVIEW		
REV.	BY	DATE	STATUS		

LONGROAD ENERGY
AGAWAM ENERGY CENTER
AGAWAM, MA

EXISTING CONDITIONS AND DEMO PLAN

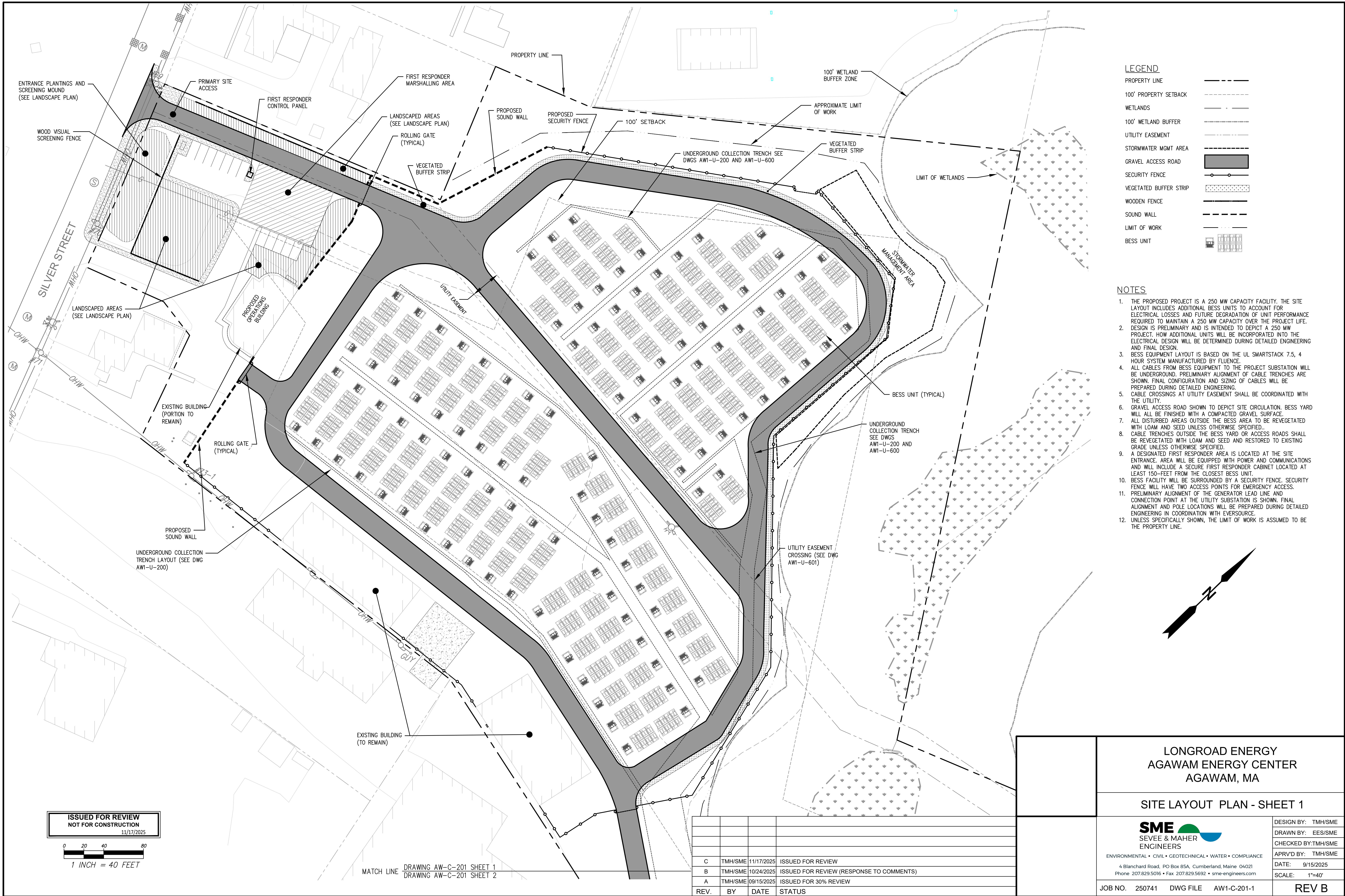


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4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021
Phone 207.829.5016 • Fax 207.829.5692 • sme-engineers.com

DESIGN BY: TMH/SME
DRAWN BY: EES/SME
CHECKED BY: TMH/SME
APRVD BY: TMH/SME
DATE: 11/14/2025
SCALE: 1"=60'

JOB NO. 250741 DWG FILE AW1-C-200

REV A

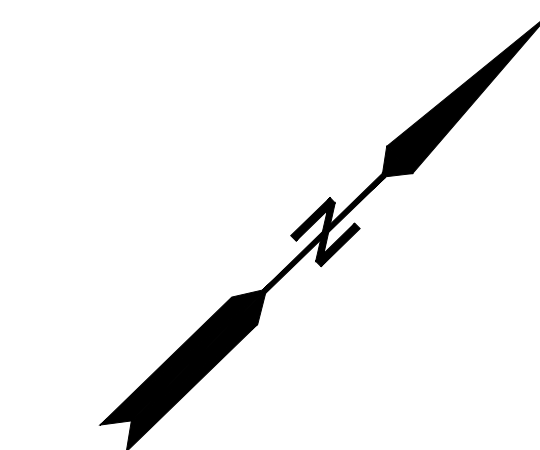


LEGEND

- PROPERTY LINE
- 100' PROPERTY SETBACK
- WETLANDS
- 100' WETLAND BUFFER
- UTILITY EASEMENT
- STORMWATER MGMT AREA
- GRAVEL ACCESS ROAD
- SECURITY FENCE
- VEGETATED BUFFER STRIP
- WOODEN FENCE
- SOUND WALL
- LIMIT OF WORK
- BESS UNIT

NOTES

- THE PROPOSED PROJECT IS A 250 MW CAPACITY FACILITY. THE SITE LAYOUT INCLUDES ADDITIONAL BESS UNITS TO ACCOUNT FOR ELECTRICAL LOSSES AND FUTURE DEGRADATION OF UNIT PERFORMANCE REQUIRED TO MAINTAIN A 250 MW CAPACITY OVER THE PROJECT LIFE. DESIGN IS PRELIMINARY AND IS INTENDED TO DEPICT A 250 MW PROJECT. HOW ADDITIONAL UNITS WILL BE INCORPORATED INTO THE ELECTRICAL DESIGN WILL BE DETERMINED DURING DETAILED ENGINEERING AND FINAL DESIGN.
- BESS EQUIPMENT LAYOUT IS BASED ON THE UL SMARTSTACK 7.5, 4 HOUR SYSTEM MANUFACTURED BY FLUENCE.
- ALL CABLES FROM BESS EQUIPMENT TO THE PROJECT SUBSTATION WILL BE UNDERGROUND. PRELIMINARY ALIGNMENT OF CABLE TRENCHES ARE SHOWN. FINAL CONFIGURATION AND SIZING OF CABLES WILL BE PREPARED DURING DETAILED ENGINEERING.
- CABLE CROSSINGS AT UTILITY EASEMENT SHALL BE COORDINATED WITH THE UTILITY.
- GRAVEL ACCESS ROAD SHOWN TO DEPICT SITE CIRCULATION. BESS YARD WILL ALL BE FINISHED WITH A COMPACTED GRAVEL SURFACE.
- ALL DISTURBED AREAS OUTSIDE THE BESS AREA TO BE REVEGETATED WITH LOAM AND SEED UNLESS OTHERWISE SPECIFIED.
- CABLE TRENCHES OUTSIDE THE BESS YARD OR ACCESS ROADS SHALL BE REVEGETATED WITH LOAM AND SEED AND RESTORED TO EXISTING GRADE UNLESS OTHERWISE SPECIFIED.
- A DESIGNATED FIRST RESPONDER AREA IS LOCATED AT THE SITE ENTRANCE. AREA WILL BE EQUIPPED WITH POWER AND COMMUNICATIONS AND WILL INCLUDE A SECURE FIRST RESPONDER CABINET LOCATED AT LEAST 150- FEET FROM THE CLOSEST BESS UNIT.
- BESS FACILITY WILL BE SURROUNDED BY A SECURITY FENCE. SECURITY FENCE WILL HAVE TWO ACCESS POINTS FOR EMERGENCY ACCESS.
- PRELIMINARY ALIGNMENT OF THE GENERATOR LEAD LINE AND CONNECTION POINT AT THE UTILITY SUBSTATION IS SHOWN. FINAL ALIGNMENT AND POLE LOCATIONS WILL BE PREPARED DURING DETAILED ENGINEERING IN COORDINATION WITH EVERSOURCE.
- UNLESS SPECIFICALLY SHOWN, THE LIMIT OF WORK IS ASSUMED TO BE THE PROPERTY LINE.



ISSUED FOR REVIEW
NOT FOR CONSTRUCTION
11/17/2025

0 20 40 80
1 INCH = 40 FEET

MATCH LINE
DRAWING AW-C-201 SHEET 1
DRAWING AW-C-201 SHEET 2

REV.	BY	DATE	STATUS
C	TMH/SME	11/17/2025	ISSUED FOR REVIEW
B	TMH/SME	10/24/2025	ISSUED FOR REVIEW (RESPONSE TO COMMENTS)
A	TMH/SME	09/15/2025	ISSUED FOR 30% REVIEW

LONGROAD ENERGY
AGAWAM ENERGY CENTER
AGAWAM, MA

SITE LAYOUT PLAN - SHEET 1

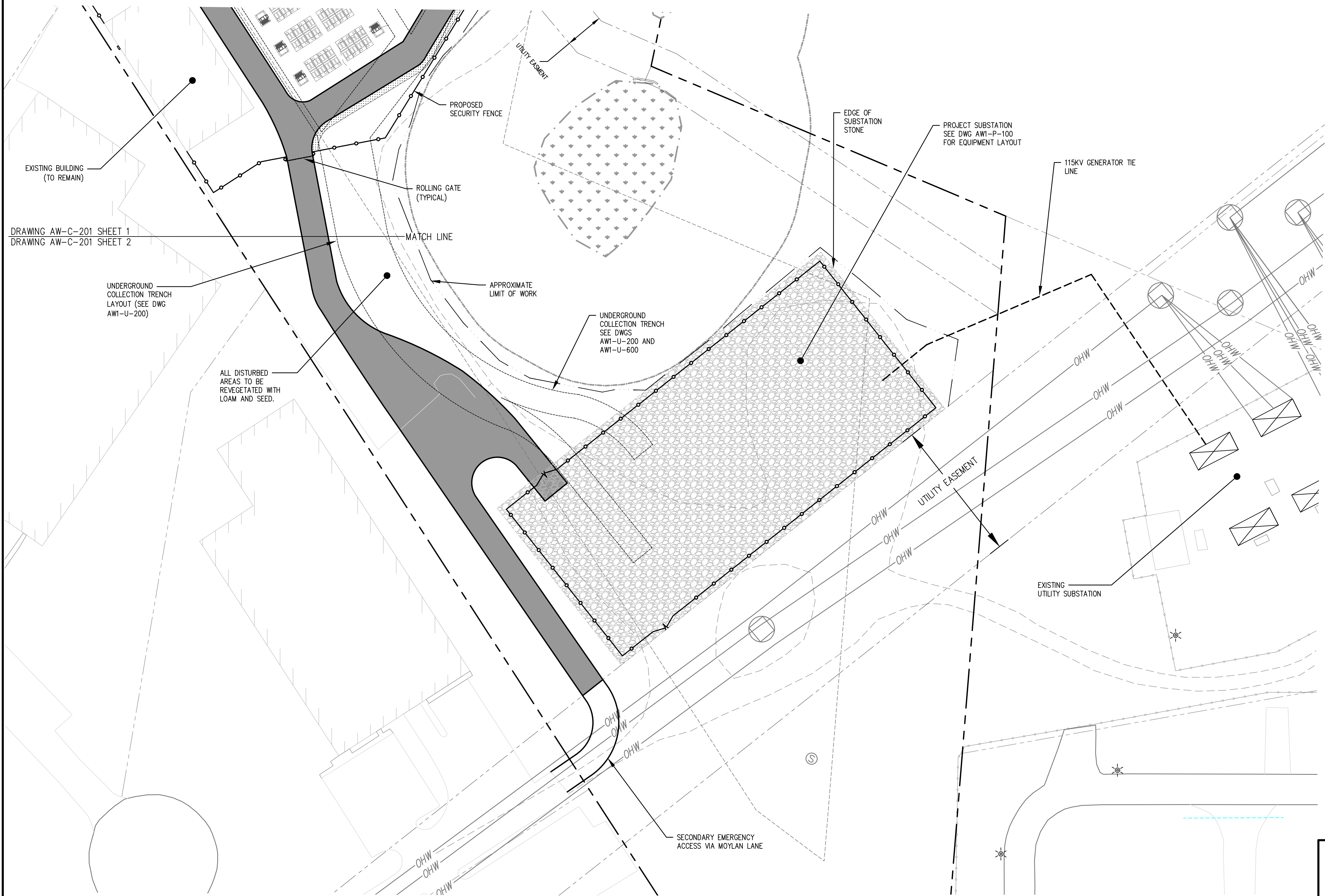


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DESIGN BY: TMH/SME
DRAWN BY: EES/SME
CHECKED BY: TMH/SME
APRVD BY: TMH/SME
DATE: 9/15/2025
SCALE: 1"=40'

JOB NO. 250741 DWG FILE AW1-C-201-1

REV B



LEGEND

PROPERTY LINE	---
100' PROPERTY SETBACK	----
WETLANDS	-.-.-
100' WETLAND BUFFER	----
UTILITY EASEMENT	---
GRAVEL ACCESS ROAD	▒
VEGETATED BUFFER STRIP	▒
SECURITY FENCE	○-○-○
SOUND WALL	---
LIMIT OF WORK	---
BESS UNIT	▒

NOTES

1. THE PROPOSED PROJECT IS A 250 MW CAPACITY FACILITY. THE SITE LAYOUT INCLUDES ADDITIONAL BESS UNITS TO ACCOUNT FOR ELECTRICAL LOSSES AND FUTURE DEGRADATION OF UNIT PERFORMANCE REQUIRED TO MAINTAIN A 250 MW CAPACITY OVER THE PROJECT LIFE. DESIGN IS PRELIMINARY AND IS INTENDED TO DEPICT A 250 MW PROJECT. HOW ADDITIONAL UNITS WILL BE INCORPORATED INTO THE ELECTRICAL DESIGN WILL BE DETERMINED DURING DETAILED ENGINEERING AND FINAL DESIGN.
2. BESS EQUIPMENT LAYOUT IS BASED ON THE UL SMARTSTACK 7.5, 4 HOUR SYSTEM MANUFACTURED BY FLUENCE.
3. ALL CABLES FROM BESS EQUIPMENT TO THE PROJECT SUBSTATION WILL BE UNDERGROUND. PRELIMINARY ALIGNMENT OF CABLE TRENCHES ARE SHOWN. FINAL CONFIGURATION AND SIZING OF CABLES WILL BE PREPARED DURING DETAILED ENGINEERING.
4. CABLE CROSSINGS AT UTILITY EASEMENT SHALL BE COORDINATED WITH THE UTILITY.
5. GRAVEL ACCESS ROAD SHOWN TO DEPICT SITE CIRCULATION. BESS YARD WILL ALL BE FINISHED WITH A COMPACTED GRAVEL SURFACE.
6. ALL DISTURBED AREAS OUTSIDE THE BESS AREA TO BE REVEGETATED WITH LOAM AND SEED UNLESS OTHERWISE SPECIFIED..
7. CABLE TRENCHES OUTSIDE THE BESS YARD OR ACCESS ROADS SHALL BE REVEGETATED WITH LOAM AND SEED AND RESTORED TO EXISTING GRADE UNLESS OTHERWISE SPECIFIED.
8. CABLE TRENCHES OUTSIDE THE BESS YARD OR ACCESS ROADS SHALL BE REVEGETATED WITH LOAM AND SEED AND RESTORED TO EXISTING GRADE.
9. A DESIGNATED FIRST RESPONDER AREA IS LOCATED AT THE SITE ENTRANCE. AREA WILL BE EQUIPPED WITH POWER AND COMMUNICATIONS AND WILL INCLUDE A SECURE FIRST RESPONDER CABINET LOCATED AT LEAST 150- FEET FROM THE CLOSEST BESS UNIT.
10. BESS FACILITY WILL BE SURROUNDED BY A SECURITY FENCE. SECURITY FENCE WILL HAVE TWO ACCESS POINTS FOR EMERGENCY ACCESS.
11. PRELIMINARY ALIGNMENT OF THE GENERATOR LEAD LINE AND CONNECTION POINT AT THE UTILITY SUBSTATION IS SHOWN. FINAL ALIGNMENT AND POLE LOCATIONS WILL BE PREPARED DURING DETAILED ENGINEERING IN COORDINATION WITH EVERSOURCE.
12. THE LIMIT OF WORK IS ASSUMED TO BE THE PROPERTY LINE, UNLESS SPECIFICALLY SHOWN

DRAWING AW-C-201 SHEET 1
DRAWING AW-C-201 SHEET 2

UNDERGROUND
COLLECTION TRENCH
LAYOUT (SEE DWG
AW1-U-200)

ALL DISTURBED
AREAS TO BE
REVEGETATED WITH
LOAM AND SEED.

PROPOSED
SECURITY FENCE

ROLLING GATE
(TYPICAL)

MATCH LINE

APPROXIMATE
LIMIT OF WORK

UNDERGROUND
COLLECTION TRENCH
SEE DWGS
AW1-U-200 AND
AW1-U-600

EDGE OF
SUBSTATION
STONE

PROJECT SUBSTATION
SEE DWG AW1-P-100
FOR EQUIPMENT LAYOUT

115KV GENERATOR TIE
LINE

EXISTING
UTILITY SUBSTATION

SECONDARY EMERGENCY
ACCESS VIA MOYLAN LANE

ISSUED FOR REVIEW
NOT FOR CONSTRUCTION
11/17/2025

0 20 40 80
1 INCH = 40 FEET

C	TMH/SME	11/17/2025	ISSUED FOR REVIEW	
B	TMH/SME	10/24/2025	ISSUED FOR REVIEW (RESPONSE TO COMMENTS)	
A	TMH/SME	09/15/2025	ISSUED FOR 30% REVIEW	
REV.	BY	DATE	STATUS	

LONGROAD ENERGY
AGAWAM ENERGY CENTER
AGAWAM, MA

SITE LAYOUT PLAN - SHEET 2

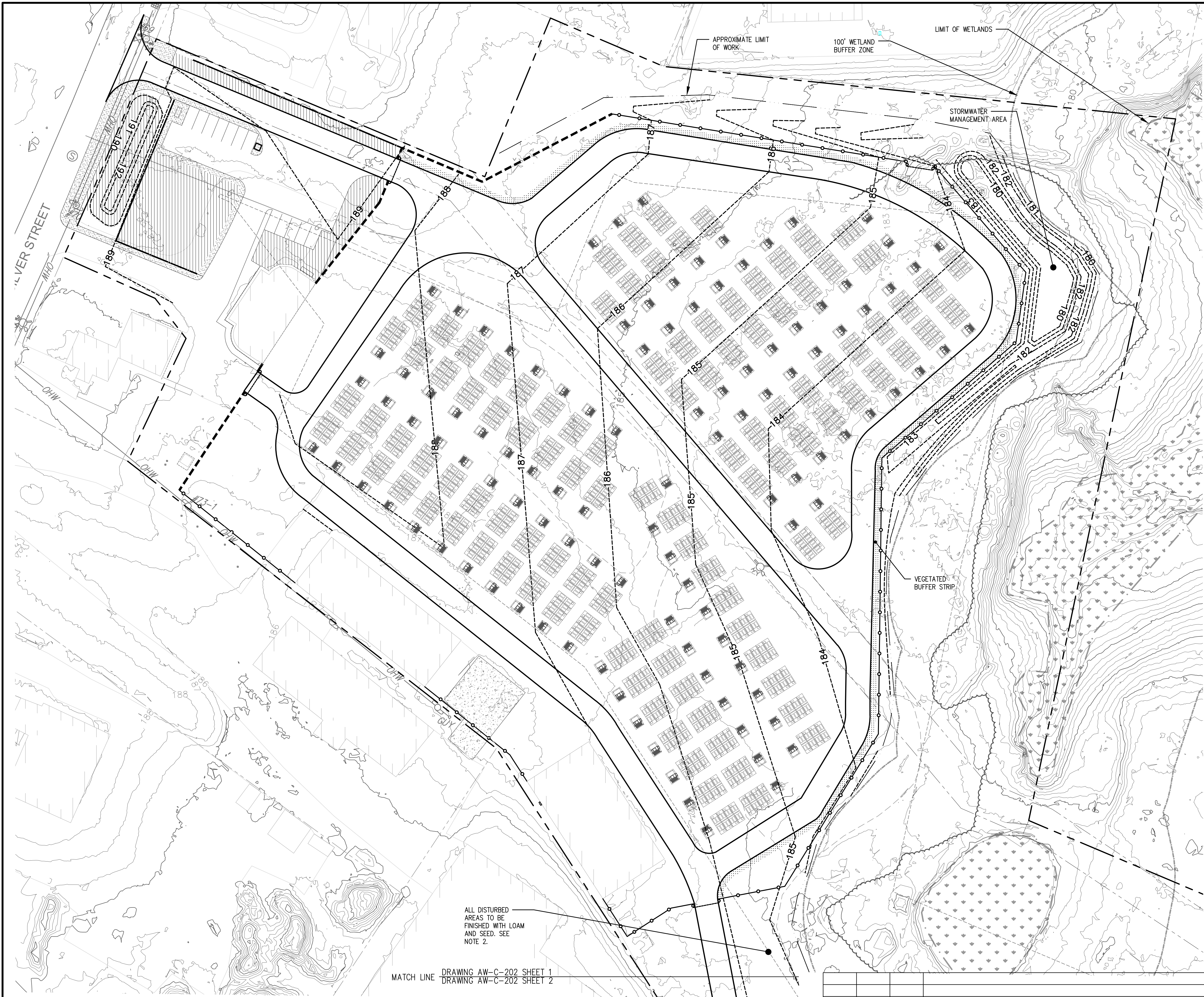
SME
SEVEE & MAHER
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DRAWN BY: EES/SME
CHECKED BY: TMH/SME
APRVD BY: TMH/SME
DATE: 9/15/2025
SCALE: 1"=40'

REV B

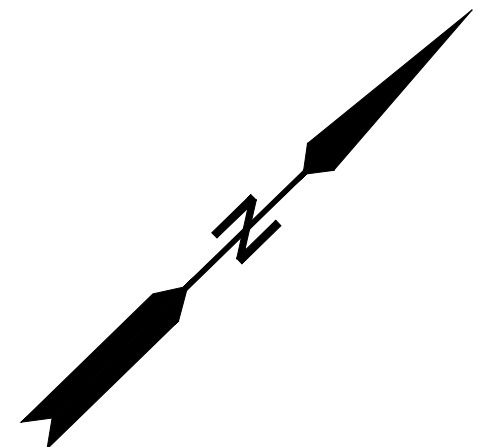


LEGEND

PROPERTY LINE	---
100' PROPERTY SETBACK	----
WETLANDS	~~~~~
100' WETLAND BUFFER	-----
UTILITY EASEMENT	----
EXISTING 1-FT CONTOUR	181
EXISTING 5-FT CONTOUR	180
PROPOSED CONTOURS	185
PROPOSED SPOT ELEV.	x 186.5
BESS UNIT	
GRAVEL ACCESS ROAD	----
VEGETATED BUFFER STRIP	-----
SECURITY FENCE	-----
SOUND WALL	-----
LIMIT OF WORK	-----

NOTES

1. ALL DISTURBED AREAS TO BE RESTORED AND REVEGETATED WITH LOAM AND SEED UNLESS SPECIFIED OTHERWISE.
2. ANY CABLE TRENCHES OUTSIDE OF BESS YARD AND ACCESS ROAD SHALL BE REVEGETATED WITH LOAM AND SEED AND RESTORED TO EXISTING GRADE.
3. EROSION CONTROLS SHALL BE INSTALLED AND MAINTAINED ALONG THE PERIMETER OF THE WORK AREA IN ACCORDANCE WITH THE EROSION CONTROL NOTES AND DETAILS.



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11/17/2025

0 20 40 80
1 INCH = 40 FEET

MATCH LINE
DRAWING AW-C-202 SHEET 1
DRAWING AW-C-202 SHEET 2

B	TMH/SME	11/17/2025	ISSUED FOR REVIEW	
A	TMH/SME	09/24/2025	ISSUED FOR REVIEW (RESPONSE TO COMMENTS)	
REV.	BY	DATE	STATUS	

LONGROAD ENERGY
AGAWAM ENERGY CENTER
AGAWAM, MA

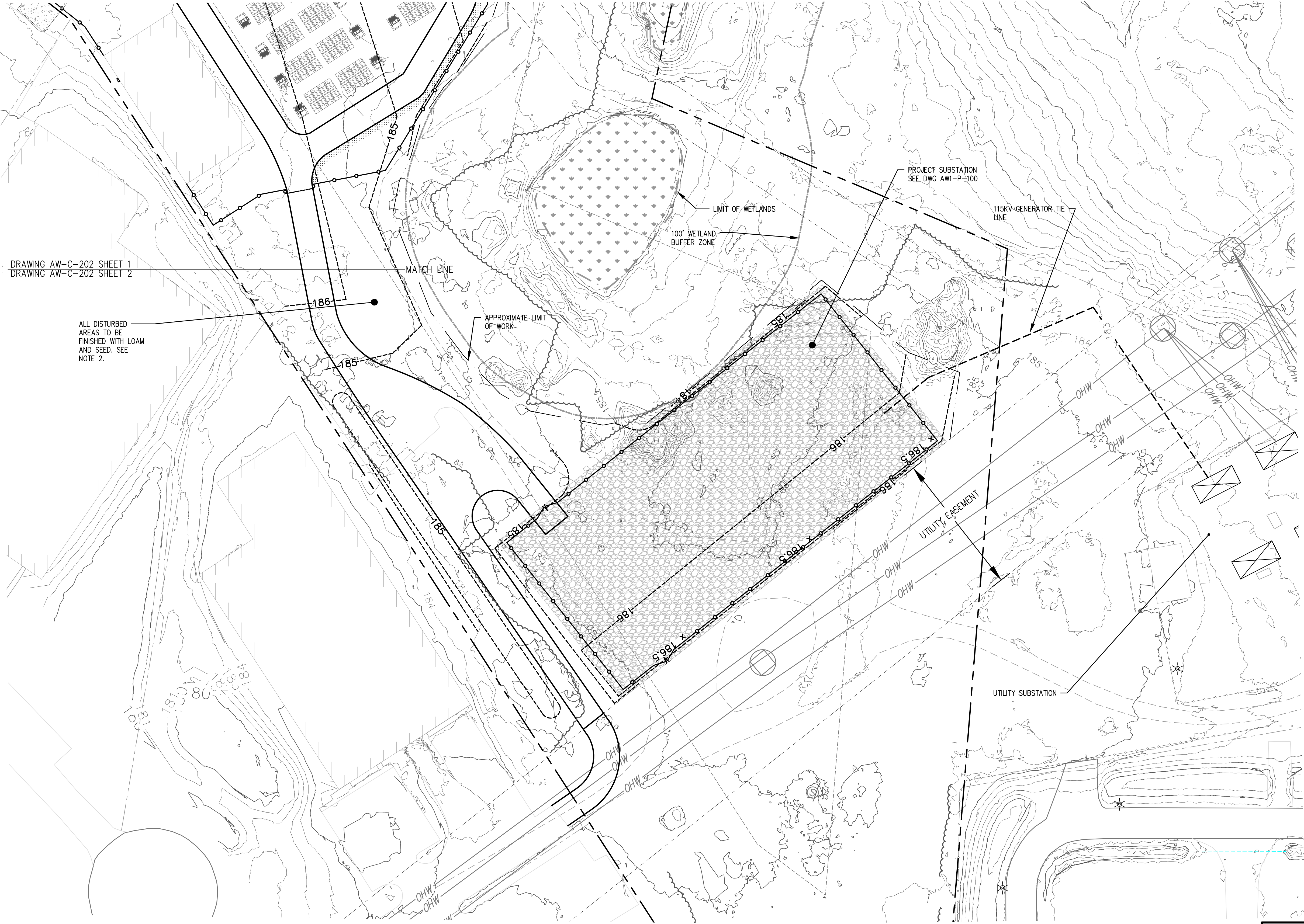
GRADING PLAN - SHEET 1

SME
SEVEE & MAHER
ENGINEERS
ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE
4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021
Phone 207.829.5016 • Fax 207.829.5692 • sme-engineers.com

DESIGN BY: TMH/SME
DRAWN BY: EES/SME
CHECKED BY: TMH/SME
APRVD BY: TMH/SME
DATE: 9/15/2025
SCALE: 1"=40'

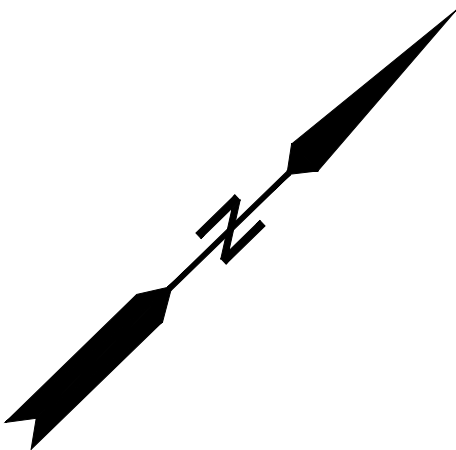
JOB NO. 250741 DWG FILE AW1-C-202-1

REV B



LEGEND

PROPERTY LINE
100' PROPERTY SETBACK
WETLANDS
100' WETLAND BUFFER
UTILITY EASEMENT
EXISTING 1-FT CONTOUR
EXISTING 5-FT CONTOUR
PROPOSED CONTOURS
PROPOSED SPOT ELEV.
BESS UNIT
GRAVEL ACCESS ROAD
VEGETATED BUFFER STRIP
SECURITY FENCE
LIMIT OF WORK



- NOTES:**
1. ALL DISTURBED AREAS TO BE RESTORED AND REVEGETATED WITH LOAM AND SEED UNLESS SPECIFIED OTHERWISE.
 2. ANY CABLE TRENCHES OUTSIDE OF BESS YARD AND ACCESS ROAD SHALL BE REVEGETATED WITH LOAM AND SEED AND RESTORED TO EXISTING GRADE.
 3. EROSION CONTROLS SHALL BE INSTALLED AND MAINTAINED ALONG THE PERIMETER OF THE WORK AREA IN ACCORDANCE WITH THE EROSION CONTROL NOTES AND DETAILS.

ISSUED FOR REVIEW
NOT FOR CONSTRUCTION
11/17/2025

0 20 40 80
1 INCH = 40 FEET

B	TMH/SME	11/17/2025	ISSUED FOR REVIEW	
A	TMH/SME	09/24/2025	ISSUED FOR REVIEW (RESPONSE TO COMMENTS)	
REV.	BY	DATE	STATUS	

LONGROAD ENERGY
AGAWAM ENERGY CENTER
AGAWAM, MA

GRADING PLAN

SME
SEVEE & MAHER
ENGINEERS

ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE

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DESIGN BY: TMH/SME
DRAWN BY: EES/SME
CHECKED BY: TMH/SME
APRVD BY: TMH/SME
DATE: 9/15/2025
SCALE: 1"=40'

REV B

JOB NO. 250741

DWG FILE AW1-C-202-2

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EROSION CONTROL NOTES:

A. GENERAL

1. All soil erosion and sediment control will be done in accordance with the Massachusetts Erosion and Sediment Control Guidelines for Urban Suburban Areas, latest edition.
2. The site Contractor (to be determined) will be responsible for the inspection and repair/replacement/maintenance of all erosion control measures, disturbed areas, material storage areas, and vehicle access points until all disturbed areas are stabilized.
3. Disturbed areas will be permanently stabilized within 7 days of final grading. Disturbed areas not to be worked upon within 14 days of disturbance will be temporarily stabilized within 7 days of the disturbance.
4. In all areas, removal of trees, bushes and other vegetation, as well as disturbance of topsoil will be kept to a minimum while allowing proper site operations.
5. Any suitable topsoil will be stripped and stockpiled for reuse as directed by the Owner. Topsoil will be stockpiled in a manner such that natural drainage is not obstructed and no off-site sediment damage will result. In any event, stockpiles will not be located within 100 feet of wetlands and will be at least 50 feet upgradient of the stockpile's perimeter silt fence. The sideslopes of the topsoil stockpile will not exceed 2:1. Silt fence will be installed around the perimeter of all topsoil stockpiles. Topsoil stockpiles will be surrounded with siltation fencing and will be temporarily seeded with Aroostook rye, annual or perennial ryegrass within 7 days of formation, or temporarily mulched.
6. Winter excavation and earthwork will be completed so as to minimize exposed areas while satisfactorily completing the project. Limit exposed areas to those areas in which work is to occur during the following 15 days and that can be mulched in one day. All areas will be considered denuded until the subbase gravel is installed in roadway areas or the areas of future loam and seed have been loamed, seeded, and mulched.

Install any added measures necessary to control erosion/sedimentation. The particular measure used will be dependent upon site conditions, the size of the area to be protected, and weather conditions.

To minimize areas without erosion control protection, continuation of earthwork operations on additional areas will not begin until the exposed soil surface on the area being worked has been stabilized.

B. TEMPORARY MEASURES

1. STABILIZED CONSTRUCTION ENTRANCE/EXIT

A crushed stone stabilized construction entrance/exit will be placed at any point of vehicular access to the site, in accordance with the detail shown on this sheet.

2. SILT FENCE

- a. Silt fence will be installed prior to all construction activity, where soil disturbance may result in erosion. Silt fence will be erected at locations shown on the plans and/or downgradient of all construction activity.
- b. Silt fences will be removed when they have served their useful purpose, but not before the upgradient areas have been permanently stabilized.
- c. Silt fences will be inspected immediately after each rainfall and at least daily during prolonged rainfall. They will be inspected if there are any signs of erosion or sedimentation below them. Any required repairs will be made immediately. If there are signs of undercutting at the center or the edges, or impounding of large volumes of water behind them, they will be replaced with a temporary crushed stone check dam.
- d. Sediment deposits will be removed after each storm event if significant build-up has occurred or if deposits exceed half the height of the barrier.

3. STONE CHECK DAMS

Stone check dams will be installed in grass-lined swales and ditches during construction. Remove stone check dams when they have served their useful purpose, but not before upgradient areas have been permanently stabilized.

4. EROSION CONTROL MIX SEDIMENT BARRIER

- a. Where approved, erosion control mix sediment barriers may be used as a substitute for silt fence. See the details in this drawing set for specifications.
- b. Rock Filter Berms: To provide more filtering capacity or to act as a velocity check dam, a berm's center can be composed of clean crushed rock ranging in size from the french drain stone to riprap.

5. TEMPORARY SEEDING

Stabilize disturbed areas that will not be brought to final grade and reduce problems associated with mud and dust production from exposed soil surface during construction with temporary vegetation.

6. TEMPORARY MULCHING

Use temporary mulch in the following locations and/or circumstances:

- In sensitive areas (within 100 feet of streams, wetlands and in lake watersheds) temporary mulch will be applied within 7 days of exposing spill or prior to any storm event.
- Apply temporary mulch within 14 days of disturbance or prior to any storm event in all other areas.
- Areas which have been temporarily or permanently seeded will be mulched immediately following seeding.
- Areas which cannot be seeded within the growing season will be mulched for over-winter protection and the area will be seeded at the beginning of the growing season.
- Mulch can be used in conjunction with tree, shrub, vine, and ground cover plantings.
- Mulch anchoring will be used on slopes greater than 5 percent in late fall (past October 15), and over-winter (October 15 - April 15).

The following materials may be used for temporary mulch:

- a. Hay or Straw material shall be air-dried, free of seeds and coarse material. Apply 2 bales/1,000 sf or 1.5 to 2 tons/acre to cover 90% of ground surface.
- b. Erosion Control Mix: It can be used as a stand-alone reinforcement:
- on slopes 2 horizontal to 1 vertical or less;
 - on frozen ground or forested areas; and
 - at the edge of gravel parking areas and areas under construction.
- c. Erosion control mix alone is not suitable:
- on slopes with groundwater seepage;
 - at low points with concentrated flows and in gullies;
 - at the bottom of steep perimeter slopes exceeding 100 feet in length;
 - below culvert outlet aprons; and around catch basins and closed storm systems.
- d. Chemical Mulches and Soil Binders: Wide ranges of synthetic spray-on materials are marketed to protect the soil surface. These are emulsions that are mixed with water and applied to the soil. They may be used alone, but most often are used to hold wood fiber, hydro-mulches or straw to the soil surface.

- e. Erosion Control Blankets and Mats: Mats are manufactured combinations of mulch and netting designed to retain soil moisture and modify soil temperature. During the growing season (April 15 to October 15) use mats indicated on drawings or North American Green (NAG) S75 (or mulch and netting) on:
- the base of grassed waterways;
 - steep slopes (15 percent or greater); and
 - any disturbed soil within 100 feet of lakes, streams, or wetlands.

During the late fall and winter (October 15 to April 15) use heavy grade mats indicated on drawings for all areas.

C. TEMPORARY DUST CONTROL

To prevent the blowing and movement of dust from exposed soil surfaces, and reduce the presence of dust, use water or calcium chloride to control dusting by preserving the moisture level in the road surface materials.

D. CONSTRUCTION DE-WATERING

1. Water from construction de-watering operations shall be cleaned of sediment before reaching wetlands, water bodies, streams or site boundaries. Utilize temporary sediment basins, erosion control soil filter berms backed by staked hay bales, A Dirt Bag 55" sediment filter bag by ACF Environmental, or other approved Best Management Practices (BMP's).
2. In sensitive areas near streams or ponds, discharge the water from the de-watering operation into a temporary sediment basin created by a surrounding filter berm of uncompacted erosion control mix immediately backed by staked hay bales (see the site details). Locate the temporary sediment basin at least 100 feet from the nearest water body, such that the filtered water will flow through undisturbed vegetated soil areas prior to reaching the water body or property line.

E. PERMANENT MEASURES

1. Riprapped Aprons: All storm drain pipe outlets and the inlet and outlet of culverts will have riprap aprons to protect against scour and deterioration.
2. Topsoil, Seed, and Mulch: All areas disturbed during construction, but not subject to other restoration (paving, riprap, etc.) will be loamed, limed, fertilized, seeded, and mulched.

Seeded Preparation: Use stockpiled materials spread to the depths shown on the plans, if available. Approved topsoil substitutes may be used. Grade the site as needed.

- a. Seeding will be completed by August 15 of each year. Late season seeding may be done between August 15 and October 15. Areas not seeded or which do not obtain satisfactory growth by October 15, will be seeded with Aroostook Rye or mulched. After November 1, or the first killing frost, disturbed areas will be seeded at double the specified application rates, mulched, and anchored.

PERMANENT SEEDING SPECIFICATIONS OUTSIDE OF BESS YARD FOOTPRINT		
Mixture:	Roadside (lbs/acre)	Lawn (lbs/acre)
Kentucky Bluegrass	20	55
White Clover	5	0
Creeping Red Fescue	20	55
Perennial Ryegrass	5	15

- b. Mulch in accordance with specifications for temporary mulching.
- c. If permanent vegetated stabilization cannot be established due to the season of the year, all exposed and disturbed areas not to undergo further disturbance are to have dormant seeding applied and be temporarily mulched to protect the site.
- d. Any fertilizer used on the site to be free of phosphorous.

3. Ditches and Channels: All ditches on-site will be lined with North American Green S75 erosion control mesh (or an approved equal) upon installation of loam and seed.

F. WINTER CONSTRUCTION AND STABILIZATION

1. Natural Resource Protection: During winter construction, a double-row of sediment barriers (i.e., silt fence backed with hay bales or erosion control mix) will be placed between any natural resource and the disturbed area. Projects crossing the natural resource will be protected a minimum distance of 100 feet on either side from the resource.
2. Sediment Barriers: During frozen conditions, sediment barriers may consist of erosion control mix berms or any other recognized sediment barriers as frozen soil prevents the proper installation of hay bales or silt fences.
3. Mulching:
- All areas will be considered to be denuded until seeded and mulched. Hay and straw mulch will be applied at a rate of twice the normal accepted rate.
 - Mulch will not be spread on top of snow.
 - After each day of final grading, the area will be properly stabilized with anchored hay or straw or erosion control mulching.
 - Between the dates of November 1 and April 15, all mulch will be anchored by either mulch netting, emulsion chemical, tracking or wood cellulose fiber.

5. Soil Stockpiling: Stockpiles of soil or subsoil will be mulched for over-winter protection with hay or straw at twice the normal rate or with a 4-inch layer of erosion control mix. This will be done within 24 hours of stocking and re-established prior to any rainfall or snowfall. Any soil stockpiles shall not be placed (even covered with mulch) within 100 feet from any natural resources. Sediment barriers should be installed downgradient of stockpiles. Stormwater shall be directed away from stockpiles.

6. Seeding: Dormant seeding may be placed prior to the placement of mulch or erosion control blankets. If dormant seeding is used for the site, all disturbed areas will receive 4 inches of loam and seed at an application rate of three times the rate for permanent seeding. All areas seeded during the winter will be inspected in the spring for adequate catch. All areas insufficiently vegetated (less than 75 percent catch) will be revegetated by replacing loam, seed, and mulch.

If dormant seeding is not used for the site, all disturbed areas will be revegetated in the spring.

7. Maintenance: Maintenance measures will be applied as needed during the entire construction season. After each rainfall, snow storm, or period of thawing and runoff, and at least once a week, the site Contractor will perform a visual inspection of all installed erosion control measures and perform repairs as needed to ensure their continuous function.

8. Identified repairs will be started no later than the end of the net work day and be completed within seven (7) calendar days.

Following the temporary and/or final seeding and mulching, the Contractor will, in the spring, inspect and repair any damages and/or bare spots. An established vegetative cover means a minimum of 85 to 90 percent of areas vegetated with vigorous growth.

G. OVER-WINTER CONSTRUCTION EROSION CONTROL MEASURES

1. Stabilization of Disturbed Soil: By October 15, all disturbed soils on areas having a slope less than 15 percent will be seeded and mulched. If the Contractor fails to stabilize these soils by this date, then the Contractor shall stabilize the soil for late fall and winter, by using either temporary seeding or mulching.

2. Stabilization of Disturbed Slopes: All slopes to be vegetated will be completed by October 15. The Owner will consider any area having a grade greater than 15 percent (6.5H:1V) to be a slope. Slopes not vegetated by October 15 will receive one of the following actions to stabilize the slope for late fall and winter:

- a. Stabilize the soil with temporary vegetation and erosion control mesh.
- b. Stabilize the slope with erosion control mix.
- c. Stabilize the slope with stone riprap.
- d. Slopes steeper than 1.5:1 are prohibited.

3. Stabilization of Ditches and Channels: All stone-lined ditches and channels to be used to convey runoff through the winter will be constructed and stabilized by November 15. Grass-lined ditches and channels will be complete by September 15. Grass-lined ditches not stabilized by September 15 shall be lined with either sod or riprap.

H. MAINTENANCE PLAN

1. Routine Maintenance: Inspection will be performed as outlined in the project's Erosion Control Plan. Inspection will be by a qualified person during wet weather to ensure that the facility performs as intended. Inspection priorities will include checking erosion controls for accumulation of sediments.

I. Housekeeping

1. Spill prevention. Controls must be used to prevent pollutants from being discharged from materials on site, including storage practices to minimize exposure of the materials to stormwater, and appropriate spill prevention, containment, and response planning and implementation.
2. Groundwater protection. During construction, liquid petroleum products and other hazardous materials with the potential to contaminate groundwater may not be stored or handled in areas of the site draining to an infiltration area. An "infiltration area" is any area of the site that by design or as a result of soils, topography and other relevant factors accumulates runoff that infiltrates into the soil. Dikes, berms, sumps, and other forms of secondary containment that prevent discharge to groundwater may be used to isolate portions of the site for the purposes of storage and handling of these materials.
3. Fugitive sediment and dust. Actions must be taken to ensure that activities do not result in noticeable erosion of soils or fugitive dust emissions during or after construction. Oil may not be used for dust control. If off-site tracking occurs roadways should be swept immediately and no loss once a week and prior to significant storm events.
4. Debris and other materials. Litter, construction debris, and chemicals exposed to stormwater must be prevented from becoming a pollutant source.
5. Trench or foundation de-watering. Trench de-watering is the removal of water from trenches, foundations, coffer dams, ponds, and other areas within the construction area that retain water after excavation. In most cases the collected water is heavily silted and hinders correct and safe construction practices. The collected water must be removed from the ponded area, either through gravity or pumping, and must be spread through natural wooded buffers or removed to areas that are specifically designed to collect the maximum amount of sediment possible, like a cofferdam sedimentation basin. Avoid allowing the water to flow over disturbed areas of the site. Equivalent measures may be taken if approved by the department.
6. Authorized Non-stormwater discharges. Identify and prevent contamination by non-stormwater discharges. Where allowed non-stormwater discharges exist, they must be identified and steps should be taken to ensure the implementation of appropriate pollution prevention measures for the non-stormwater component(s) of the discharge. Authorized non-stormwater discharges are:

- (a) Discharges from firefighting activity;
- (b) Fire hydrant flushings;
- (c) Vehicle washwater if detergents are not used and washing is limited to the exterior of vehicles (engine, undercarriage and transmission washing is prohibited);
- (d) Dust control runoff in accordance with permit conditions and section 13;
- (e) Routine external building washdown, not including surface paint removal, that does not involve detergents;
- (f) Pavement washwater (where spills/leaks of toxic or hazardous materials have not occurred, unless all spilled material had been removed) if detergents are not used;
- (g) Uncontaminated air conditioning or compressor condensate;
- (h) Uncontaminated groundwater or spring water;
- (i) Foundation or footer drain-water where flows are not contaminated;
- (j) Uncontaminated excavation dewatering (see requirements in section 15);
- (k) Potable water sources including waterline flushings; and
- (l) Landscape irrigation.

7. Unauthorized non-stormwater discharges. The Department's approval under this Chapter does not authorize a discharge that is mixed with a source of non stormwater, other than those discharges in compliance with section 16. Specifically, the Department's approval does not authorize discharges of the following:

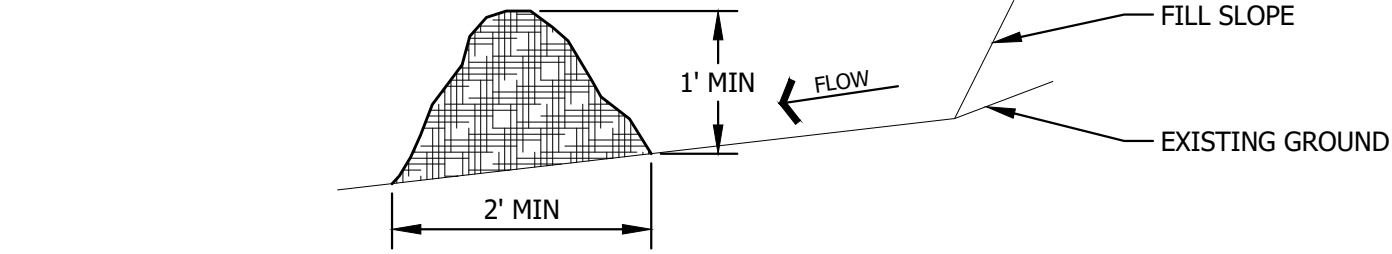
- (a) Wastewater from the washout or cleanout of concrete, stucco, paint, form release oils, curing compounds or other construction materials;
- (b) Fuels, oils or other pollutants used in vehicle and equipment operation and maintenance;
- (c) Soaps, solvents, or detergents used in vehicle and equipment washing; and
- (d) Toxic or hazardous substances from a spill or other release.

8. Additional requirements. Additional requirements may be applied on a site-specific basis.

J. CONSTRUCTION SEQUENCE

In general, the expected sequence of construction for each phase is provided below.

- Mobilization
- Install temporary erosion control measures
- Clearing and grubbing
- Site Grading
- Install gravel access road
- Install site utilities and BESS units
- Install fence
- Site stabilization, loam and seed, and landscaping
- Remove temporary erosion control measures

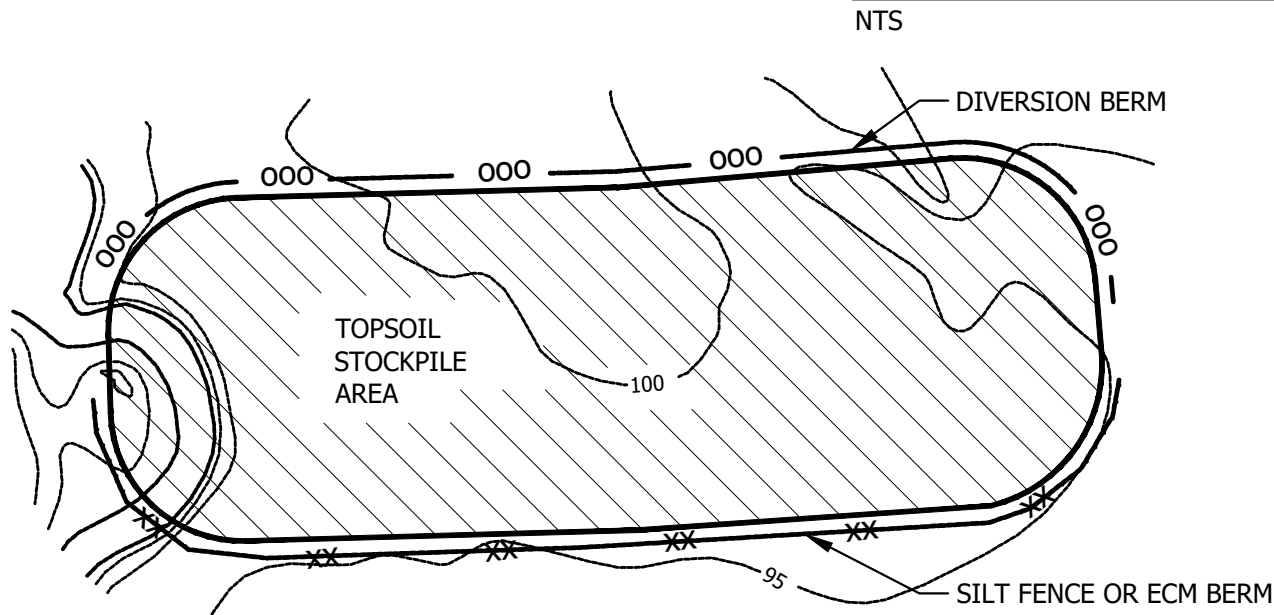


EROSION CONTROL MIX SEDIMENT BARRIER

NOTES:

1. EROSION CONTROL MIX CAN BE MANUFACTURED ON OR OFF THE SITE. IT MUST CONSIST PRIMARILY OF ORGANIC MATERIAL SEPARATED AT THE POINT OF GENERATION, AND MAY INCLUDE: SHREDDED BARK, STUMP GRINDINGS, COMPOSTED BARK, OR FLUME GRIT AND FRAGMENTED WOOD GENERATED FROM WATER-FLUME LOG HANDLING SYSTEMS. WOOD CHIPS, GROUND CONSTRUCTION DEBRIS, REPROCESSED WOOD PRODUCTS OR BARK CHIPS WILL NOT BE ACCEPTABLE AS THE ORGANIC COMPONENT OF THE MIX. EROSION CONTROL MIX SHALL CONTAIN A WELL-GRADED MIXTURE OF PARTICLE SIZES AND MAY CONTAIN ROCKS LESS THAN 4" IN DIAMETER. EROSION CONTROL MIX MUST BE FREE OF REFUSE, PHYSICAL CONTAMINANTS, AND MATERIAL TOXIC TO PLANT GROWTH.
- THE MIX COMPOSITION SHALL MEET THE FOLLOWING STANDARDS:
- A. ORGANIC MATERIAL: BETWEEN 20% - 100% (DRY WEIGHT BASIS)
- B. PARTICLE SIZE: BY WEIGHT, 100% PASSING 6" SCREEN, 70-85% PASSING 0.75" SCREEN
- C. THE ORGANIC PORTION NEEDS TO BE FIBROUS AND ELONGATED.
- D. LARGE PORTIONS OF SILTS, CLAYS OR FINE SANDS ARE NOT ACCEPTABLE IN THE MIX.
- E. SOLUBLE SALTS CONTENT SHALL BE LESS THAN 4.0 MMHOS/CM.
- F. PH: 5.0 - 8.0
2. ON SLOPES LESS THAN 5% OR AT THE BOTTOM OF SLOPES 2:1 OR LESS UP TO 20 FEET LONG, THE BARRIER MUST CONFORM TO THE ABOVE DIMENSIONS. ON THE LONGER OR STEEPER SLOPES, THE BARRIER SHOULD BE WIDER TO ACCOMMODATE THE ADDITIONAL FLOW.
3. THE BARRIER MUST BE PLACED ALONG A RELATIVELY LEVEL ELEVATION. IT MAY BE NECESSARY TO CUT TALL GRASSES OR WOODY VEGETATION TO AVOID CREATING VOIDS AND BRIDGES THAT WOULD ENABLE FINES TO WASH UNDER THE BARRIER THROUGH THE GRASS BLADES OR PLANT STEMS.
4. LOCATIONS WHERE OTHER BMP'S SHOULD BE USED:
- A. AT LOW POINTS OF CONCENTRATED FLOW
- B. BELOW CULVERT OUTLET APRONS
- C. WHERE A PREVIOUS STAND-ALONE EROSION CONTROL MIX APPLICATION HAS FAILED
- D. AT THE BOTTOM OF STEEP PERIMETER SLOPES THAT ARE MORE THAN 50 FEET FROM TOP TO BOTTOM (LARGE UPGRADE WATERSHED)
- E. AROUND CATCH BASINS AND CLOSED STORM DRAIN SYSTEMS
5. THE EROSION CONTROL MIX BARRIERS SHOULD BE INSPECTED REGULARLY AND AFTER EACH LARGE RAINFALL. REPAIR ALL DAMAGED SECTIONS OF BERM IMMEDIATELY BY REPLACING OR ADDING ADDITIONAL MATERIAL PLACED ON THE BERM TO THE DESIRED HEIGHT AND WIDTH.
6. IT MAY BE NECESSARY TO REINFORCE THE BARRIER WITH SILT FENCE OR STONE CHECK DAMS IF THERE ARE SIGNS OF UNDERCUTTING OR THE IMPOUNDMENT OF LARGE VOLUMES OF WATER.
7. SEDIMENT DEPOSITS SHOULD BE REMOVED WHEN THEY REACH APPROXIMATELY ONE-HALF THE HEIGHT OF THE BARRIER.
8. REPLACE SECTIONS OF BERM THAT DECOMPOSE, BECOME CLOGGED WITH SEDIMENT OR OTHERWISE BECOME INEFFECTIVE. THE BARRIER SHOULD BE RESHAPED AS NEEDED.
9. EROSION CONTROL MIX BARRIERS CAN BE LEFT IN PLACE AFTER CONSTRUCTION. ANY SEDIMENT DEPOSITS REMAINING IN PLACE AFTER BARRIER IS NO LONGER REQUIRED SHOULD BE SPREAD TO CONFORM TO THE EXISTING GRADE AND BE SEEDED AND MULCHED. WOODY VEGETATION CAN BE PLANTED INTO THE BARRIERS, OR THEY CAN BE OVER-SEEDED WITH LEGUMES. IF THE BARRIER NEEDS TO BE REMOVED, IT CAN BE SPREAD OUT INTO THE LANDSCAPE.
10. IF TEMPORARY BERMS ARE USED AS SILT BARRIERS, THEY ARE PROHIBITED AT THE BASE OF SLOPES STEEPER THAN 8% OR WHERE THERE IS FLOWING WATER WITHOUT THE SUPPORT OF ADDITIONAL MEASURES SUCH AS SILT FENCE.

SURFACE DRAINAGE SEDIMENT CONTROL

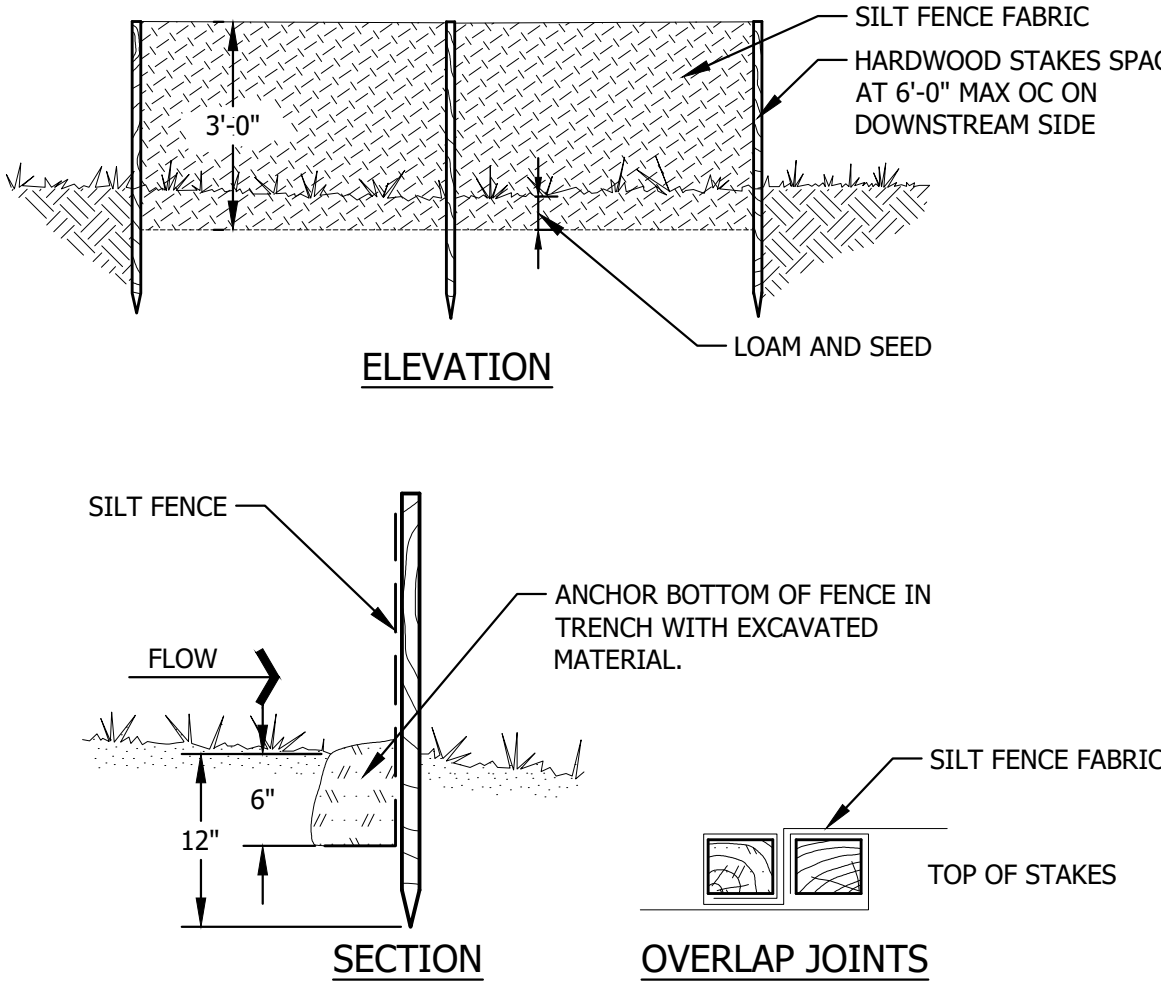


NOTES:

1. LOCATE SOIL STOCKPILES AS FAR FROM PROTECTED RESOURCES AS POSSIBLE (PONDS, RIVERS, STREAMS, BROOKS, & WETLANDS). LOCATE SOIL STOCKPILES AWAY FROM AREAS OF CONCENTRATED FLOW OR POTENTIAL FLOODING.
2. ERECT SEDIMENT BARRIER (SILT FENCE OR ECM BERM) DOWN SLOPE OF STOCKPILES.
3. STABILIZE STOCKPILES THAT WILL NOT BE WORKED FOR 14 OR MORE DAYS IN THE GROWING SEASON OR WILL REMAIN UNWORKED OR PARTIALLY UNWORKED OVER THE WINTER (NOVEMBER 1 TO APRIL 15) WITH TEMPORARY SEED, MULCH AND MULCH ANCHORING OR EROSION CONTROL BLANKET OR MESH AS SPECIFIED IN THE EROSION CONTROL PLAN. IN WINTER APPLY HAY MULCH AT THE RATE OF AT LEAST 150 LBS/1000 SF AND THICK ENOUGH THAT THE GROUND SURFACE IS NOT VISIBLE AND ANCHOR IF STOCKPILE HAS NOT BEEN PERMANENTLY STABILIZED USING ANOTHER METHOD (TARPS, PERMANENT SEED (< 90% VEGETATED), EROSION CONTROL BLANKET OR EROSION CONTROL MIX. EROSION CONTROL MIX CAN BE MANUFACTURED ON OR OFF THE SITE. IT MUST CONSIST PRIMARILY OF ORGANIC MATERIAL SEPARATED AT THE POINT OF GENERATION, AND MAY INCLUDE: SHREDDED BARK, STUMP GRINDINGS, COMPOSTED BARK, OR FLUME GRIT AND FRAGMENTED WOOD GENERATED FROM WATER-FLUME LOG HANDLING SYSTEMS. WOOD CHIPS, GROUND CONSTRUCTION DEBRIS, REPROCESSED WOOD PRODUCTS OR BARK CHIPS WILL NOT BE ACCEPTABLE AS THE ORGANIC COMPONENT OF THE MIX. EROSION CONTROL MIX SHALL CONTAIN A WELL-GRADED MIXTURE OF PARTICLE SIZES AND MAY CONTAIN ROCKS LESS THAN 4" IN DIAMETER. EROSION CONTROL MIX MUST BE FREE OF REFUSE, PHYSICAL CONTAMINANTS, AND MATERIAL TOXIC TO PLANT GROWTH. THE MIX COMPOSITION SHALL MEET THE FOLLOWING STANDARDS:
- A. ORGANIC MATERIAL: BETWEEN 20% - 100% (DRY WEIGHT BASIS)
- B. PARTICLE SIZE: BY WEIGHT, 100% PASSING 6" SCREEN, 70-85% PASSING 0.75" SCREEN.
- C. THE ORGANIC PORTION NEEDS TO BE FIBROUS AND ELONGATED.
- D. LARGE PORTIONS OF SILTS, CLAYS OR FINE SANDS ARE NOT ACCEPTABLE IN THE MIX.
- E. SOLUBLE SALTS CONTENT SHALL BE LESS THAN 4.0 MMHOS/CM.
- F. PH: 5.0 - 8.0
4. IF SLOPE OF LAND IS GREATER THAN 5%, CONSTRUCT A DIVERSION BERM UPHILL OF THE STOCKPILE TO DIVERT FLOW.

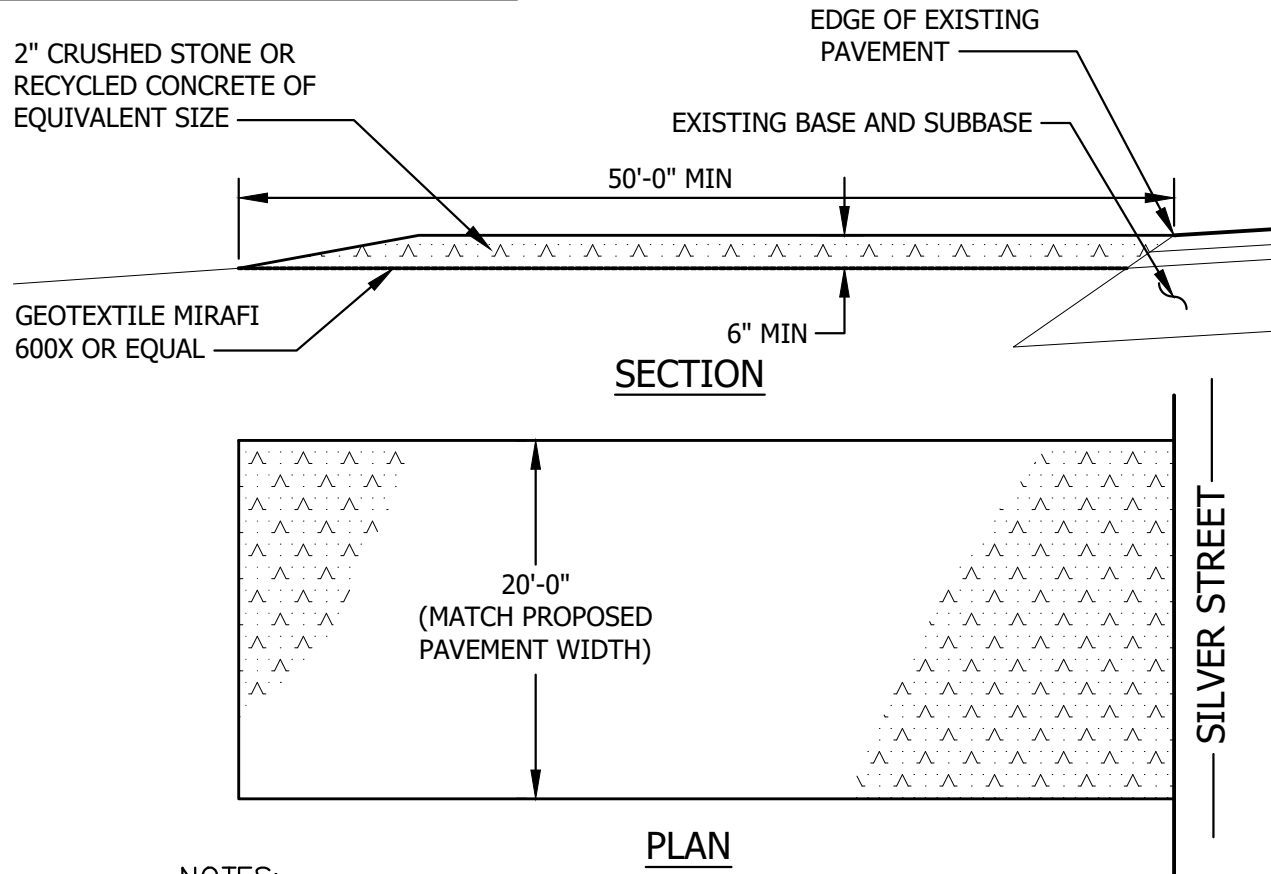
SOIL STOCKPILE

NTS



SILT FENCE

NOTE: CONTRACTORS OPTION TO USE SEDIMENT BARRIER OR SILT FENCE FOR SLOPE PROTECTION.



NOTES:

1. MAINTAIN ENTRANCE IN A CONDITION THAT WILL PREVENT TRACKING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAY. IF WASHING IS REQUIRED PREVENT SEDIMENT FROM ENTERING WATERWAYS, DITCHES OR STORM DRAINS.
2. REMOVE STABILIZED CONSTRUCTION ENTRANCE TO FINISH ROAD CONSTRUCTION AND PAVEMENT.

STABILIZED CONSTRUCTION ENTRANCE

NTS

ISSUED FOR REVIEW
NOT FOR CONSTRUCTION

11/17/2025

LONGROAD ENERGY
AGAWAM ENERGY CENTER
AGAWAM, MA

EROSION AND SEDIMENT CONTROL DETAILS



ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE

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DESIGN BY: JJS/SME

DRAWN BY: JJS/SME

DATE: CLR/SME

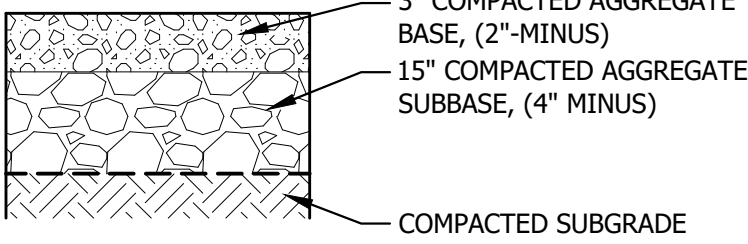
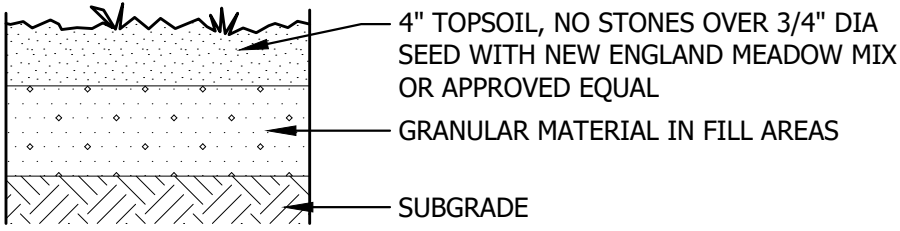
CHECKED BY: TMH/SME

LMN: 10/24/2025

CTB: NONE

JOB NO. 250741.02 DWG FILE AW1-C-300

REV B

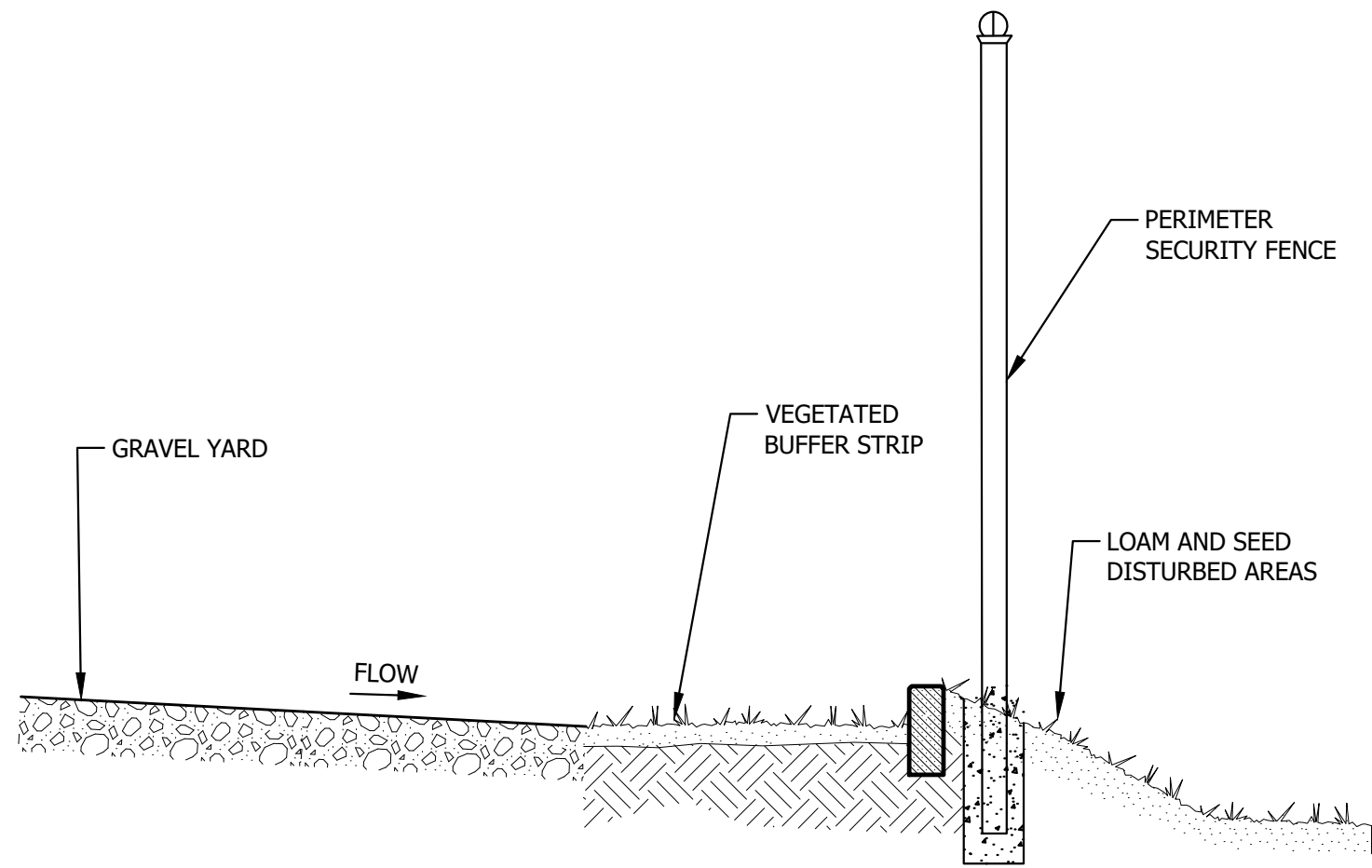
CONSTRUCTION	USE
	GRAVEL BESS YARD AND GRAVEL ACCESS ROAD
	GRASS ALL DISTURBED AREAS

NOTES:

1. COMPACT SUBGRADE AND EACH LAYER OF BORROW , SUBBASE MATERIAL, AND BASE MATERIAL TO MINIMUM 95% OF MATERIAL MAXIMUM DRY DENSITY PER ASTM D1557.

SCHEDULE OF SURFACE FINISHES

NTS

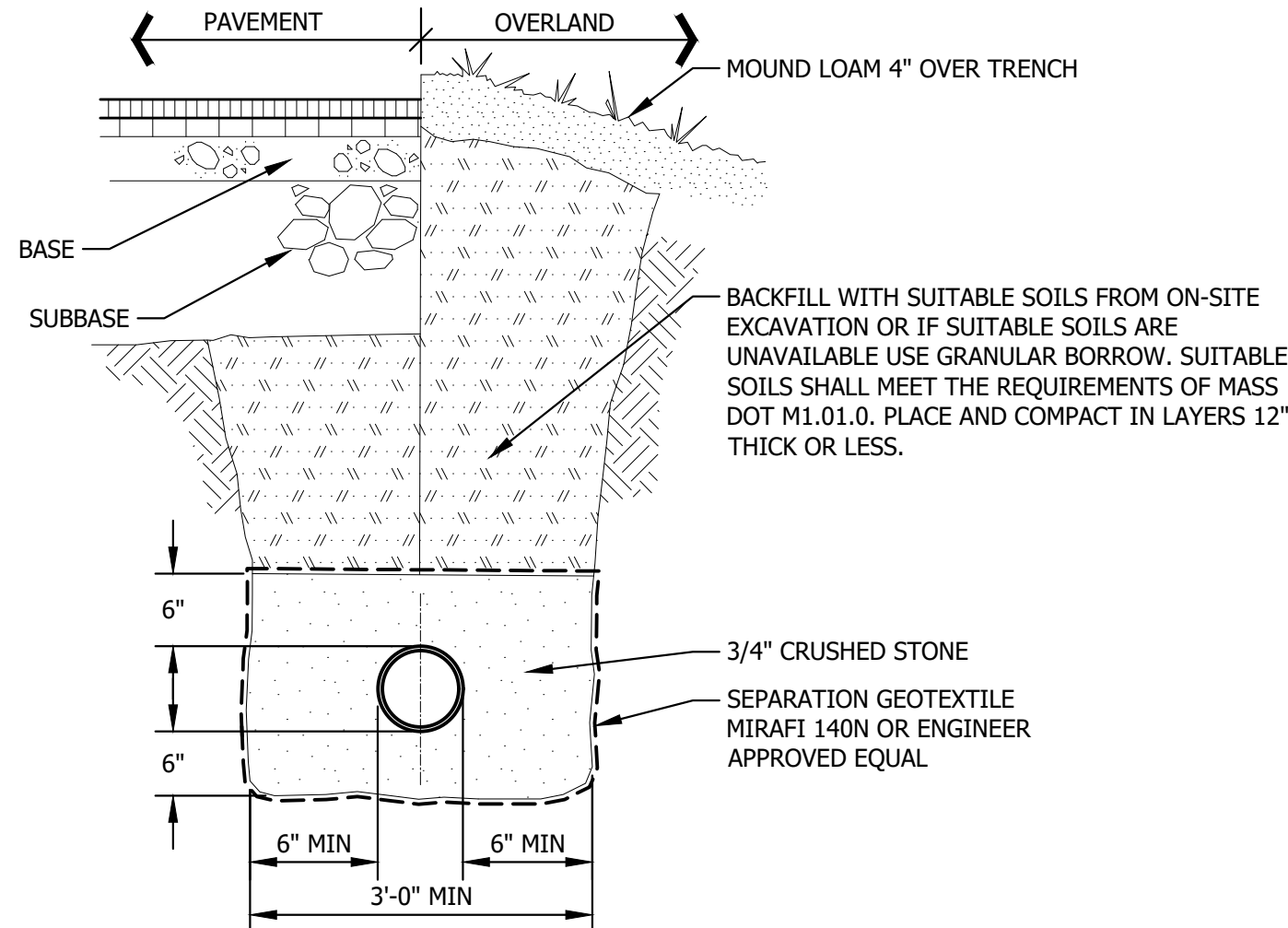


NOTES:

1. DETAIL REPRESENTS A TYPICAL LAYOUT FOR THE VEGETATED BUFFER STRIP. TH ELOCATION OF THE FENCE WILL VARY. SEE LAYOUT PLAN. THE LOCATION OF DRAINAGE POINTS TO ALLOW STORMWATER TO FLOW ARE SHOWN ON THE GRADING PLAN.

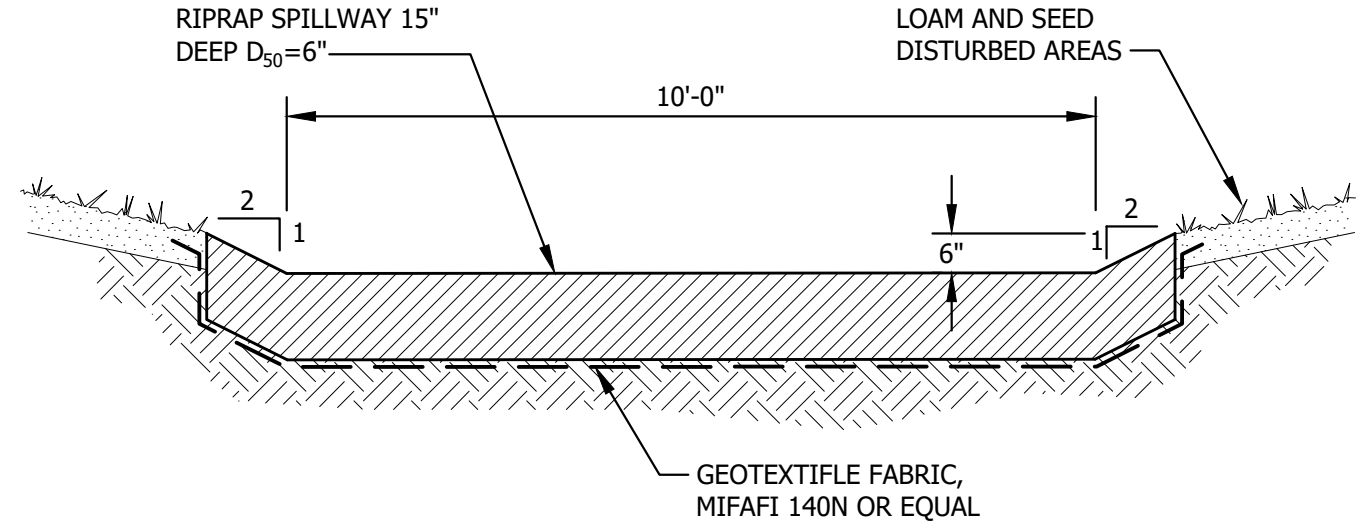
VEGETATED BUFFER STRIP

NTS



TYPICAL CULVERT TRENCH SECTION

NTS

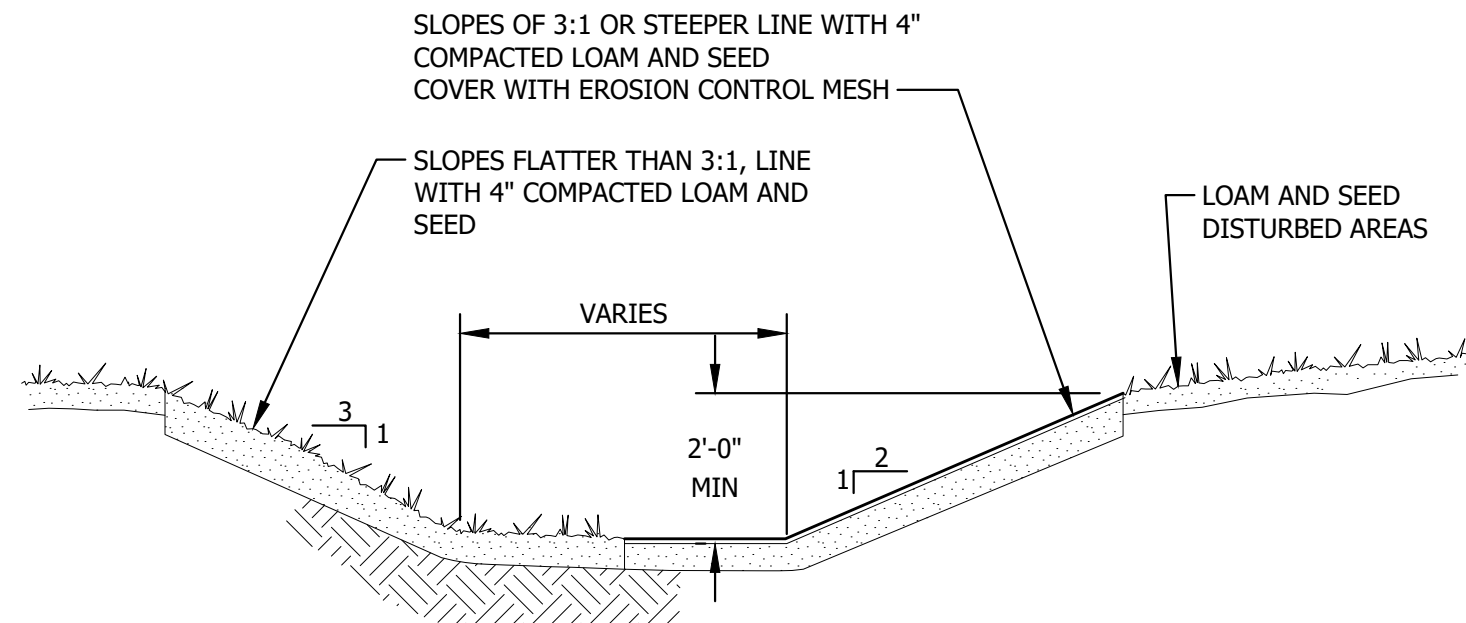


NOTES:

1. SUBGRADE PREPARATION: SHAPE THE SUBGRADE TO THE LINES AND GRADES AS SHOWN ON THE DRAWINGS AND AS SHOWN ON THE DETAILS. REMOVE ALL ORGANIC MATTER, DEBRIS AND SOIL THAT IS TOO WET TO SUPPORT RIPRAP. IF FILL IS REQUIRED PROVIDE SUITABLE SOIL FROM ON SITE OR COMMON BORROW (MDOT 703.18) COMPACTED TO A DENSITY APPROXIMATELY THAT OF THE SURROUNDING UNDISTURBED SOIL BUT NOT LESS THAN 92% (ASTM D1557).
2. GEOTEXTILE FABRIC: PLACE AND ANCHOR GEOTEXTILE (FILTER FABRIC) IMMEDIATELY AFTER SUBGRADE PREPARATION IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
3. STONE PLACEMENT: PLACE RIPRAP IMMEDIATELY AFTER PLACING GEOTEXTILE FABRIC. PLACE RIPRAP SO THAT IT PRODUCES A DENSE, WELL-GRADED MASS OF STONE WITH A MINIMUM OF VOIDS
4. MAINTENANCE: INSPECT RIPRAP FOLLOWING SIGNIFICANT RAINFALL EVENTS (3 INCHES OR MORE IN 24 HOURS) AND AFTER THE SPRING THAW. REPAIR DAMAGED AREAS IMMEDIATELY.
5. RIPRAP: SOUND DURABLE ROCK WHICH WILL NOT DISINTEGRATE BY EXPOSURE TO WATER OR WEATHER. EITHER FIELD STONE OR ROUGH, UNEVEN QUARRY STONE MAY BE USED. STONES SHALL BE ANGULAR AND AS NEARLY RECTANGULAR IN CROSS-SECTION AS PRACTICABLE. DO NOT USE ROUNDED BOULDERS OR COBBLES. USE A WELL GRADED MIXTURE OF STONE SIZES WITH 50 PERCENT OF THE MIXTURE BY WEIGHT BEING LARGER THAN THE D SIZE SPECIFIED AND 50 PERCENT SMALLER.

EMERGENCY OVERFLOW SECTION

NTS



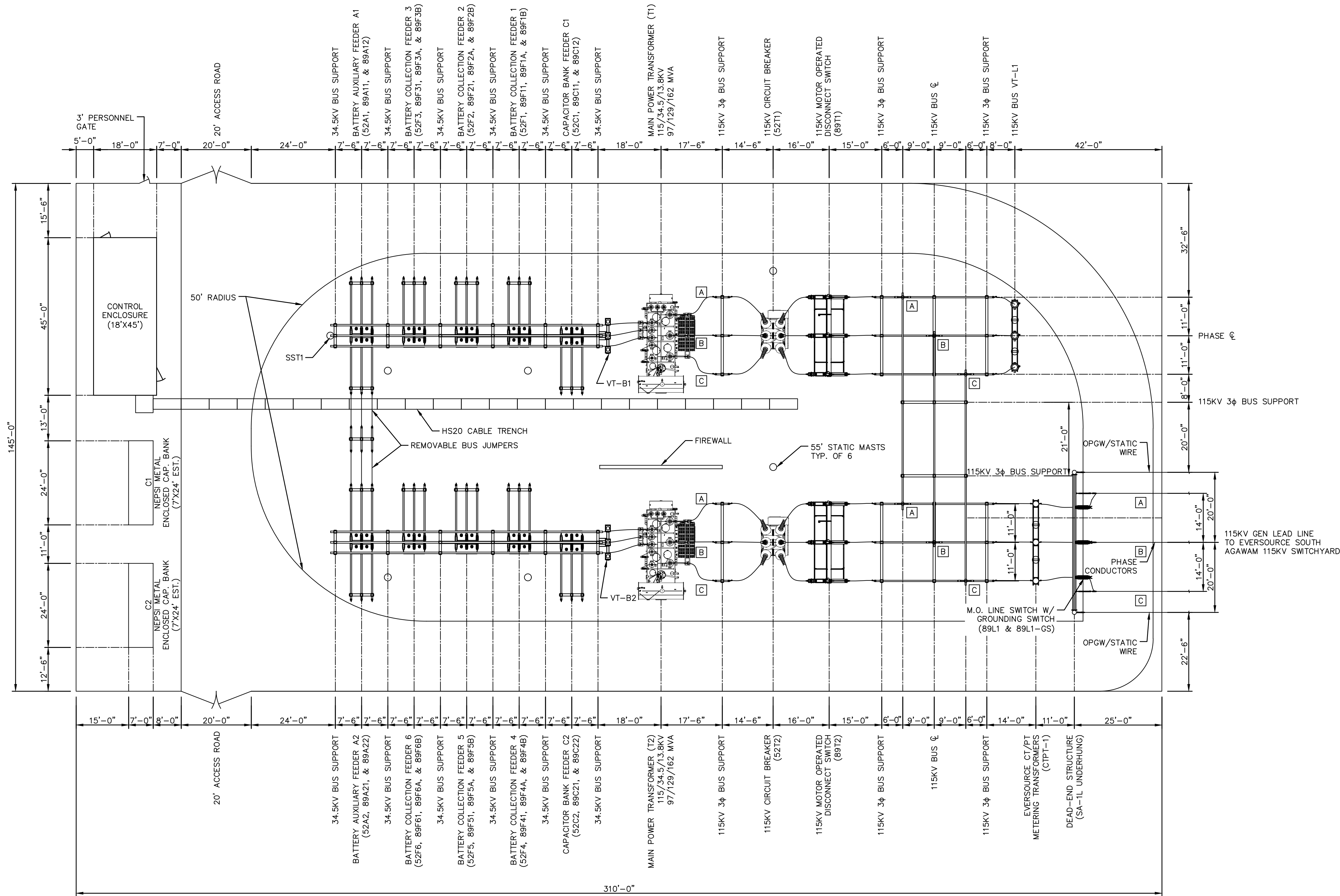
GRASS DITCH SECTION

NTS

PRELIMINARY
NOT FOR CONSTRUCTION
11/17/2025

A	TMH/SME	11/17/25	ISSUED FOR REVIEW
REV.	BY	DATE	STATUS

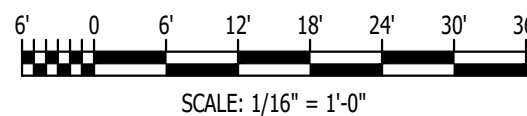
LONGROAD ENERGY AGAWAM ENERGY CENTER AGAWAM, MA	
SITE DETAILS	
 ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE 4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021 Phone 207.829.5016 • Fax 207.829.5692 • sme-engineers.com	DESIGN BY: JJS/SME
	DRAWN BY: JJS/SME
	DATE: CLR/SME
	CHECKED BY: TMH/SME
	LMN: 09/15/2025
JOB NO. 250741.02 DWG FILE AW1-C-301	CTB: NONE
REV A	



NOTES:

- 34.5KV ELECTRICAL BUS & CONDUCTOR CLEARANCES FOR THIS INSTALLATION SHALL NOT BE LESS THAN THE FOLLOWING VALUES PER ANSI C37.30.1 & 1427:
 - PHASE - PHASE (t TO t) = 36"
 - PHASE - PHASE (METAL TO METAL) = 18"
 - PHASE - GROUND = 15"
- 115KV ELECTRICAL BUS & CONDUCTOR CLEARANCES FOR THIS INSTALLATION SHALL NOT BE LESS THAN THE FOLLOWING VALUES PER ANSI C37.30.1 & 1427:
 - PHASE - PHASE (t TO t) = 84"
 - PHASE - PHASE (METAL TO METAL) = 53"
 - PHASE - GROUND = 42"
- AN ACCEPTABLE INSIDE DIAMETER BEND FOR WIRE IS 10 TO 15 TIMES THE DIAMETER OF THE CONDUCTOR AND 5 TO 7 TIMES THE OUTSIDE DIAMETER OF THE TUBULAR BUS.
- INSTALL DAMPING CONDUCTOR, 1272 AAC "NARCISSUS", IN ALL BUS SECTIONS OVER 20' AND TACK WELD TO THE BOTTOM OF THE BUS.
- THE MINIMUM CLEARANCE ABOVE ANY PERMANENT SUPPORTING SURFACE FOR PERSONNEL TO THE LOWEST UNGROUNDED PART OF A HIGH VOLTAGE APPARATUS SHALL BE 8'-6" PER NESC RULE 124.
- PER NESC TABLE 124-1, THE MINIMUM VERTICAL CLEARANCE TO LIVE PARTS IS AS FOLLOWS:
 - 115 KV = 11'-7"
 - 34.5 KV = 9'-6"
- LIGHTNING MAST PLACEMENT, HEIGHT, AND QUANTITY IS PRELIMINARY. DETAILED DESIGN WILL DETERMINE FINAL MAST LOCATIONS TO PROVIDE COMPLETE COVERAGE. LIGHTING SHALL BE INSTALLED ON LIGHTNING MASTS TO PROVIDE ADEQUATE SUBSTATION ILLUMINATION PER APPLICABLE CODES.
- ALL EQUIPMENT SHOWN IS PRELIMINARY AND FOR REPRESENTATION ONLY. DESIGN IS SUBJECT TO CHANGE AS VENDOR DRAWINGS ARE RECEIVED.
- DESIGN IS CONCEPTUAL IN NATURE AND IS NOT INTENDED TO REPRESENT THE RESULTS OF DETAILED ENGINEERING DESIGN OR STUDIES. DESIGN IS TYPICAL BASED ON INDUSTRY STANDARDS AND BEST PRACTICES. MODIFICATIONS WILL LIKELY BE REQUIRED DURING DETAILED ENGINEERING.

PRELIMINARY
NOT FOR CONSTRUCTION
CONCEPTUAL
11/17/2025



REV.	BY	DATE	STATUS
C	TMH/SME	11/17/25	ISSUED FOR REVIEW (NOT FOR CONSTRUCTION)
B	TMH/SME	10/24/25	ISSUED FOR REVIEW - INCORPORATING CLIENT COMMENTS (NOT FOR CONSTRUCTION)
A	TMH/SME	09/15/25	ISSUED FOR 30% REVIEW (NOT FOR CONSTRUCTION)

LONGROAD ENERGY
AGAWAM ENERGY CENTER
AGAWAM, MA

SUBSTATION GENERAL ARRANGEMENT

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JOB NO. 250741.02 DWG FILE AW1-P-100

DESIGN BY: CLR/SME

DRAWN BY: CLR/SME

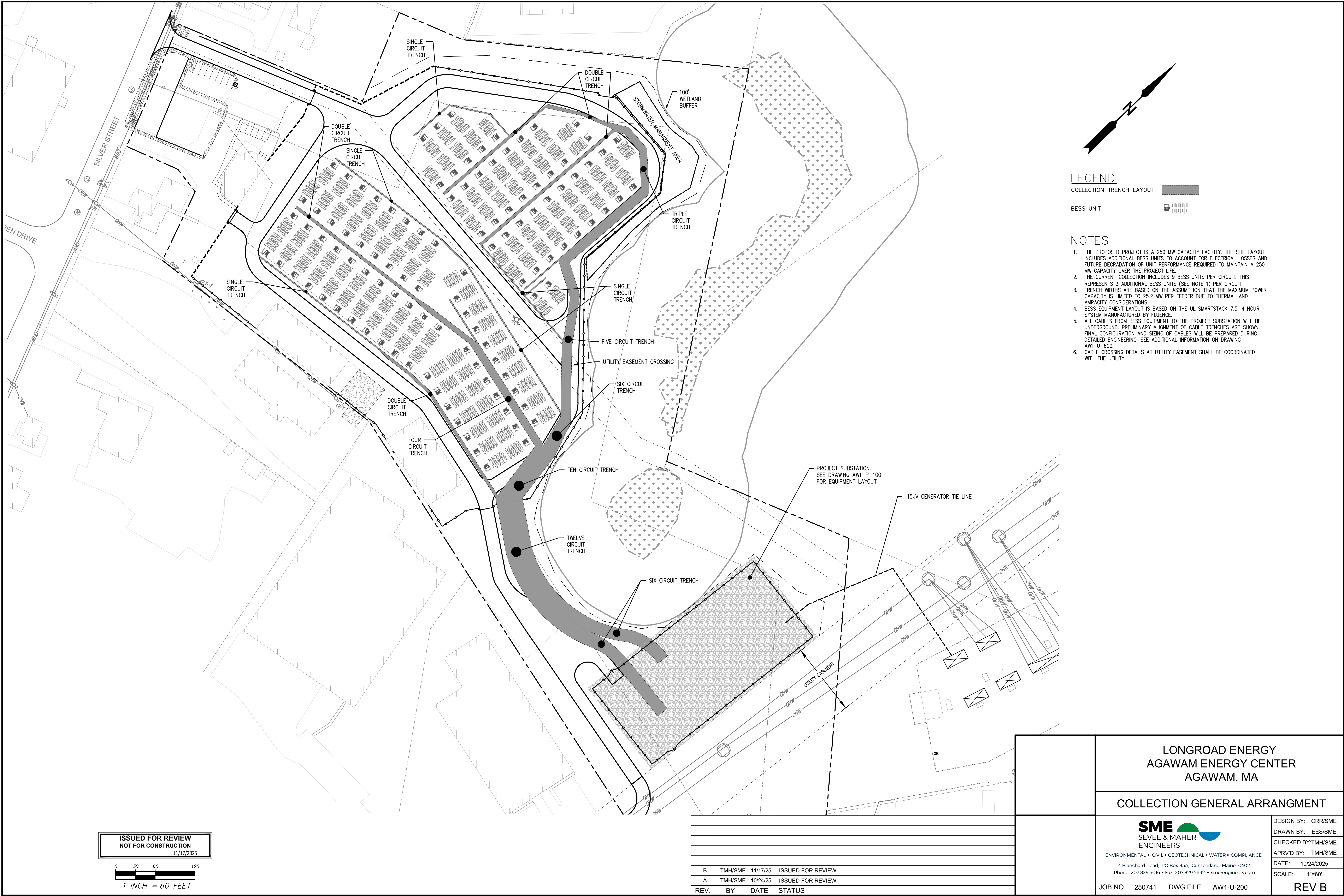
CHECKED BY: WDG/SME

APRVD BY: TMH/SME

DATE: 09/15/2025

SCALE: 1/16" = 1'-0"

REV C



LEGEND

COLLECTION TRENCH LAYOUT

BESS UNIT

NOTES

1. THE PROPOSED PROJECT IS A 250 MW CAPACITY FACILITY. THE SITE LAYOUT INCLUDES ADDITIONAL BESS UNITS TO ACCOUNT FOR ELECTRICAL LOSSES AND FUTURE DEGRADATION OF UNIT PERFORMANCE REQUIRED TO MAINTAIN A 250 MW CAPACITY OVER THE PROJECT LIFE.
2. THE CURRENT COLLECTION INCLUDES 9 BESS UNITS PER CIRCUIT. THIS REPRESENTS 3 ADDITIONAL BESS UNITS (SEE NOTE 1) PER CIRCUIT.
3. TRENCH WIDTHS ARE BASED ON THE ASSUMPTION THAT THE MAXIMUM POWER CAPACITY IS LIMITED TO 25.2 MW PER FEEDER DUE TO THERMAL AND AMPACITY CONSIDERATIONS.
4. BESS EQUIPMENT LAYOUT IS BASED ON THE UL SMARTSTACK 7.5, 4 HOUR SYSTEM MANUFACTURED BY FLUENCE.
5. ALL CABLES FROM BESS EQUIPMENT TO THE PROJECT SUBSTATION WILL BE UNDERGROUND. PRELIMINARY ALIGNMENT OF CABLE TRENCHES ARE SHOWN. FINAL CONFIGURATION AND SIZING OF CABLES WILL BE PREPARED DURING DETAILED ENGINEERING. SEE ADDITIONAL INFORMATION ON DRAWING AW1-U-600.
6. CABLE CROSSING DETAILS AT UTILITY EASEMENT SHALL BE COORDINATED WITH THE UTILITY.

ISSUED FOR REVIEW
NOT FOR CONSTRUCTION
11/17/2025

0 30 60 120
1 INCH = 60 FEET

B	TMH/SME	11/17/25	ISSUED FOR REVIEW	
A	TMH/SME	10/24/25	ISSUED FOR REVIEW	
REV.	BY	DATE	STATUS	

LONGROAD ENERGY
AGAWAM ENERGY CENTER
AGAWAM, MA

COLLECTION GENERAL ARRANGMENT

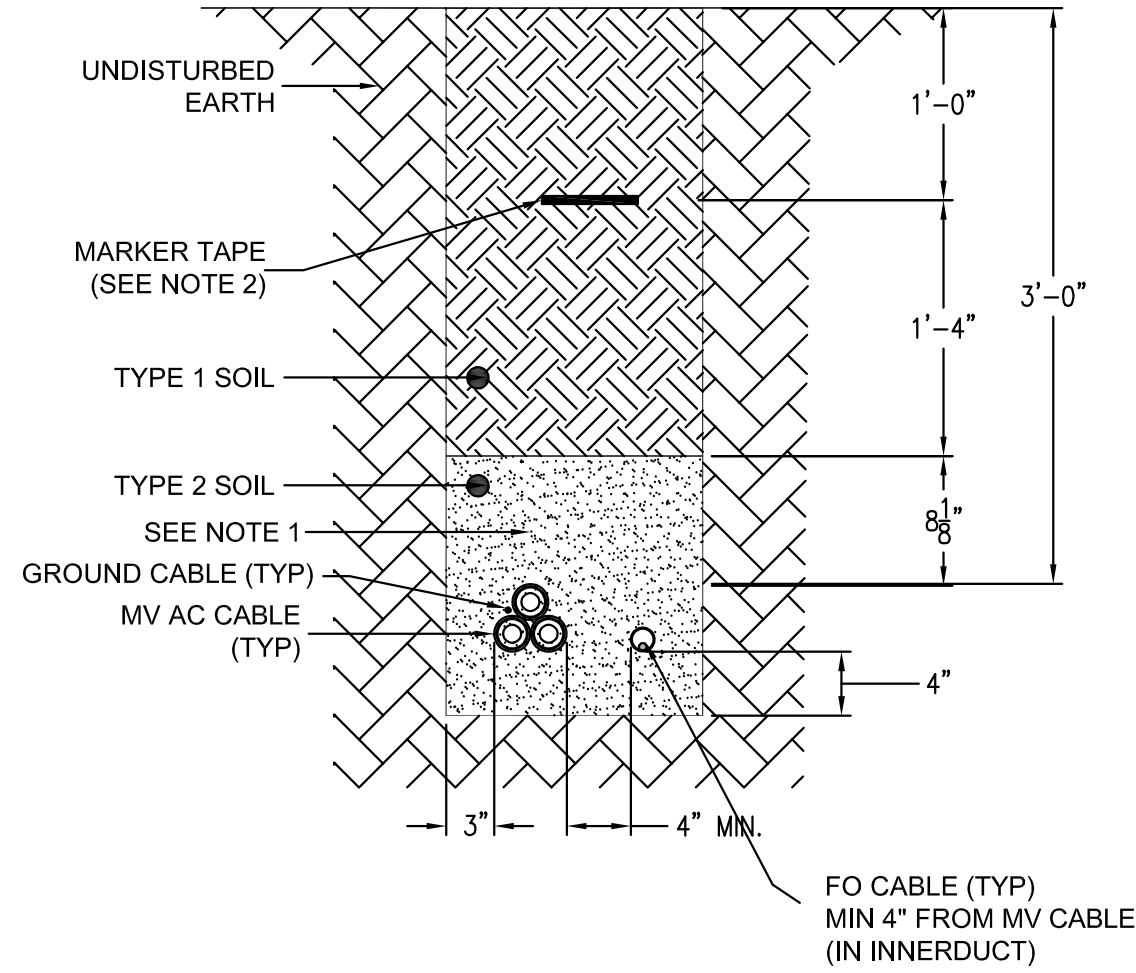
SME
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4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021
Phone 207.829.5016 • Fax 207.829.5692 • sme-engineers.com

DESIGN BY: CRR/SME
DRAWN BY: EES/SME
CHECKED BY: TMH/SME
APRVD BY: TMH/SME
DATE: 10/24/2025
SCALE: 1"=60'

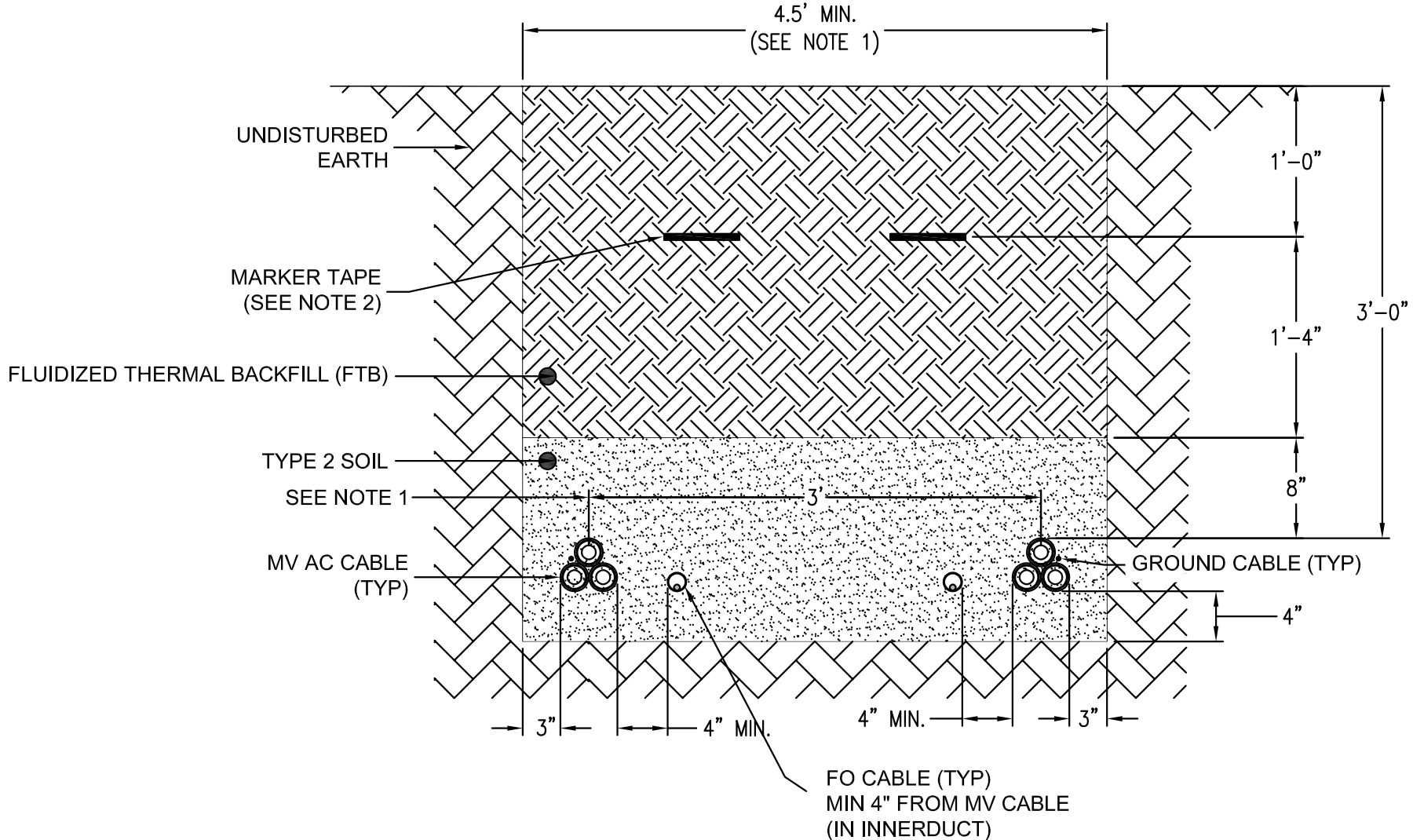
JOB NO. 250741 DWG FILE AW1-U-200

REV B



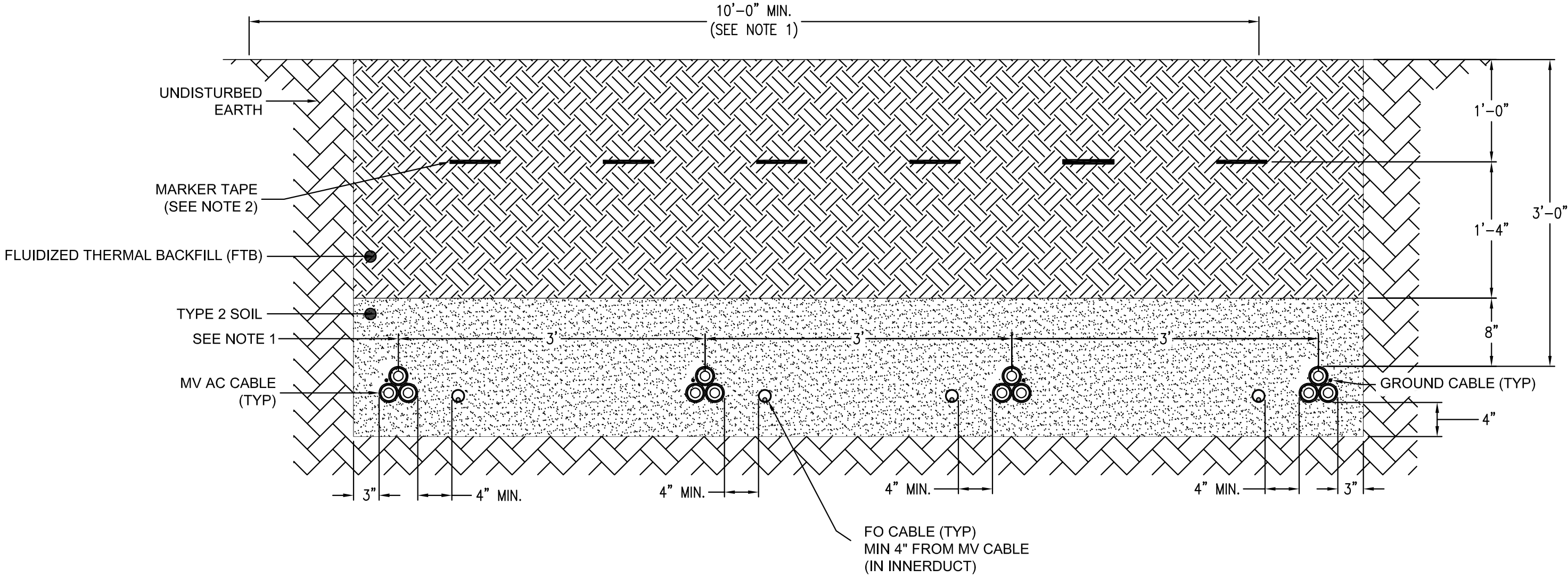
SINGLE CIRCUIT POWER CABLE TRENCH

SCALE: NTS
MVAC (3-1/C TRIPLEX)



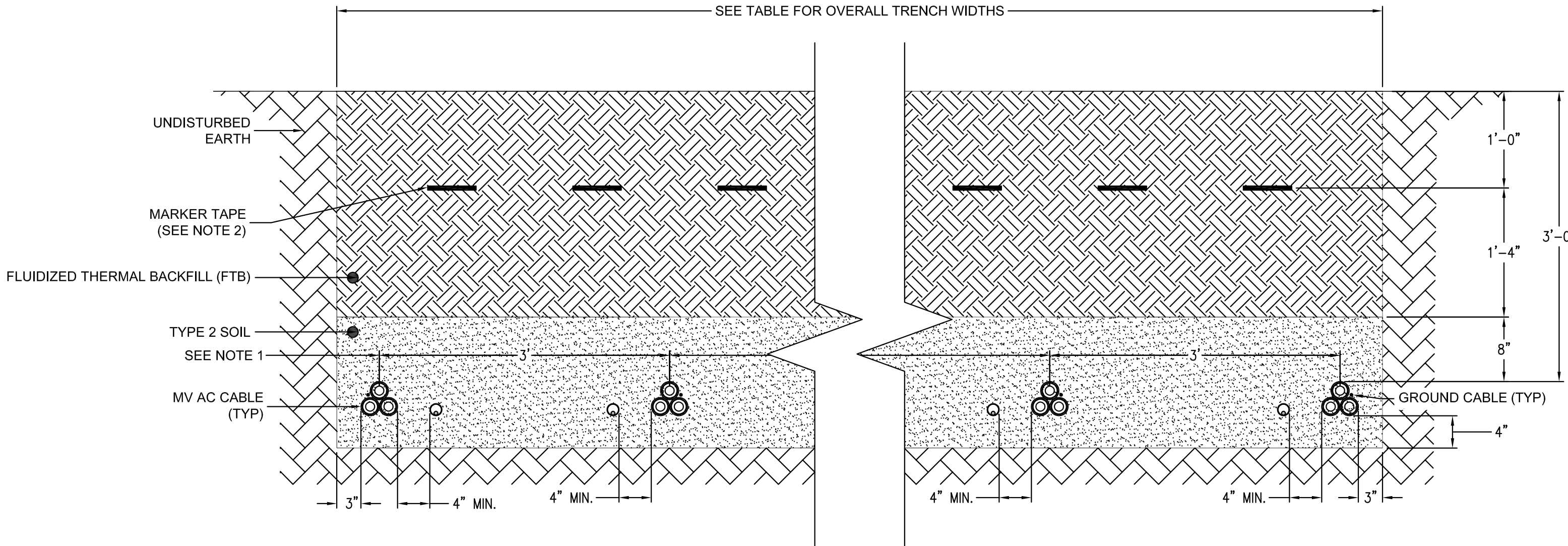
TWO CIRCUIT POWER CABLE TRENCH SPACING

SCALE: NTS
MVAC (3-1/C TRIPLEX)



FOUR CIRCUIT POWER CABLE TRENCH SPACING

SCALE: NTS
MVAC (3-1/C TRIPLEX)



MULTIPLE POWER CABLE TRENCH SPACING

SCALE: NTS
MVAC (3-1/C TRIPLEX)

NOTES:

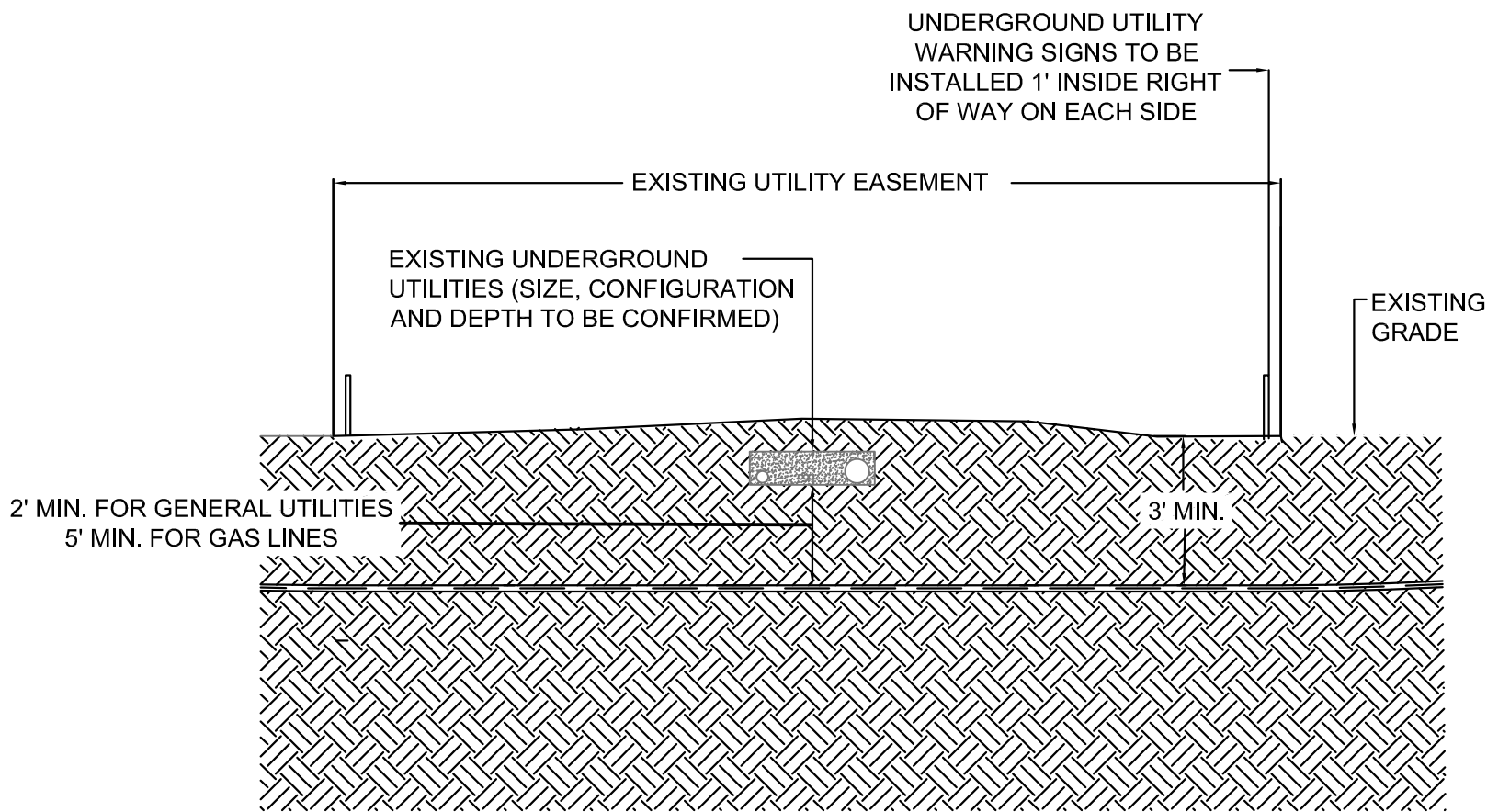
- THIS DRAWING IS DIAGRAMMATIC AND INTENDED TO SHOW THE TYPICAL LEVELS AND MINIMUM SPACING BETWEEN CABLES WITHIN THE TRENCH. THE EXACT TYPE OR NUMBER OF CABLES MAY VARY FROM WHAT IS SHOWN. NARROW OR WIDEN TRENCH AS NEEDED, TO DETERMINE WHERE CABLES ARE APPLICABLE ON THE SITE, REFERENCE ALL AC, GROUNDING, FIBER OPTIC AND ALL OTHER CABLING PLANS.
- INSTALL 6" WIDE RED DETECTABLE MARKER TAPE IN ALL TRENCHES EVERY 18" ACROSS EXCAVATED AREA.
- DIMENSIONS TO CABLE LAYERS ARE FROM FINISHED GRADE TO THE EDGE OF CABLES, EXCEPT WHERE NOTED.
- BACKFILL SHALL BE COMPACTED TO A MINIMUM OF 85% OF THE MAXIMUM DRY DENSITY, AT ROAD CROSSINGS, BACKFILL SHALL BE COMPACTED TO A MINIMUM OF 95%. FILL LIFT SHALL NOT EXCEED 9". SEE PROJECT GEOTECHNICAL REPORT FOR SITE SPECIFIC REQUIREMENTS.
- CLEAN FILL REQUIREMENTS:
 - TYPE 1: NATIVE SOIL. SHALL BE USED FOR BACKFILL AS SHOWN IN SECTIONS CONTAINING PARTICLES NO LARGER THAN 3" IN DIAMETER.
 - TYPE 2: FILL SHALL BE CLEAN MATERIAL CONTAINING PARTICLES NO LARGER THAN 3/8" IN DIAMETER IN THE AREA 8" ABOVE AND 4" BELOW.
- TREFOIL CABLE SHALL BE SECURED AT INTERVALS NOT EXCEEDING 3'.

TRENCH WIDTH TABLE					
NUMBER OF CIRCUITS	5	6	7	10	12
TRENCH WIDTHS (FT)	15	18.5	22	32.5	39.5

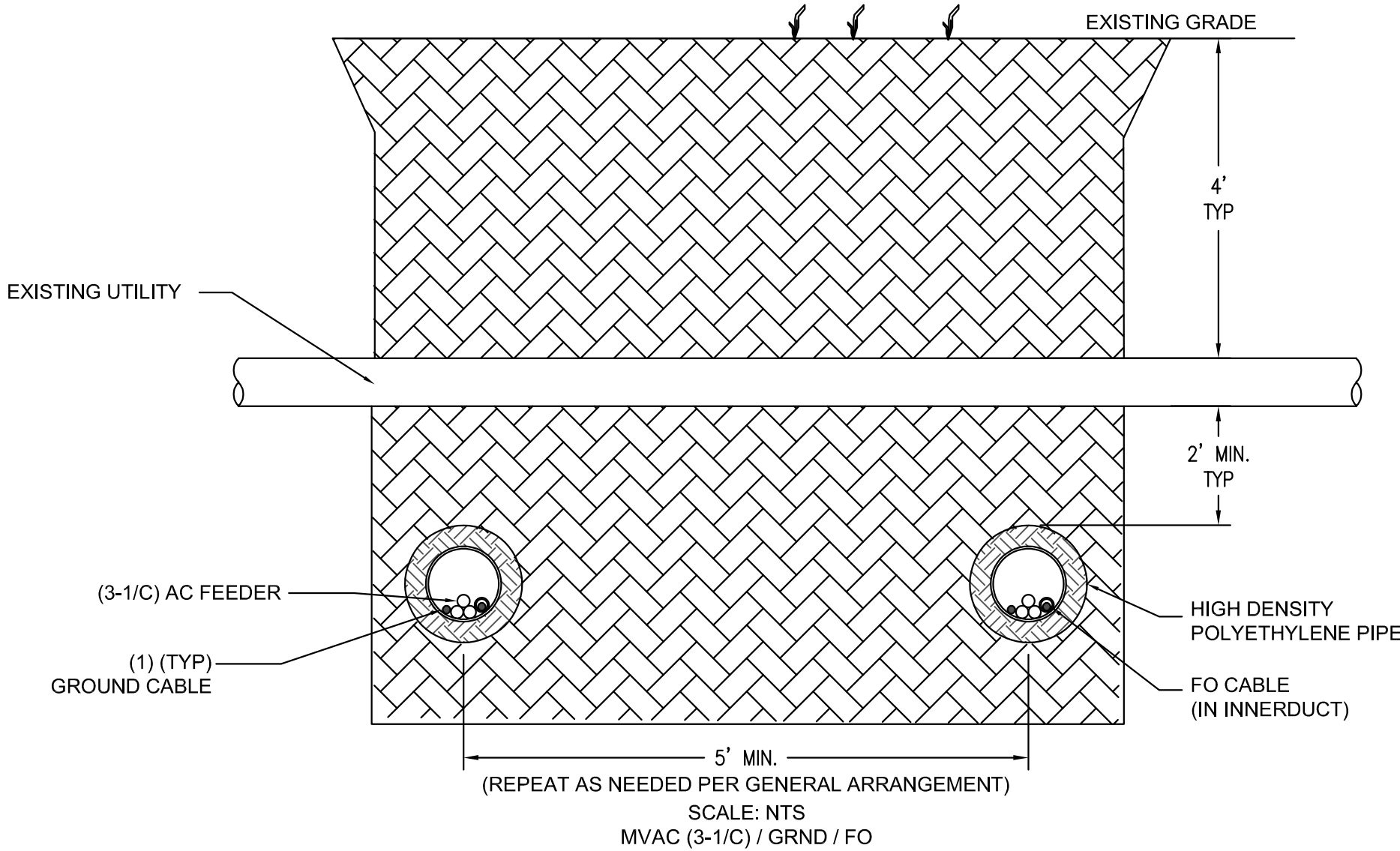
ISSUED FOR REVIEW
NOT FOR CONSTRUCTION
11/17/2025

C	TMH/SME	11/17/2025	ISSUED FOR REVIEW		
B	TMH/SME	10/24/25	ISSUED FOR REVIEW - INCORPORATING CLIENT COMMENTS (NOT FOR CONSTRUCTION)		
A	TMH/SME	09/15/25	ISSUED FOR REVIEW (NOT FOR CONSTRUCTION)		
REV.	BY	DATE	STATUS		
			LONGROAD ENERGY AGAWAM ENERGY SUBSTATION AGAWAM, MA		
			TRENCH DETAILS		
			 SME SEVEE & MAHER ENGINEERS ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE 4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021 Phone: 207.829.5016 • Fax: 207.829.5692 • sme-engineers.com	DESIGN BY:	JJS/SME
				DRAWN BY:	JJS/SME
				CHECKED BY:	CLR/SME
				APRVD BY:	TMH/SME
				DATE:	09/15/2025
			SCALE:	NONE	
			JOB NO. 250741.02 DWG FILE AW1-U-600	REV C	

- NOTES:**
1. THIS DRAWING IS DIAGRAMMATIC AND INTENDED TO SHOW THE TYPICAL LEVELS AND MINIMUM SPACING BETWEEN CONDUITS AND EXISTING UTILITIES WITHIN THE EASEMENT. THE EXACT TYPE OR NUMBER OF CABLES MAY VARY FROM WHAT IS SHOWN.
 2. FOR UTILITY CROSSING LOCATIONS SEE DRAWING AW1-U-200.
 3. BORE DEPTH TO BE MINIMUM AS SHOWN OR PURSUANT TO CROSSING AGREEMENTS.
 4. CONSTRUCTION MEANS AND METHODS FOR UTILITY CROSSING TO BE DETERMINED DURING DETAILED DESIGN.



THE MINIMUM VERTICAL CLEARANCE SHALL ACCOUNT FOR EXISTING FEATURES SUCH AS DITCHES, UNDERGROUND UTILITIES AND OTHER OBSTRUCTIONS, AND SHALL MEET ALL CLEARANCE REQUIREMENTS SET FORTH BY THE GOVERNING JURISDICTION. THE FULL CLEARANCE DEPTH MUST BE MAINTAINED THROUGHOUT THE ENTIRETY OF THE RIGHT OF WAY. THE LOCATION AND DEPTH OF EXISTING UTILITIES MUST BE DETERMINED PRIOR TO DRILLING.



TRENCHLESS SECTION - UTILITIES

ISSUED FOR REVIEW
NOT FOR CONSTRUCTION
11/17/2025

C	TMH/SME	11/17/2025	ISSUED FOR REVIEW
B	TMH/SME	10/24/25	ISSUED FOR REVIEW - INCORPORATING CLIENT COMMENTS (NOT FOR CONSTRUCTION)
A	TMH/SME	09/15/25	ISSUED FOR REVIEW (NOT FOR CONSTRUCTION)
REV.	BY	DATE	STATUS

	LONGROAD ENERGY AGAWAM ENERGY CENTER AGAWAM, MA		
	BORING DETAILS		
	SME SEVEE & MAHER ENGINEERS ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE 4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021 Phone 207.829.5016 • Fax 207.829.5692 • sme-engineers.com	DESIGN BY: JJS/SME	
		DRAWN BY: JJS/SME	
		CHECKED BY: CLR/SME	
		APRVD BY: TMH/SME	
		DATE: 09/15/2025	
	JOB NO. 250741.02	DWG FILE AW1-U-601	SCALE: NONE
	REV C		

Custom Soil Resource Report Soil Map



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features

 Blowout

 Borrow Pit

 Clay Spot

 Closed Depression

 Gravel Pit

 Gravelly Spot

 Landfill

 Lava Flow

 Marsh or swamp

 Mine or Quarry

 Miscellaneous Water

 Perennial Water

 Rock Outcrop

 Saline Spot

 Sandy Spot

 Severely Eroded Spot

 Sinkhole

 Slide or Slip

 Sodic Spot

 Spoil Area

 Stony Spot

 Very Stony Spot

 Wet Spot

 Other

 Special Line Features

Water Features

 Streams and Canals

Transportation

 Rails

 Interstate Highways

 US Routes

 Major Roads

 Local Roads

Background

 Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Hampden County, Massachusetts, Central Part
Survey Area Data: Version 19, Sep 5, 2025

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 15, 2020—Oct 31, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background

Attachment B

Request for Determination of Applicability
Agawam Energy Center Project

Narrative

1.0 Introduction

On behalf of the applicant, Agawam Energy Center, LLC, BSC Group, Inc. (BSC) is submitting a Request for Determination of Applicability (RDA) to confirm the boundaries of wetland resource areas that have been identified at the property located at 769 Silver Street in Agawam, MA (the Site; G6_2_6) and to determine whether the Agawam Energy Center Project (the Project) is subject to jurisdiction under the Massachusetts Wetlands Protection Act (WPA). The enclosed Site plan (Attachment A) depicts boundaries of proposed Project activities relative to delineated wetland resource areas as defined by the Massachusetts Wetlands Protection Act (M.G.L. Ch. 131, Sec. 40) and implementing regulations at 310 CMR 10.00. Please also refer to Attachment A for the Site Locus map.

2.0 Project Description

Agawam Energy Center, LLC (Applicant) proposes to develop an approximately 250 megawatt (MW), 1,000 megawatt hour (MWh), battery energy storage system (BESS) on the 17.2 acre Site located at 769 Silver Street (Map G6, Block 2, Lot 6) in Agawam, Massachusetts (the Project). The Project will utilize lithium-ion (Li-ion) chemistry and will interconnect at Eversource's South Agawam 115 kV switchyard located to the southeast, approximately 600 feet from the Project.

The BESS Project is intended to charge during hours where electricity demand is low, such as in the middle of the night, and discharge energy to the electrical grid during seasonal peak periods and monthly peak hours. By strategically charging and discharging, the Project will serve to displace fossil fuel generation in the Northeast and reduce carbon intensity of generation in Massachusetts.

The proposed technology is Fluence's Smartstack, or equivalent Li-ion battery provider or technology, an air conditioning-integrated solution using Li-ion batteries and will include safety features such as sensors, alarms, a deflagration system, and a venting system. Regular maintenance will be conducted to ensure the safe operation of the BESS. The associated battery containers, transformers, and inverters will sit on concrete pads that will be enclosed by a fence that will act as a physical, visual, and sound barrier as detailed in the attached plans.

The work will be conducted completely outside of all Areas Subject to Protection under M.G.L. c. 131, Section 40 listed in 310 CMR 10.02(1), as well as all buffer zones associated with Areas Subject to Protection. During construction, various Best Management Practices (BMPs) including erosion controls will be utilized to prevent impacts to adjacent resource areas and buffer zones. Therefore, the Applicant is seeking a Negative Determination of Applicability for the Project.

4.0 Existing Site Conditions

The Site encompasses approximately 17.2 acres and contains a mix of existing buildings and storage structures, gravel and paved yard areas, a pond previously identified by NHESP as a Potential Vernal Pool, and a maintained field dominated by common mugwort (*Artemisia vulgaris*) in the northeastern portion of the property. Topography across most of the Site is relatively flat. However, the eastern edge slopes sharply into a steep ravine that supports a wetland and intermittent stream system within woodlands that extend along the eastern boundary. The majority of the wetland system is located off-site further to the east.

The property is located in an industrial area and is a former lumber yard with eight (8) existing buildings and a roadway network that were associated with the business. Of the eight (8) existing buildings on the Site, the two (2) along the southwest property line will be fully retained and a third, the one closest to Silver Street, will have its rear section demolished while the front portion will be retained for office and administrative uses. All areas within the Project Site have been previously developed and disturbed.

The US Natural Resources Conservation Service (NRCS) Web Soil Survey indicates Merrimac fine sandy loam, 0 to 3 percent slopes (254A) as occurring in the majority of the Site. The delineated BVW is mapped as Merrimac fine sandy loam, 8 to 15 percent slopes (254C). Inland bank associated with the delineated pond is mapped as Merrimac fine sandy loam, 3 to 8 percent slopes (254B). Other soils within the Project Site include 258B, Amostown fine sandy loam, 0 to 3 percent slopes, and 254B, Merrimac fine sandy loam, 3 to 8 percent slopes. The full NRCS soil map is contained in Attachment A.

5.0 State Jurisdictional Wetland Resource Areas

On April 17th, 2025, wetland scientists Rachel Towes and Jonathan Monderer of BSC Group, Inc. completed wetland delineations at 769 Silver Street to document all resource areas present on the Site. This delineation was conducted in accordance with Massachusetts Department of Environmental Protection (MassDEP) methodologies and the US Army Corps of Engineers (USACE) Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (2012). Wetlands and other resource areas located outside of the property at 769 Silver Street were estimated.

BSC placed sequentially numbered flagging tape for Bordering Vegetated Wetlands (BVW) and Inland Bank for all observable resources on the Site. After resources were flagged and delineated, the boundary and flag locations were recorded with a survey grade GPS. Locations of the delineated wetland resource areas are indicated on the project Site Plan provided in Attachment A (titled “Agawam Energy Center Environmental Resources Map” produced by BSC 11/24/2025).

Data were collected using the plot methodology established by the MassDEP handbook for "Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act" and the USACE regional supplement. The data were then used to complete a USACE wetland determination data form for both a wetland and upland plot.

The following wetland resource areas and jurisdictional areas were identified and established on the Site:

- Bordering Vegetated Wetlands (BVW)
- Inland Bank
- Land Under Water Bodies and Waterways (LUW)
- 100-foot Buffer Zone

The delineation flag numbering system shown on the Site plan represents the first two letters of town name, the resource type abbreviation, and the numbered series.

For example:

AG-W1-100 stands for Agawam – Wetland 1 – Flag 100 (used for BVW)

The delineated resource areas and the associated length of each boundary are estimated in the following table while the paragraphs provide a detailed overview of each area. Attachment C contains the USACE wetland determination forms and photographs representative of each wetland.

In total, one (1) BVW, one (1) pond, and two (2) interconnecting intermittent stream channels were delineated on-site.

Bordering Vegetated Wetlands

Wetland AG-W1

This BVW can be classified as a forested wetland and runs along the eastern side of the parcel. Two intermittent stream channels, AG-SB1 and AG-SB2, run through the BVW. Vegetative communities within the wooded area consist primarily of Eastern cottonwood (*Populus deltoides*), red maple (*Acer rubrum*), yellow birch (*Betula alleghaniensis*), American beech (*Fagus grandifolia*), quaking aspen (*Populus tremuloides*), northern red oak (*Quercus rubra*), highbush blueberry (*Vaccinium corymbosum*), arrowwood viburnum (*Viburnum dentatum*), and skunk cabbage (*Symplocarpus foetidus*). Soils in the wetland generally consist of a 12-inch layer of sandy loam with hue, value, and chroma of 10YR 2/1, followed by 6+ inches of 10YR 2/1 (sandy loam) with 20% redox concentrations of 7.5YR 4/4 hue, value, and chroma. Soils generally are saturated at 0 inches, surface water is present at a depth of 1 inch, and the water table is at 6 inches.

Waterbodies and Waterways

Intermittent Streams AG-SB1 and AG-SB2

Intermittent stream AG-SB1 flows out of an impounded pond via a culvert. This stream flows within wetland AG-W1 and generally flows north. It is approximately 4-10 feet wide and contained 1-3 inches of water during the Site visit.

Intermittent stream AG-SB2 flows out from a culvert (which likely originates off-site) and connects with stream AG-SB1. AG-SB2 flows north/northeast.

Within both streams, vegetation was dominated by skunk cabbage. Other vegetation present along the banks of both streams were yellow birch, red maple, silver maple (*Acer saccharinum*), as well as Asiatic bittersweet (*Celastrus orbiculatus*), multiflora rose (*Rosa multiflora*), and poison ivy (*Toxicodendron radicans*). These streams flow east off-site and are likely hydrologically connected to Tarkill Brook.

Waterbody AG-P1

Waterbody AG-P1 is located in the southeastern portion of the parcel and is mapped by the Natural Heritage and Endangered Species Program (NHESP) as Potential Vernal Pool (PVP) 287. AG-P1 was verified during the Site investigations to be a pond that was created as a water source for livestock and is most likely hydrologically connected with field-delineated wetland AG-W1 and intermittent stream AG-SB1 (no actual connection was observed in the field). AG-P1 is located within upland woods and is a deep, concave pond that was found to hold over 3 feet (approximately) of standing water on the date of the Site visit. The pond is approximately 100 feet in length and 50

feet wide. It appears that the pond may hold water year-round. The field evaluation concluded that AG-P1 is not likely a vernal pool, as shown in Table 1 below.

Duckweed (*Lemna sp.*) was observed along the southern and eastern edges of the pond. The substrate consisted of muck and leaf litter. Some dumping (tires and a plastic bucket) was observed within the pond along the southern edge. The water was clear and tannic, most likely due to the decaying leaf litter within the pond. Various aquatic insects were observed, suggesting healthy water quality conditions. Mayfly (Order *Ephemeroptera*) and damselfly (Suborder *Zygoptera*) nymphs and caddisfly (Order *Trichoptera*) larvae were among the aquatic insects observed while sampling. The pond is most likely hydrologically connected with field-delineated wetland AG-W1 and intermittent stream AG-SB1. There may be an outlet within the gaps in stone masonry located on the northeastern edge of the pond. No vegetation was observed growing within the pond, but surveyors noted woody debris, including branches suitable for salamanders to attach egg masses to within the pond. Tree canopy cover was approximately 25-30%. Dominant tree species surrounding the pond (and wetland AG-W1) include red maple, Northern red oak, American beech, quaking aspen, Eastern white pine (*Pinus strobus*), pin oak (*Quercus palustris*), black cherry (*Prunus serotina*), Eastern cottonwood, and yellow birch. Non-native species were observed throughout the Site, including common mugwort, black locust (*Robina pseudoacacia*), Autumn olive (*Elaeagnus umbellata*), multiflora rose, honeysuckle species (*Lonicera sp.*), purple loosestrife (*Lythrum salicaria*), and Asiatic bittersweet. No obligate indicator species or facultative species were observed during the survey within the pond. Two mallards (*Anas platyrhynchos*) and one snapping turtle (*Chelydra serpentina*) were observed within the pond and one Eastern garter snake (*Thamnophis sirtalis*) was observed along the southern bank.

Table 1. Summary of the Vernal Pool Survey Results

CVP or PVP #	Associate d Wetland ID	Priorit y Habita t	VP Type	Description	Indicato r Species
PVP 287	AG-P1 AG-W1	N/A	N/A	Likely not a vernal pool. No obligate indicator species observed. No facultative species observed. The pond appears to be present year-round. Presence of duckweed along the edges of the pond.	N/A

As a result of the vernal pool survey, field investigations determined that PVP 287 is not a Vernal Pool and exhibits more characteristics of a pond.

6.0 Other Environmental Resources

BSC reviewed applicable, publicly available MassGIS data-layers to determine the presence of other environmental resources. The Site contains an area mapped by NHESP as Priority and Estimated Habitat for state-listed species along the northeast/east border of the Site. The Site does not contain any NHESP-mapped Certified Vernal Pools and is not located in a watershed for Outstanding Resource Waters, an Area of Critical Environmental Concern, Wellheads, or any FEMA flood zones.

7.0 Proposed Impacts

The proposed Project has been designed to avoid impacts to the adjacent wetland resource areas. All components of the Project, including the BESS components, substation, electrical interconnections, above- and below-ground utilities, access roads, and proposed stormwater management features are located entirely outside the delineated resource areas and the 100-foot Buffer Zone. A stormwater management plan, as well as operational and emergency response plans for the BESS, are being developed to ensure activities during construction and operation will not adversely affect nearby resource areas. Based on this design, the Project is not expected to result in any impacts to areas subject to protection under the Massachusetts Wetlands Protection Act.

8.0 Proposed Avoidance and Minimization Measures

Construction Sequencing and Limits of Work

Prior to any ground disturbance occurring on-site, the limits of work will be marked with stakes or construction fencing, and erosion and sediment controls will be installed around the perimeter of the Project area. These perimeter controls will ensure that no earth disturbance occurs outside of the planned Project area and that no sedimentation enters jurisdictional areas. During construction, soil stockpiling and equipment staging will be avoided near resource areas to prevent any pollutant or sediment discharges into jurisdictional areas. Erosion and sediment controls around the perimeter of the work area will remain in place until work is complete and all disturbed areas have been stabilized by vegetation or other means.

Stormwater Management

A Stormwater Management Plan has been developed for the Project in accordance with the Massachusetts Stormwater Handbook and accompanying Checklist. The proposed system has been designed to ensure that construction and long-term Project operations do not increase stormwater runoff or introduce pollutants to nearby resource areas.

Stormwater generated on-site will be managed through a combination of infiltration and detention practices. A stormwater detention basin will be constructed to capture, detain, and treat runoff in compliance with the Stormwater Standards. Where feasible, stormwater will infiltrate on-site; any remaining runoff will be conveyed to the detention basin through properly stabilized drainage features. The basin has been sized to attenuate peak flows and provide water-quality treatment prior to discharge.

These stormwater controls will minimize potential erosion, reduce downstream flow impacts, and ensure that stormwater is managed entirely outside jurisdictional wetland resource areas. The design will be implemented and maintained in accordance with the approved plans, providing long-term protection to adjacent resource areas and compliance with the Wetlands Protection Act.

Erosion and Sediment Controls

Prior to the start of any construction activities, appropriate erosion and sedimentation control (ESC) measures will be installed to prevent the transport of sediment toward adjacent resource areas or catch basins. These controls may include, but are not limited to, silt fencing, straw bales, fiber rolls, and/or straw wattles, depending on Site conditions and final construction sequencing. All ESCs will be installed in accordance with the Massachusetts Erosion and Sediment Control Guidelines and manufacturer specifications.

ESCs will be maintained throughout the duration of construction and inspected regularly, particularly after significant precipitation events. Any damaged or compromised controls will be repaired or replaced immediately to ensure continued effectiveness. Disturbed areas will be stabilized as soon as practicable. Upon completion of construction and stabilization of exposed soils, all temporary ESCs will be removed, and any accumulated sediment will be properly disposed of.

Vehicle Refueling and Maintenance

All vehicle refueling, lubrication, and routine maintenance activities will occur only in designated areas located on stable, impervious surfaces and situated well away from all environmentally sensitive resource areas, including wetlands, storm drain inlets, culverts, and wells. These designated areas will be selected to ensure that any accidental drips, spills, or equipment leaks are contained and do not migrate toward adjacent jurisdictional areas.

During refueling operations, contractors will employ appropriate spill-prevention practices, including the placement of absorbent pads, drip pans, or secondary containment devices beneath fuel tanks and hoses as needed. Spill kits will be maintained on-site and immediately accessible. Any spills will be cleaned up promptly and contaminated materials disposed of in accordance with applicable regulations.

Contractors will inspect refueling and maintenance areas regularly to ensure equipment is functioning properly and that no leaks are present. Should a vehicle exhibit persistent fluid leaks, it will be removed from service until repaired. These measures will minimize the risk of pollutant discharge and ensure protection of nearby wetland resource areas throughout the construction period.

Restoration

The Project has been designed to ensure that all temporarily disturbed areas will be restored and stabilized upon completion of construction activities. Any areas disturbed during clearing, grading, or equipment staging that are not required for permanent facilities will be loamed, seeded with an appropriate erosion-control or native seed mix, and stabilized to prevent erosion and sedimentation. All construction debris, excess materials, and temporary erosion and sediment controls will be removed from the Site once disturbed soils have been adequately stabilized. The Contractor will ensure the Site is cleaned of all waste and regraded as necessary to achieve positive drainage and stable ground conditions. Permanent stormwater management features will be installed and maintained in accordance with the approved stormwater design to ensure long-term protection of adjacent resource areas.

9.0 Conclusion

Based on the information provided in this Request for Determination of Applicability, Agawam Energy Center, LLC respectfully requests that the Agawam Conservation Commission issue a **Negative Determination of Applicability – Type 1**, indicating that *“the work described in the Request is not within an area subject to jurisdiction under the Wetlands Protection Act, including the Buffer Zone.”* As all proposed work is located outside the limits of jurisdictional wetland

*Request for Determination of Applicability
Narrative
Agawam, Massachusetts*

resource areas and the 100-foot Buffer Zone, it is the Applicant's understanding that the Project does not require the filing of a Notice of Intent.

The Applicant further requests that the Commission affirm the delineated resource area boundaries as shown on the accompanying Site Plan. Approval of these boundaries and the proposed Project will allow the Applicant to proceed with construction in compliance with the Massachusetts Wetlands Protection Act.

Attachment C

Request for Determination of Applicability
Agawam Energy Center Project

MassDEP Data Forms
Site Photographs

WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: 769 Silver St City/County: Agawam Sampling Date: April 17, 2025
 Applicant/Owner: Agawam Energy Center, LLC Investigator(s): Jonathan Monderer, Rachel Toews State: MA Sampling Point: AG-W1 wet
 Landform (hillslope, terrace, etc.): Toe Slope Local relief (concave, convex, none): Concave Slope(%): 1-2%
 Subregion (LRR or MLRA): LRR R, MLRA 145 Lat: 42.0519 Long: -72.6495 Datum: WGS 84 Soil Map Unit Name: Merrimac
fine sandy loam, 8 to 15 percent slopes NWI classification: PFO-1E

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No (If no, explain in Remarks.)

Are Vegetation , Soil , or Hydrology significantly disturbed?

Are "Normal Circumstances" present? Yes X No

Are Vegetation , Soil , or Hydrology naturally problematic?

(If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic vegetation Present? Yes <u>X</u> No <u> </u> Hydric Soil Present? Yes <u>X</u> No <u> </u> Wetland Hydrology Present? Yes <u>X</u> No <u> </u>	Is the Sampled Area within a Wetland? Yes <u>X</u> No <u> </u> If yes, optional Wetland Site ID: <u>AG-W1</u>
Remarks: (Explain alternative procedures here or in a separate report.) 	

HYDROLOGY

Wetland Hydrology Indicators: Primary Indicators (minimum of one is required; check all that apply)		Secondary Indicators (minimum of two required)
☒ Surface Water (A1) ☒ High Water Table (A2) ☒ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift Deposits (B3) ☐ Algal Mat or Crust (B4) ☒ Iron Deposits (B5) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Sparsely Vegetated Concave Surface (B8)	☐ Water-Stained Leaves (B9) ☐ Aquatic Fauna (B13) ☐ Marl Deposits (B15) ☐ Hydrogen Sulfide Odor (C1) ☐ Oxidized Rhizospheres on Living Roots (C3) ☐ Presence of Reduced Iron (C4) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Thin Muck Surface (C7) ☐ Other (Explain in Remarks)	☐ Surface Soil Cracks (B6) ☐ Drainage Patterns (B10) ☐ Moss Trim Lines (B16) ☐ Dry-Season Water Table (C2) ☐ Crayfish Burrows (C8) ☐ Saturation Visible on Aerial Imagery (C9) ☐ Stunted or Stressed Plants (D1) ☐ Geomorphic Position (D2) ☐ Shallow Aquitard (D3) ☒ Microtopographic Relief (D4) ☒ FAC-Neutral Test (D5)
Field Observations: Surface Water Present? Yes <u>X</u> No <u> </u> Depth (inches): <u>1</u> Water Table Present? Yes <u>X</u> No <u> </u> Depth (inches): <u>6</u> Saturation Present? Yes <u>X</u> No <u> </u> Depth (inches): <u>0</u> (includes capillary fringe)		Wetland Hydrology Present? Yes <u>X</u> No <u> </u>
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available: 		
Remarks: 		

VEGETATION – Use scientific names of plants.

 Sampling Point: AG-W1

	Absolute Cover %	Dominant Species?	Indicator Status	
Tree Stratum (Plot size: <u>30</u>)				Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>4</u> (A) Total Number of Dominant Species Across All Strata: <u>4</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100</u> (A/B) Prevalence Index worksheet: Total % Cover of: _____ Multiply by _____ OBL species <u>63</u> X 1 = 63 FACW species <u>51.5</u> X 2 = 103 FAC species <u>20.5</u> X 3 = 61.5 FACU species _____ X 4 = _____ UPL species _____ X 5 = _____ Column Totals: <u>135</u> (A) <u>227.5</u> (B) Prevalence Index = B/A = <u>1.69</u> Hydrophytic Vegetation Indicators: ☐ 1 - Rapid Test for Hydrophytic Vegetation ☒ 2 - Dominance Test is >50% ☒ 3 - Prevalence Index is ≤3.0 ¹ ☐ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks) ☐ 5 - Problematic Hydrophytic Vegetation ¹ ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
1. <u>Acer rubrum (Red Maple)</u>	<u>20.5</u>		<u>FAC</u>	
2. _				
3. _				
4. _				
5. _				
6. _				
7. _				
<u>20.5</u> = Total Cover				
Sapling/Shrub Stratum (Plot size: <u>15</u>)				
1. <u>Sambucus nigra (Black Elder)</u>	<u>20.5</u>		<u>FACW</u>	
2. <u>Lindera benzoin (Northern Spicebush)</u>	<u>20.5</u>		<u>FACW</u>	
3. _				
4. _				
5. _				
6. _				
7. _				
<u>41</u> = Total Cover				
Herb Stratum (Plot size: <u>5</u>)				
1. <u>Symplocarpus foetidus (Skunk Cabbage)</u>	<u>63</u>		<u>OBL</u>	
2. <u>Impatiens capensis (Jewelweed)</u>	<u>10.5</u>		<u>FACW</u>	
3. _				
4. _				
5. _				
6. _				
7. _				
<u>73.5</u> = Total Cover				
Woody Vine Stratum (Plot size: <u>30</u>)				
1. _				
2. _				
3. _				
4. _				
<u>0</u> = Total Cover				
Remarks: (Include photo numbers here or on separate sheet.)				

SOIL

Sampling Point: AG-W1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
<u>0-12"</u>	<u>10YR 2/1</u>	<u>100</u>		<u>100</u>			<u>Sandy Loam</u>	<u>Saturated</u>
<u>12-18"+</u>	<u>10YR 2/1</u>	<u>80</u>	<u>7.5YR 4/4</u>	<u>20</u>	<u>Concentration (C)</u>	<u>Pore Lining</u>	<u>Sandy Loam</u>	<u>Coarse sandy loam</u>
	<u>1</u>							

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.

²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- | | |
|---|--|
| ☐ Histosol (A1) | ☐ Polyvalue Below Surface (S8) (LRR R, MLRA 149B) |
| ☐ Histic Epipedon (A2) | ☐ Thin Dark Surface (S9) (LRR R, MLRA 149B) |
| ☐ Black Histic (A3) | ☐ Loamy Mucky Mineral (F1) (LRR K, L) |
| ☐ Hydrogen Sulfide (A4) | ☐ Loamy Gleyed Matrix (F2) |
| ☐ Surface Water (A5) | ☐ Depleted Matrix (F3) |
| ☒ Depleted Below Dark Surface (A11) | ☐ Redox Dark Surface (F6) |
| ☐ Thick Dark Surface (A12) | ☐ Depleted Dark Surface (F7) |
| ☐ Sandy Mucky Mineral (S1) | ☐ Redox Depressions (F8) |
| ☐ Sandy Gleyed Matrix (S4) | |
| ☐ Sandy Redox (S5) | |
| ☐ Stripped Matrix (S6) | |
| ☐ Dark Surface (S7) (LRR R, MLRA 149B) | |

Indicators for Problematic Hydric Soils³:

- | |
|--|
| ☐ 2 cm Muck (A10) (LRR K, L, MLRA 149B) |
| ☐ Coast Prairie Redox (A16) (LRR K, L, R) |
| ☐ 5 cm Mucky Peat or Peat (S3) (LRR K, L, R) |
| ☐ Dark Surface (S7) (LRR K, L) |
| ☐ Polyvalue Below Surface (S8) (LRR R, MLRA 149B) |
| ☐ Thin Dark Surface (S9) (LRR K, L) |
| ☐ Iron-Manganese Masses (F12) (LRR K, L, R) |
| ☐ Piedmont Floodplain Soils (F19) (MLRA 149B) |
| ☐ Mesic Spodic (TA6) (MLRA 144A, 145, 149B) |
| ☐ Red Parent Material (F21) |
| ☐ Very Shallow Dark Surface (TF12) |
| ☐ Other (Explain below) |

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches) : _____

Hydric Soil Present? Yes X No ____

Remarks:

WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: 769 Silver St Agawam City/County: Agawam Sampling Date: April 17, 2025
 Applicant/Owner: Agawam Energy Center, LLC Investigator(s): Jonathan Monderer, Rachel Toews State: MA Sampling Point: AG-W1 upl
 Landform (hillslope, terrace, etc.): Back Slope Local relief (concave, convex, none): None Slope(%): 20
 Subregion (LRR or MLRA): LRR R, MLRA 145 Lat: 42.0519 Long: -72.6496 Datum: WGS 84 Soil Map Unit Name: Merrimac
fine sandy loam, 8 to 15 percent slopes NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
 Are Vegetation __, Soil __, or Hydrology __ significantly disturbed? Are "Normal Circumstances" present? Yes X No X
 Are Vegetation __, Soil __, or Hydrology __ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic vegetation Present? Yes ____ No <u>X</u> Hydric Soil Present? Yes ____ No <u>X</u> Wetland Hydrology Present? Yes ____ No <u>X</u>	Is the Sampled Area within a Wetland? Yes ____ No ____ If yes, optional Wetland Site ID: _____
Remarks: (Explain alternative procedures here or in a separate report.) 	

HYDROLOGY

Wetland Hydrology Indicators: Primary Indicators (minimum of one is required; check all that apply)		Secondary Indicators (minimum of two required)
☐ Surface Water (A1) ☐ High Water Table (A2) ☐ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift Deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Sparsely Vegetated Concave Surface (B8)	☐ Water-Stained Leaves (B9) ☐ Aquatic Fauna (B13) ☐ Marl Deposits (B15) ☐ Hydrogen Sulfide Odor (C1) ☐ Oxidized Rhizospheres on Living Roots (C3) ☐ Presence of Reduced Iron (C4) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Thin Muck Surface (C7) ☐ Other (Explain in Remarks)	☐ Surface Soil Cracks (B6) ☐ Drainage Patterns (B10) ☐ Moss Trim Lines (B16) ☐ Dry-Season Water Table (C2) ☐ Crayfish Burrows (C8) ☐ Saturation Visible on Aerial Imagery (C9) ☐ Stunted or Stressed Plants (D1) ☐ Geomorphic Position (D2) ☐ Shallow Aquitard (D3) ☐ Microtopographic Relief (D4) ☐ FAC-Neutral Test (D5)
Field Observations: Surface Water Present? Yes ____ No <u>X</u> Depth (inches): _____ Water Table Present? Yes ____ No <u>X</u> Depth (inches): _____ Saturation Present? Yes ____ No <u>X</u> Depth (inches): _____ (includes capillary fringe)		Wetland Hydrology Present? Yes __ No <u>X</u>
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available: 		
Remarks: 		

VEGETATION – Use scientific names of plants.

 Sampling Point: AG-W1 upl

	Absolute Cover %	Dominant Species?	Indicator Status	
Tree Stratum (Plot size: <u>30</u>) 1. _ 2. _ 3. _ 4. _ 5. _ 6. _ 7. _				Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>0</u> (A) Total Number of Dominant Species Across All Strata: <u>1</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>0</u> (A/B)
<u>0</u> = Total Cover				
Sapling/Shrub Stratum (Plot size: <u>15</u>) 1. _ 2. _ 3. _ 4. _ 5. _ 6. _ 7. _				Prevalence Index worksheet: Total % Cover of: _____ Multiply by _____ OBL species _____ X 1 = 0 FACW species <u>10.5</u> X 2 = 21 FAC species _____ X 3 = _____ FACU species <u>20.5</u> X 4 = 82 . UPL species 85.5 _____ X 5 = 427.5 Column Totals: <u>116.5</u> <u>530.5</u> (B) (A) _____ Prevalence Index = B/A = <u>4.55</u>
<u>0</u> = Total Cover				Hydrophytic Vegetation Indicators: ☐ 1 - Rapid Test for Hydrophytic Vegetation ☐ 2 - Dominance Test is >50% ☐ 3 - Prevalence Index is ≤3.0 ¹ ☐ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks) ☐ 5 - Problematic Hydrophytic Vegetation ¹ ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
Herb Stratum (Plot size: <u>5</u>) 1. <u>Artemisia vulgaris</u> (Mugwort) <u>85.5</u> <u>UPL</u> 2. <u>Alliaria petiolata</u> (Garlic Mustard) <u>20.5</u> <u>FACU</u> 3. <u>Impatiens capensis</u> (Jewelweed) <u>10.5</u> <u>FACW</u> 4. _ 5. _ 6. _ 7. _				
<u>116.5</u> = Total Cover				
Woody Vine Stratum (Plot size: <u>30</u>) 1. _ 2. _ 3. _ 4. _				Hydrophytic Vegetation Present? ☐ Yes ☒ No
<u>0</u> = Total Cover				
Remarks: (Include photo numbers here or on separate sheet.)				

SOIL

Sampling Point: AG-W1 upl**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
<u>0-6"</u>	<u>10YR 3/3</u>	<u>100</u>					<u>Sandy Loam</u>	
<u>6-12"+</u>	<u>10YR 4/4</u>	<u>100</u>					<u>Sandy Loam</u>	
	<u>1</u>							

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.²Location: PL=Pore Lining, M=Matrix.**Hydric Soil Indicators:**

- | | |
|---|--|
| ☐ Histosol (A1) | ☐ Polyvalue Below Surface (S8) (LRR R, MLRA 149B) |
| ☐ Histic Epipedon (A2) | ☐ Thin Dark Surface (S9) (LRR R, MLRA 149B) |
| ☐ Black Histic (A3) | ☐ Loamy Mucky Mineral (F1) (LRR K, L) |
| ☐ Hydrogen Sulfide (A4) | ☐ Loamy Gleyed Matrix (F2) |
| ☐ Surface Water (A5) | ☐ Depleted Matrix (F3) |
| ☐ Depleted Below Dark Surface (A11) | ☐ Redox Dark Surface (F6) |
| ☐ Thick Dark Surface (A12) | ☐ Depleted Dark Surface (F7) |
| ☐ Sandy Mucky Mineral (S1) | ☐ Redox Depressions (F8) |
| ☐ Sandy Gleyed Matrix (S4) | |
| ☐ Sandy Redox (S5) | |
| ☐ Stripped Matrix (S6) | |
| ☐ Dark Surface (S7) (LRR R, MLRA 149B) | |

Indicators for Problematic Hydric Soils³:

- | |
|--|
| ☐ 2 cm Muck (A10) (LRR K, L, MLRA 149B) |
| ☐ Coast Prairie Redox (A16) (LRR K, L, R) |
| ☐ 5 cm Mucky Peat or Peat (S3) (LRR K, L, R) |
| ☐ Dark Surface (S7) (LRR K, L) |
| ☐ Polyvalue Below Surface (S8) (LRR R, MLRA 149B) |
| ☐ Thin Dark Surface (S9) (LRR K, L) |
| ☐ Iron-Manganese Masses (F12) (LRR K, L, R) |
| ☐ Piedmont Floodplain Soils (F19) (MLRA 149B) |
| ☐ Mesic Spodic (TA6) (MLRA 144A, 145, 149B) |
| ☐ Red Parent Material (F21) |
| ☐ Very Shallow Dark Surface (TF12) |
| ☐ Other (Explain below) |

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.**Restrictive Layer (if observed):**

Type: _____

Depth (inches) : _____

Hydric Soil Present? Yes ___ No X

Remarks:



Photo 1: Overview of Potential Vernal Pool (PVP) 287, which was determined during field investigations not to meet the criteria to be considered a Vernal Pool. This pond is located on the southeast/eastern edge of the parcel within an upland wooded area. It is a large, deep, concave pond that was found to hold over 3 feet (approximately) of standing water on the date of the site visit. The pool is approximately 100 ft in length and 50 ft wide. No obligate indicator species or facultative species were observed. *Facing north. Surveyed 4/17/2025.*



Photo 2: View of stone masonry along the northeastern edge of the pond. There may be an outlet within the gaps in stone masonry likely hydrologically connecting the pond with field-delineated wetland AG-W1 and intermittent stream AG-SB1. No field indicators were present of an actual connection. *Facing northeast. Surveyed 4/17/2025.*



Photo 3: View of wetland AG-W1 and intermittent stream AG-SB1, near the pond. *Facing southwest. Surveyed 4/17/2025.*



Photo 4: View of wetland AG-W1 and intermittent stream AG-SB1, near the pond. *Facing north. Surveyed 4/17/2025.*



Photo 5: View of the back of the site, photo taken from the middle of the site. *Facing east. Surveyed 10/17/2025.*



Photo 6: View of proposed substation area in the southeast corner of the site. *Facing southeast. Surveyed 11/19/2025.*



Town of Agawam

Conservation Commission

Conservation Commission
1000 Suffield Street
Agawam, MA 01001
Ph: 413-786-0400 ext.
8737
Fax: 413-786-9927

January 9, 2026

Agawam Energy Center LLC
c/o Michael Alvarez
125 High Street, Suite 1705
Boston, Ma 02110

Dear Mr. Alvarez:

At its duly called meeting held on January 8, 2026, the Agawam Conservation Commission voted to accept the Peer Review proposal submitted by Stockman Associates for the amount of \$2,860.00 for a Request for Determination on property at 769 Silver Street. Review by Stockman Associates will not commence until this Peer Review fee is submitted to the Conservation Commission in its entirety. The Commission shall be responsible for expenditures.

Sincerely,

Henry A. Kozloski, Chairman
Agawam Conservation Commission

Cc: Melissa Kaplan – BSC Group
Town Clerk
File

January 5, 2026

Mr. Henry Kozloski, Chair
Town of Agawam Conservation Commission
1000 Suffield Street
Agawam, MA 01001

Re: Request for Determination of Applicability (RDA)
Agawam Energy Center Project
769 Silver Street
(Parcel ID: G6-2-6 3965)
Peer Review Proposal

Dear Mr. Kozloski and Commissioners:

Foremost, thank you for considering Stockman Associates LLC. It is our understanding that the Agawam Conservation Commission is seeking an estimate for a wetland consultant peer review of the Request for Determination of Applicability (RDA) submitted by BSC Group, Inc. on behalf of their client, Agawam Energy Center, LLC, for the development of an approximately 250 megawatt (MW), 1,000 megawatt hour (MWh) battery energy storage system (BESS). Based on the WPA Form 1, the project will consist of battery containers, transformers, inverters, equipment pads, a substation, and associated infrastructure. The proposed BESS site will be accessed from Silver Street. The battery containers will be surrounded by a perimeter fence that will act as a physical, visual, and sound barrier. The subject property is approximately 17.2-acres.

It is our understanding that the Commission is requesting a field review in the spring of 2026 to confirm that the work will be conducted completely outside of all Areas Subject to Protection under M.G.L. c. 131, Section 40 listed in 310 CMR 10.02(1), as well as all buffer zones associated with Areas Subject to Protection. Please note that we are currently outside of the growing season. The field review depends on weather and site conditions that are suitable for data collection and delineation, as per state methodologies and the Town of Agawam Winter Conditions Wetland Delineation & Certificate of Compliance Policy. Field review during the winter months may be considered depending on future improvements to field conditions and agreement between the applicant and Conservation Commission.

Scope of Work

Field Work

Site Visit: to review the project site and confirm whether the boundaries of resource area(s) depicted on submitted RDA site plans are accurately delineated. Review of field work performed by BSC Group, Inc. and submitted under the November 25, 2025 RDA, including the review of the Bordering Vegetated Wetlands (BVW) and Inland Bank boundaries and data plots. It is anticipated that boundary delineation flagging will be clearly visible and labeled in the field. Any observation plots utilized by BSC Group, Inc. to evaluate soils, vegetation, and hydrology should also be clearly marked on a site plan and in the field for review.

Please note that the site plans submitted with the November 25, 2025 RDA lack the location and labels of individual delineation flags. To facilitate review, receipt of an updated site plan depicting individual delineation flags is requested prior to the site visit.

Furthermore, it is anticipated that a representative from BSC Group, Inc. as well as members of the Agawam Conservation Commission may be present during the site visit.

Estimated 1 Field Days

Materials Review

Request for Determination of Application (RDA) Review: including the review of the RDA WPA Form 1, accompanying narrative, the RDA site plans "Longroad Energy Agawam Energy Center Agawam, MA" (11 Sheets) prepared by BSC Group, Inc. and other supporting documents within the November 25, 2025 RDA submittal.

The review will be performed under the Massachusetts Wetlands Protect Act (MA WPA) regulations (310 CMR 10.00). It is our understanding that the Town of Agawam does not have a local wetland protection bylaw.

Reporting

Review Findings: including a findings report and recommendations based on the materials review and the site visit. The report will specifically address concurrence and non-concurrence with resource area boundaries as presented in the RDA prepared by BSC Group, Inc., and evaluate whether the proposed work is subject to the MA Wetlands Protection Act.

Meetings

Attendance: This scope includes attendance at one (1) Agawam public meeting.

Total Cost Estimate

Estimated Hours (including travel) 26 hours
\$2,860

Please note that the above cost estimate has been provided based on the RDA submittal dated November 25, 2025. Any additional submittals, additional site visits, and/or public meetings would be considered extra work beyond the proposed scope. If additional review is required during the process, Stockman Associates LLC will provide a scope of work cost estimate for these services.

Hourly Rates (including travel):

Wetland Scientist \$110/hour
Field Technician \$65/hour

This proposal is valid for 30 days. Our receipt of a signed copy of this proposal will serve to authorize Stockman Associates LLC to proceed with the work outlined above in our Scope of Services and on the attached General Contract Conditions.

Work will commence after receipt of a signed authorization to proceed and confirmation of funding. It is anticipated that work will begin with a materials review. Please note that given the current time of year and site conditions, the field review will be scheduled for spring 2026. The fieldwork will be scheduled upon coordination with the applicant and/or the applicant's

representative and the Conservation Commission. Field review during the winter months may be considered based on future improvements to field conditions and agreement between the applicant and Conservation Commission. Please note that aspects of the proposed timeline are subject to the scheduling and availability of others as well as site conditions and, therefore, may be subject to change.

I look forward to working with you on this project. Thank you for considering Stockman Associates LLC.

If you have any questions regarding the above estimate, please do not hesitate to contact me at emily@stockmanassociates.com or at 413-743-1372.

Sincerely,



Emily Stockman, M.S., P.W.S.
Senior Scientist/Principal
Stockman Associates LLC

AUTHORIZATION TO PROCEED

Agawam Conservation Commission

**Request for Determination of Applicability (RDA)
Agawam Energy Center Project
769 Silver Street
(Parcel ID: G6-2-6 3965)
Peer Review Proposal**

I hereby authorize Stockman Associates LLC to proceed with the above-referenced project in accordance with the Scope of Services described herein.

Agawam Conservation Commission

Printed Name

Date

Signature

Title

Notice of Intent

for
Still Brook Pond
100 Pine Street
Agawam, MA, 01030

DATE:

December 29th, 2025

ADDRESSED TO:

Agawam Conservation Commission
36 Main Street
Agawam, MA 01001

PREPARED BY:

Goddard Consulting LLC
1442 North Main Street
Palmer, MA 01069

In coordination with

SŌLitude Lake Management
590 Lake St,
Shrewsbury, MA 01545

PREPARED FOR:

Jennifer Bonfiglio
Town of Agawam
36 Main Street
Agawam, MA 01001



December 29th, 2025

Agawam Conservation Commission
36 Main Street
Agawam, MA 01001

Re: Notice of Intent
Still Brook Pond
38 Tuckahoe Drive
Agawam, MA 01030

Dear Agawam Conservation Commission,

On behalf of the Town of Agawam (the Applicant), Goddard Consulting, LLC (Goddard) in collaboration with SÖLitude Lake Management is hereby submitting this Notice of Intent (NOI) application for an Ecological Limited Restoration Project on Still Brook Pond at 38 Tuckahoe Drive, Agawam, MA (Parcel ID: C7_2_4). The overall goal of this project is to develop and implement a comprehensive pond management plan that includes ongoing monitoring, herbicide and algaecide application as needed, and aeration to improve water quality and habitat conditions. The project would involve the application of herbicide across the extent of the pond with the goal of managing plant assemblages, which are currently dominated by nuisance submersed, emergent, and floating-leaf vegetation and filamentous algal species. The proposed project has been filed as an Ecological Restoration Limited Project under 310 CMR 10.53(4) and will protect the interests of the Wetlands Protection Act by controlling nuisance species, improving fish habitat, improving water quality, and slowing pond eutrophication.

Wetland resources affected by the proposed work include Land under Water Bodies and Waterways.

This NOI application is a filing under the MA Wetlands Protection Act (WPA). Enclosed are the WPA Form 3 and additional supporting documentation for the project for your review and approval.

Sincerely,
Goddard Consulting, LLC & SÖLitude Lake Management

Steven Riberdy, MS, PWS, CWB, CE, CERP, PSS
Senior Ecologist / Palmer Office Manager

Owen Kramer, CESSWI
Lead Wetland Scientist

CC: MassDEP Western Regional Office, 436 Dwight Street, Springfield, MA 01103

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LIST OF ATTACHMENTS

Attachment A: WPA Form 3 – Notice of Intent & Fee Transmittal Form
Appendix A: Ecological Restoration Limited Project Checklists

Attachment B: Abutters Information
100-foot Abutters Map, Goddard Consulting, LLC, 11/18/2025
Environmental Monitor Publication

Attachment C: Locus Maps & Figures
USGS Map of the Locus Site, Goddard Consulting, LLC, 11/18/2025
Orthophoto of the Locus Site, Goddard Consulting, LLC, 11/18/2025
NRCS Map of the Locus Site, Goddard Consulting, LLC, 11/18/2025
FEMA Flood Hazard Map, Goddard Consulting, LLC, 11/18/2025
Figure 1: Still Brook Pond Survey, SOLitude Lake Management, 07/18/2025

Attachment D: Safety Datasheets
Diquat Treatment
Endothall Treatment
Fluridone Treatment
Imazamox Treatment
Flumioxazin Treatment
Glyphosate Treatment

1.0 INTRODUCTION

On behalf of the Town of Agawam (the Applicant), Goddard Consulting, LLC (Goddard) is hereby submitting this Notice of Intent (NOI) application for an Ecological Restoration Limited Pond Management Project on Still Brook Pond at 38 Tuckahoe Drive, Agawam, MA. SÖLitude Lake Management surveyed Still Brook Pond in July 2025 and determined an active herbicide management plan was necessary.

The pond has a history of problematic growth of purple loosestrife (*Lythrum salicaria*), naiad (*Najas minor*), cattails (*Typha spp.*), duckweed (*Lemna minor*), bladderwort (*Utricularia spp.*), coontail (*Ceratophyllum demersum*) and various filamentous algal species. These plants have the ability to proliferate to nuisance densities, as has been observed in Still Brook Pond. Vegetation densities of this magnitude can overcrowd beneficial native plants and deprive them of sunlight, while also reducing dissolved oxygen and essential nutrients for other species. Over time, these conditions can lead to monocultures and a significant loss of native biodiversity.

Still Brook Pond has never undergone any true management efforts. This current proposal describes management of the pond with the implementation of selective and targeted herbicide treatments. To remediate the pond to ecologically balanced conditions, herbicides including diquat, endothall, fluridone, imazamox, flumioxazin, and glyphosate will be used as treatments. All of these products won't be applied at the same time, and some may not be used at all depending on the present conditions. Application will be used to address nuisance species across the pond. The goal is to have a balance of native species with vegetation densities to remain over 30% wherever suitable throughout the pond to ensure habitat integrity. In addition to chemical treatments, an aeration system has already been installed to improve dissolved oxygen levels, reduce internal nutrient loading, and limit algal growth. The system promotes a more balanced aquatic ecosystem by supporting fish and invertebrate populations and helping to prevent stratification and stagnation. Retroactive approval is being requested to authorize the installation and continued operation of this existing aeration system. Regular inspections will take place after the application to confirm the success of treatment. Treatment will be done within the water body and may indirectly contact Land Under Waterways and Waterbodies (LUWB/WW).

This report describes existing conditions, resource areas present on site, the proposed work, and project compliance with the Massachusetts Wetlands Protection Act. Goddard requests that the Agawam Conservation Commission issue an Order of Conditions by virtue of the demonstration of this project's compliance, described in the sections below. A 5-year approval is requested for the implementation and monitoring of the aquatic management program at Still Brook Pond.

2.0 EXISTING CONDITIONS

Still Brook Pond is located on the parcel at 38 Tuckahoe Drive (Parcel ID: C7_2_4), with public access provided through Still Brook Park at 100 Pine Street in Agawam, MA. The park consists primarily of hardwood forest, and the pond's shoreline is bordered by wooded deciduous swamps and upland forest. The park, the pond, and its shores are utilized for recreational activities including canoeing, kayaking, fishing, hiking, and picnicking. Access to the pond has recently been increased with new paved roads, parking spots, and a launch point. Still Brook Pond itself is approximately 10.1 acres (439,956 SF) and lies within the Connecticut River Watershed. The pond sits on land formerly operated as the Tuckahoe Turf Farm, where historic use of fertilizers and soil amendments may have contributed to elevated nutrient levels that now support excessive aquatic vegetation growth. The property was later purchased by the Town of Agawam and incorporated into Still Brook Park, which is designed to serve the community. The pond is currently equipped with an aeration system to help improve water quality and circulation. The pond receives inflow from channels at its northern end and drains through an outlet at its southern end, which ultimately discharges into Still Brook.

2.1 OVERVIEW

Still Brook Pond has experienced the growth of submersed, emergent, and floating-leaf vegetation and filamentous algal species for many years. As discussed above, these species have the ability to proliferate throughout the pond in a short amount of time and are doing so in Still Brook Pond. Such proliferation by nuisance species can deprive other beneficial aquatic vegetation of sunlight, dissolved oxygen, and essential nutrients, ultimately creating near-monocultures and reducing overall ecosystem health.

Nuisance vegetation species have a history of rapid proliferation and subsequent overgrowth in Still Brook Pond, extending throughout the entire water body and proliferating around the perimeter of the pond. These species, in lieu of proper management and treatment, given the anthropogenically impounded nature of Still Brook Pond, will grow to become a monoculture covering a significant portion of an area and hinder diversity of aquatic vegetation within the pond. Management of these species is essential to maintaining wildlife habitat, fisheries, and the recreational value of the pond. If left wholly unmanaged, or if the only management available is not cost-effective enough to be employed, these species can overrun an area, causing deteriorated water quality conditions and the subsequent issues that come with them, including severe eutrophication and ultimately habitat degradation, while also precluding effective recreational use of a water body.

A pond survey conducted by SÖLitude Lake Management in July 2025 documented the dominant vegetation types and their distributions throughout Still Brook Pond. Dominant submersed vegetation included coontail, bladderwort, filamentous algae, and naiad, while emergent vegetation was characterized by dense stands of purple loosestrife and cattails. Duckweed was identified as the primary floating vegetation. All of these will be targeted for management. In its current condition, vegetation in the southern portion of the pond is present at densities that impede access from the launch point and restrict proper drainage. A map of plant distribution is provided in Attachment C.

The pond is relatively shallow around most of its edges, with extensive areas only 1 to 2 feet deep. These shallow margins make it more susceptible to eutrophication, as emergent wetland vegetation can readily encroach into open-water areas and trap sediment. The pond reaches a maximum depth of approximately 6 feet.

The Applicant is seeking an OOC to ensure the ability to actively manage the pond for recreation and wildlife habitat integrity under all current laws and local regulations. Management will include selective and targeted herbicide treatments to control nuisance species while maintaining approximately 30% aquatic vegetation cover in the managed areas. An aeration system has already been installed to improve water circulation, increase dissolved oxygen levels, and help prevent stratification and algal blooms; retroactive permitting is requested to authorize its installation and continued use. Without these management measures, problematic vegetation would continue to expand, further degrading the aquatic environment and reducing the pond's ecological and recreational value. These methods are in compliance with the Massachusetts DCR's 2004 *Generic Environmental Impact Report on Eutrophication and Aquatic Plant Management in Massachusetts* (GEIR) and *The Massachusetts Guide to Lake Management* (MassGLM).

According to WPA 310 CMR 10.05, "An applicant who proposes work solely within Land under Water Bodies or Waterways, or solely within a Lot with an area greater than 50 acres, is required to provide notification only to Abutters whose Lot is within one hundred feet from the Project Site." The proposed work is entirely within the pond, which is part of a parcel of approximately 266 acres. The Agawam Assessor's Office could only provide abutter information within 100 feet of the parcel boundary, rather than from the pond's edge. Based on this information, Goddard determined that notifying abutters was not required based on the regulations. A figure showing the 100-foot buffer around the pond is attached in Attachment B.

2.2 RESOURCE AREAS ON-SITE

2.2.1 LAND UNDER WATER BODIES AND WATERWAYS

Under the Wetlands Protection Act, Land under Water Bodies and Waterways is defined as “the bottom of, or land under, the surface of the ocean or any estuary, creek, river, stream, pond, or lake.” No significant changes or alterations to this resource area will happen as a result of the treatment. This resource area is expected to be enhanced through the removal of excessive nuisance species, and subsequent improvement of water quality and habitat, as well as lessening eutrophic conditions. In the short term, during and immediately after treatment, there will likely be a small short term impact to the Land under Water Bodies underneath the pond surface, as, in order to treat and restore the pond, there is some necessity to use minimal drawdown and appropriate treatments within the surface and littoral zone of the pond, which will cause temporary impacts to this resource.

2.2.2 BANK

Under the Wetlands Protection Act, Bank is defined as “the portion of the land surface which normally abuts and confines a water body. It occurs between a water body and a vegetated bordering wetland and adjacent flood plain, or, in the absence of these, it occurs between a water body and an upland.” No significant changes or alterations to this resource area will happen as a result of the treatment. Bank will not be impacted as a boat will be used to help administer treatment away from the bank, meaning no staging or setup impacts will occur. The boat will be launched from the pond’s existing launch point.

2.2.3 HABITAT AREA

The pond is not located within an Area of Critical Environmental Concern (ACEC), nor is the pond located within NHESP Priority Habitat of Rare Species or Estimated Habitats of Rare Wildlife.

2.2.4 WATER QUALITY

Still Brook Pond is not an Outstanding Resource Water (ORW) area nor is it considered a Great Pond. The pond is also not listed in the 314 CMR 4.06 Table 12 (Surface Water Quality Standards (11/12/21)) and thus, per 314 CMR 4.06(5), as “Other Waters” it can be presumed to be a Class B Water representing its recreational, habitat, and aesthetic value. All proposed treatments are suitable for such waters per Massachusetts and USAEPA guidelines and regulations, and, once an Order of Conditions has been issued by the Agawam Conservation Commission, the licensed applicator will complete the filing for a State Pesticide Use Permit (WM04) with the Massachusetts Department of Environmental Protection (MA-DEP).

3.0 **PROPOSED PROJECT**

3.1 GENERAL OVERVIEW

The applicant proposes to manage Still Brook Pond utilizing a variety of herbicides as needed based on monitoring to help control the problematic nuisance vegetation on the pond. This Notice of Intent is requesting approval for use of diquat, endothall, fluridone, imazamox, flumioxazin, and glyphosate. These products will not all be used at once, and some may not be used at all depending on the present conditions and management approach. The proposed treatments specifically affect the target species to be controlled and have a negligible effect on the non-target species and wildlife when applied in accordance with the label directions. All treatments will be applied at or below suggested doses according to the product label. All doses are based on plant types and densities as well as the volume of the pond, so that the minimum suitable concentration for efficacy of treatment material is introduced into the waterbody. The herbicides will be applied within the limit of work and below the mean annual low water line of the pond. In

addition to herbicide treatments, the use of a previously installed aeration system is proposed to promote better water circulation and higher dissolved oxygen level and reduce algal blooms. By enhancing these water quality conditions, aeration will support healthier aquatic habitats, improve water clarity, and increase the overall effectiveness of the pond management plan. Combined, these treatments are proposed for the purpose of ecological restoration to restore and maintain the aquatic habitat and water quality of the pond and allow continued use. These treatments are proposed for the purpose of ecological restoration to restore and maintain the aquatic habitat and water quality of the pond and allow for enhanced and to allow for continued communal recreational use.

Management and treatment of the vegetation will be paired with pre- and post- treatment surveys to assess and confirm appropriate management conditions, physical and chemical properties of the lake, treatment areas, and timing, as well as determine the effectiveness of treatment. The information and summaries from these pre- and post-treatment surveys will be supplied to the Agawam Conservation Commission and paired with treatment area maps and information on the herbicide used.

Still Brook Pond had experienced extensive growth of nuisance submersed, emergent, and floating-leaf vegetation and filamentous algal species for many years prior to this proposed treatment. Since the pond has received no previous management efforts, aquatic vegetation densities in the pond have been increasing, and continued treatment is required to avoid degradation of habitat in the future. If left untreated, nuisance vegetation will proliferate to problematic densities. When this vegetation dies in the fall, cyanobacteria may flourish and feed on the decaying plants, leading to a potentially anoxic and/or toxic event. Goddard anticipates that the management program proposed in this document will be successful in reduction and maintenance of nuisance species within the pond, while maintaining a dynamic composition and healthy beneficial distribution of suitable aquatic vegetation throughout the remainder of the pond.

3.2 POND MANAGEMENT

As stated above, once an Order of Conditions has been issued by the Agawam Conservation Commission, the licensed applicator will complete the filing for a State Pesticide Use Permit (WM04) with the Massachusetts Department of Environmental Protection (MA-DEP).

The applicant's goal is to maintain Still Brook Pond as a passive recreational resource and as viable habitat for fish and wildlife. To achieve this goal, proactive and ongoing management of nuisance vegetation is essential.

The following management schedule is proposed under this Notice of Intent. The phases outlined below provide a general framework and may be adjusted as needed based on field conditions, weather, and applicator availability.

Activity	Month	Target Species	Possible Products Utilized
Monitoring	April - September		
Floating-leaf vegetation herbicide treatment	August-September	- duckweed	- Diquat - Fluridone - Flumioxazin
Submersed vegetation herbicide treatment	August-September	- bladderwort - coontail - naiad - filamentous algae	- Diquat - Endothall - Fluridone - Flumioxazin
Emergent vegetation herbicide treatment	August-September	- cattails - purple loosestrife	- Glyphosate - Imazamox
Pond Aeration	Year-round as needed		

Future Management

Due to the nature of managing nuisance species, annual long-term management is required for the continued control of these species and subsequent restoration of the pond.

Annual pre-treatment surveys will be undertaken in the following years around Spring and early-Summer. If there is regrowth of the target species, it will be handled with appropriate management practice.

3.3 ECOLOGICAL RESTORATION PROJECT

This project has been filed as an Ecological Restoration Project in accordance with 310 CMR 10.53(4). As per 310 CMR 10.04, “Ecological Restoration Limited Project means an Ecological Restoration Project that meets the eligibility criteria set forth in 310 CMR 10.24(8) or 10.53(4).” 310 CMR 10.53(4)(e)(5) states that, “An Ecological Restoration Project that is not listed in 310 CMR 10.54(4)(e)2. Through 4., that will improve the natural capacity of a Resource Area(s) to protect the interests identified in M.G.L. c. 131, § 40, may be permitted as an Ecological Restoration Limited Project provided that the project meets the eligibility criteria set forth in 310 CMR 10.54(4)(a) through (d). Such projects include, but are not limited to, the restoration, enhancement, or management of Rare Species habitat, the restoration of hydrologic and habitat connectivity, the removal of aquatic nuisance vegetation to retard pond and lake eutrophication, the thinning or planting of vegetation to improve habitat value, riparian corridor re-naturalization, river floodplain reconnection, in-stream habitat enhancement, fill removal and regarding, flow restoration, and the installation of fish passage structures.”

This project clearly fits under this definition, as it seeks to remove aquatic nuisance vegetation to slow pond eutrophication and includes thinning vegetation to improve habitat value. It aims to restore and maintain habitat which is anthropogenically impounded and thus, modified.

3.4 RARE SPECIES HABITAT & FEMA FLOOD DESIGNATIONS

The entirety of Still Brook Pond and the property parcel is not mapped within priority habitat on the most recent habitat map of State-listed Rare Wildlife published by Natural Heritage and Endangered Species Program. The site is not located in an Area of Critical Environmental Concern (ACEC), but parts of the parcel are located within a regulated FEMA flood zone.

3.4.1 TREATMENTS

Diquat (Tribune - EPA # 100-1390 or equivalent)

Tribune (diquat) is an effective herbicide for partial-pond treatments due to its rapid mode of action and short herbicide concentration-exposure-time requirements. Even though diquat is considered to be a contact-herbicide, longer term control may be seen as plants' root crowns will not be allowed to develop.

The USEPA/MA registered herbicide diquat dibromide (Tribune) will be applied to the area at or below the permissible label dose. Tribune is applied to more than 500 lakes and ponds annually, throughout the northeast, to control nuisance submerged aquatic plants. Diquat can be applied to control milfoil, naiad, bladderwort, and other nuisance submersed plants at the application rate of 1.0-2.0 gal/acre, if necessary. Temporary water use restrictions for diquat are now: 1) No drinking or cooking for 3 days. 2) No irrigation of turf for 3 days and of food crops for 5 days, and 3) No livestock watering for 1 day. There are no restrictions on swimming, boating, or fishing, but prudent herbicide/algaecide management, suggest that we close the pond on the day of treatment. The shoreline of the pond will be posted with signs warning of these temporary water use restrictions, prior to treatment.

Diquat is translocated to some extent within the plant. Its rapid action tends to disrupt the leaf cuticle of plants and acts by interfering with photosynthesis. Upon contact with the soil, it is adsorbed immediately and thereby biologically inactivated. Residual levels of diquat in treated water decline rapidly and their reduction is due to the uptake by the targeted vegetation and adsorption to suspended soil particles in the water or on the bottom mud. Photochemical degradation accounts for some loss under conditions of high sunlight and clear waters.

Endothall (Aquathol-K – EPA #70506-176 003 or equivalent)

Endothall is an aquatic contact herbicide that is primarily used for the control of submersed weeds. It prevents certain plants from producing the proteins they need to survive including bladderwort, pondweed, coontail, and more. Endothall is available as two formulations in granular or liquid form. These include dipotassium salt and monoamine salt. Formulations that contain monoamine salt are more toxic to fish and should not be used in areas where fisheries resources are important while formulations containing dipotassium salt exhibit lower organism toxicity and are more appropriate for use in fisheries areas.

Both the potassium and monoamine salt formulations of endothall have a similar environmental fate and exhibit a relatively short persistence time in aquatic environments. Low concentrations of endothall persist in water for up to several weeks, and complete degradation by microbial action occurs after 30-60 days. The half-life is five to ten days on average. Endothall is not expected to bioaccumulate or be absorbed into suspended solids or sediment. Each product label must be followed to adhere to post-treatment water use as these procedures vary among the different formulations. For all endothall products there is a drinking water standard of 0.1 ppm and they cannot be applied within 600 feet of a potable water source.

Fluridone (Sonar – EPA # 67690-4 or equivalent):

Fluridone is a systemic herbicide that can be utilized for multi-year control on several invasive aquatic vegetation species. It comes in two formulations, as an aqueous suspension and a slow-release pellet. The treatment acts to inhibit carotene synthesis, and results in plants being damaged through direct sunlight. Fluridone works through a waterbody quickly, though it takes several weeks to several months for the inhibiting process within the vegetation, followed by plant die-off from sunlight exposure. However, this slower rate reduces the risks of oxygen depletion. This herbicide is also beneficial for its use on selective major invasive species at lower doses, and its minimal direct risks to fauna. Fluridone is considered to have a low toxicity to invertebrates, fish, mammals, other aquatic wildlife, and humans.

Fluridone, when applied at recommended dosages, is generally viewed as having one of the most environmentally friendly toxicology profiles of all products currently on the market. The US EPA has approved a limit of 150 ppb to be allowed in water used for drinking. Ideally, fluridone treatments are initiated early in the growing season when target vegetation is low or starting emergence. Presently, liquid and granular formations of this herbicide are available and included under this management plan. For aqueous applications, this chemical will be placed into an onboard mixing tank, mixed with pond water and evenly distributed throughout the surface of the treatment area via boat. This herbicide will be injected under the water surface through trailing hoses, minimizing the chance of chemical drift and assuring accurate placement of over the target species. For granular applications, the herbicide will be placed into a herd spreader mounted to the bow of the treatment vessel and evenly distributed over the surface of the treatment area.

Imazamox (Clearcast – EPA # 241-437 or equivalent)

Imazamox is a post-emergent, selective, systemic herbicide. It moves throughout plant tissue after absorption, killing the plant. It is used to control a broad range of grasses and broadleaf weeds. Belonging to the imidazolinone chemical family, it works by inhibiting the acetolactate synthase enzyme (ALS), which is essential for plant growth. Imazamox

is commonly sold as a soluble concentrate or pre-mixed. It is effective at relatively low application rates, but overuse can lead to ALS-resistant weed populations.

Flumioxazin (Clipper – EPA # 71368-114 or equivalent)

Flumioxazin is a broad-spectrum, contact herbicide that disrupts chlorophyll production in plants. Treated vegetation typically responds quickly, resulting in rapid die-off and decomposition. The herbicide's half-life varies with water pH: in low-pH conditions, it ranges from approximately four to five days, while in high-pH waters it is one day or less. Flumioxazin has a low potential for leaching and does not persist in the environment.

The product is available in granular form (Clipper™) for the control of submerged aquatic plants and may also be applied as a foliar treatment to manage emergent and floating-leaf species. In addition, flumioxazin is effective against certain filamentous algae. Its use does not restrict swimming, consumption of fish from treated water bodies, or use of treated water for pets or livestock; however, a five-day restriction applies to irrigation following treatment.

Glyphosate (AquaPro - EPA # 62719-324-67690, Rodeo – EPA # 62719-324 or equivalent):

Glyphosate is a broad spectrum, systemic herbicide. It works by preventing plants from synthesizing protein and producing new tissue. Its aquatic formulation is effective against most emergent and floating plant species, and at recommended doses it is relatively non-toxic to aquatic fauna. Invertebrates do not appear to suffer any direct impacts from glyphosate treatments. Glyphosate quickly degrades into non-toxic components in aquatic environments. Direct contact with the plant's leaves can kill the entire plant, and it only requires a few hours of contact. Glyphosate does have potential to kill non-target species if it comes into direct contact with their leaves.

Pond Aeration:

Still Brook Pond is currently equipped with an aeration system. Aeration systems function by introducing oxygen into the water column and promoting circulation, which helps prevent thermal stratification, reduces nutrient accumulation, and limits the growth of algae and nuisance vegetation. By maintaining higher oxygen levels throughout the pond, aeration supports fish, invertebrates, and other aquatic organisms while improving overall water quality. Over time, consistent aeration can help reduce conditions that favor excessive plant and algae growth, potentially decreasing reliance on herbicide treatments in the future. These systems are widely used in ponds and lakes across the state and pose no risk to human health or non-target wildlife when properly installed and maintained. The aeration system is operated at the discretion of the town or pond management team, year-round as needed based on water quality and vegetation conditions but would not be used when the conditions are frozen.

3.4.2 RISKS – MONITORING & PREVENTION

All potential treatments have some degree of temporary risk to water quality and fish safety. Risks associated with herbicide application within the ponds include oxygen depletion, water quality degradation, noxious odors, fish kills, and potentially impacting non-targeted species. However, when treatment is done properly by a qualified herbicide applicator, risks are significantly minimized. In addition, regular monitoring of the site will be conducted through evaluating the following characteristics of the pond to prevent the following problems from occurring.

3.4.3 IMPACTS TO RESOURCE AREAS

LUWW Impacts (Temporary)	Bank Impact	Riverfront Area Impact
439,956 SF of Pond Surface Area	0	0

Impacts to the resource areas on & around the pond include LUWW. Impacts to the LUWW will be temporary, and there are not expected to be any impacts to Bank, or any surrounding Riverfront Area cast off the streams flowing out of the pond. Impacts to LUWW will include the targeting, and removal, of the problematic species within the pond.

4.0 REGULATORY COMPLIANCE WITH WETLANDS PROTECTION ACT

Work within resource areas protected by the Wetlands Protection Act is being proposed. The project has been designed to meet the Wetlands Protection Act's general performance standards for work within resource areas and to minimize impacts to the extent practicable. Table 1 below outlines impacts to the resource area on site. Explanation on how the project meets the performance standards of each resource follows.

4.1 LAND UNDER WATER BODIES AND WATERWAYS

§ 10.56	Land Under Water Bodies and Waterways	
	Performance Standards	Compliance
10.56 (4)(a)(1)	<i>Any proposed work within Land under Water Bodies and Waterways shall not impair the following:</i> <i>The water carrying capacity within the defined channel, which is provided by said land in conjunction with the banks.</i>	Treatment involved will not affect the carrying capacity of the pond.
10.56 (4)(a)(2)	<i>Ground and surface water quality.</i>	Ground water quality is not expected to be impacted from work. Surface water quality has the potential to be adversely impacted during treatment, but by following the procedures listed above in the Treatments section, water quality will not be impaired beyond the extreme short term and will be maintained or improve as positive overall in the longer term.

10.56 (4)(a)(3)	<i>The capacity of said land to provide breeding habitat, escape cover and food for fisheries.</i>	Vegetation management through treatment is expected to improve the habitat and cover quality of the pond, as the current dense coverages are at nuisance levels that obstruct fish movement. Biodiversity will also be improved.
10.56 (4)(a)(4)	<i>The capacity of said land to provide important wildlife habitat functions. A project or projects on a single lot,</i>	As listed above, treatment is expected to improve the quality of the pond's wildlife habitat functions

<i>for which Notice(s) of intent is filed on or after November 1, 1987, that (cumulatively) alter(s) up to 10% or 5,000 square feet (whichever is less) of land in this resource area found to be significant to the protection of wildlife habitat, shall not be deemed to impair its capacity to provide important wildlife habitat functions. Additional alterations beyond the above threshold may be permitted if they will have no adverse effects on wildlife habitat, as determined by procedures established under 310 CMR 10.60.</i>	by improving biodiversity, removing nuisance weeds that can obstruct dissolved oxygen levels, and clear up the pond so fish have improved visibility and less obstructions.
---	--

5.0 ALTERNATIVE ANALYSIS

Since some work is proposed within the Wetlands Protection Zone, the applicant has provided the following analysis of alternatives for pond treatment. Alternatives were analyzed for potential viability and practicality given the site's environmental constraints.

5.1 ALTERNATIVE A: NO MANAGEMENT

Performing zero management to the pond was considered as an alternative to the application of herbicides across the pond. Due to the dense growth of nuisance vegetation in the pond, no management is not recommended, as the continued lack of management limits biodiversity of the ponds and can deplete dissolved oxygen. No management of this impounded waterbody also threatens its functions as a body of water for recreational uses to the community.

5.2 ALTERNATIVE B: SEDIMENT EXCAVATION/DREDGING

Dredging nutrient rich sediment along the pond bottom is sometimes used as a method to control excessive weed growth. Conventional and hydraulic dredging requires an extensive and expensive project compared to herbicide treatment. Access and staging areas can also be a limiting factor to this management, combined with severe negative impacts to aquatic organisms with no guarantee of complete nuisance species removal. Permitting for dredging is also significantly more costly and time consuming, so dredging may not be required at this time.

5.3 ALTERNATIVE C: HAND REMOVAL/MECHANICAL REMOVAL

Hand or mechanical removal is not ideal due to the expensive costs with a possibility of control of the vegetation only being short-lived. Hand removal also requires multiple volunteers or a large budget for labor over several days, potentially multiple times in a single season for years on end. Additionally, for a pond of this size, it may be infeasible due to the amount of work required to reach suitable efficacy. Another option considered for submerged vegetation removal is DASH, or Diver Assisted Suction Harvesting, the process of a diver hand removing and delivering the removed plant through a suction hose for bulk removal. This, however, is difficult and time consuming. This method is also much more expensive compared to herbicide applications.

5.4 ALTERNATIVE D: BOTTOM WEED BARRIERS

Physical controls, such as the use of bottom weed barriers can be effective for small dense patches of nuisance vegetation but are not cost effective or feasible for large areas. Weed barriers are expensive to install and maintain at ~\$1.75/ft² (material & installation). This is extremely expensive for a pond the size of Still Brook

Pond relative to the return on investment. Semi-annual maintenance to retrieve, clean and re-deploy the barriers would be expensive and time consuming. Additionally, covering expansive areas of the pond bottom would very likely also have detrimental impacts on native plants, invertebrates and other types of wildlife.

5.5 ALTERNATIVE E: BIOLOGICAL

There are no proven biological controls available or approved by the State of Massachusetts for the control of the nuisance aquatic plant species present in the pond.

5.6 ALTERNATIVE F: POND MANAGEMENT VIA HERBICIDE TREATMENT AND AERATION

While no approach is perfect, the preferred alternative, which is holistic pond management including monitoring, supplemental aeration, and subsequent treatment as needed with a carefully chosen suite of herbicide and algaecide treatments to be applied when and where appropriate, represents the best balance of cost, efficacy, safety, and reliability in the eyes of the applicant. The risks outlined in section 3.4 are preventable with qualified personnel and regular, consistent monitoring of the pond's water quality and vegetation. The proposed plan stands out as the most conventional tried and tested method, with a long track record of success in comparable ponds which are valuable both for their ecological benefits and public recreation and use.

6.0 CONCLUSION

In summary, Goddard Consulting and SÖLitude Lake Management believe that the proposed treatment will not have any adverse impacts on the interests identified in the Wetlands Protection Act in the long term. Still Brook Pond is expected to be enhanced through the removal of excessive nuisance species and subsequent improvement of water quality and habitat. The proposed project meets all regulatory compliance standards under the Wetlands Protection Act; therefore, Goddard Consulting respectfully requests that the Agawam Conservation Commission issue an Order of Conditions approving the proposed project.

Please feel free to contact us if you have any questions about this Notice of Intent submission.

Sincerely,

Goddard Consulting, LLC & SÖLitude Lake Management



Steven Riberdy, MS, PWS, CWB, CE, CERP, PSS
Principal Ecologist / Director of Operations



Owen Kramer, CESSWI
Lead Wetland Scientist

**Attachment A: WPA Form 3 – Notice of Intent &
Fee Transmittal Form**



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

[Handwritten Signature]

1. Signature of Applicant

11/24/25

2. Date

3. Signature of Property Owner (if different)

[Handwritten Signature]

4. Date

11/24/2025

5. Signature of Representative (if any)

6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



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Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

38 Tuckahoe Drive

a. Street Address

Agawam

b. City/Town

01030

c. Zip Code

Latitude and Longitude:

C7_2

f. Assessors Map/Plat Number

42.050650

d. Latitude

-72.686757

e. Longitude

C7_2_4

g. Parcel /Lot Number

2. Applicant:

Jennifer

a. First Name

Bonfiglio

b. Last Name

Town of Agawam

c. Organization

36 Main Street

d. Street Address

Agawam

e. City/Town

MA

f. State

01001

g. Zip Code

413-726-9742

h. Phone Number

jbonfiglio@agawam.ma.us

j. Email Address

3. Property owner (required if different from applicant): ☐ Check if more than one owner

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Owen

a. First Name

Kramer

b. Last Name

Goddard Consulting, LLC.

c. Company

1442 North Main Street

d. Street Address

Palmer

e. City/Town

MA

f. State

01609

g. Zip Code

508-393-3784

h. Phone Number

i. Fax Number

owen@goddardconsultingllc.com

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

a. Total Fee Paid

b. State Fee Paid

c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

The proposed project is seeking approval to implement pond management plan for Still Brook Pond. The focus of this management will be reducing and controlling nuisance aquatic vegetation using USEPA/MA registered aquatic herbicides.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- | | |
|---|---|
| 1. ☐ Single Family Home | 2. ☐ Residential Subdivision |
| 3. ☐ Commercial/Industrial | 4. ☐ Dock/Pier |
| 5. ☐ Utilities | 6. ☐ Coastal engineering Structure |
| 7. ☐ Agriculture (e.g., cranberries, forestry) | 8. ☐ Transportation |
| 9. ☒ Other | |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. ☒ Yes ☐ No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

310 CMR 10.53(4)(e)(5) Control of non-native vegetation and improving habitat for native species

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Hampden

a. County

8444

c. Book

b. Certificate # (if registered land)

320

d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- ☐ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- ☒ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. ☐ Bank	1. linear feet	2. linear feet
b. ☐ Bordering Vegetated Wetland	1. square feet	2. square feet
c. ☒ Land Under Waterbodies and Waterways	439,956 (temporary) 1. square feet	2. square feet
	3. cubic yards dredged	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. ☐ Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	4. cubic feet replaced
e. ☐ Isolated Land Subject to Flooding	1. square feet	
	2. cubic feet of flood storage lost	3. cubic feet replaced
f. ☐ Riverfront Area	1. Name of Waterway (if available) - specify coastal or inland	

2. Width of Riverfront Area (check one):

☐ 25 ft. - Designated Densely Developed Areas only

☐ 100 ft. - New agricultural projects only

☐ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

5. Has an alternatives analysis been done and is it attached to this NOI? ☒ Yes ☐ No

6. Was the lot where the activity is proposed created prior to August 1, 1996? ☒ Yes ☐ No

3. ☐ Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. ☐ Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. ☐ Land Under the Ocean	1. square feet _____ 2. cubic yards dredged _____	
c. ☐ Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. ☐ Coastal Beaches	1. square feet _____	2. cubic yards beach nourishment _____
e. ☐ Coastal Dunes	1. square feet _____	2. cubic yards dune nourishment _____
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. ☐ Coastal Banks	1. linear feet _____	
g. ☐ Rocky Intertidal Shores	1. square feet _____	
h. ☐ Salt Marshes	1. square feet _____	2. sq ft restoration, rehab., creation _____
i. ☐ Land Under Salt Ponds	1. square feet _____	
	2. cubic yards dredged _____	
j. ☐ Land Containing Shellfish	1. square feet _____	
k. ☐ Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged _____	
l. ☐ Land Subject to Coastal Storm Flowage	1. square feet _____	

4. ☐ Restoration/Enhancement

If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

a. square feet of BVW _____

b. square feet of Salt Marsh _____

5. ☐ Project Involves Stream Crossings

a. number of new stream crossings _____

b. number of replacement stream crossings _____



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C. Other Applicable Standards and Requirements

- ☒ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

a. ☐ Yes ☐ No

If yes, include proof of mailing or hand delivery of NOI to:

**Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581**

b. Date of map _____

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review*

1. ☐ Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage _____

(b) outside Resource Area

percentage/acreage _____

2. ☐ Assessor's Map or right-of-way plan of site

2. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

(a) ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) ☐ Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/mas-endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



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C. Other Applicable Standards and Requirements (cont'd)

- (c) ☐ MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

- (d) ☐ Vegetation cover type map of site
- (e) ☐ Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following

1. ☐ Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. ☐ Separate MESA review ongoing. a. NHESP Tracking # _____ b. Date submitted to NHESP _____

3. ☐ Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a. ☐ Not applicable – project is in inland resource area only b. ☐ Yes ☐ No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Bourne to Rhode Island border, and the Cape & Islands:

North Shore - Plymouth to New Hampshire border:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: dmf.envreview-north@mass.gov

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

- c. ☐ Is this an aquaculture project? d. ☐ Yes ☐ No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



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C. Other Applicable Standards and Requirements (cont'd)

Online Users:

Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
 a. ☐ Yes ☐ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
 b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
 a. ☐ Yes ☐ No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
 a. ☐ Yes ☐ No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
 a. ☐ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
 1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 2. ☐ A portion of the site constitutes redevelopment
 3. ☐ Proprietary BMPs are included in the Stormwater Management System.
- b. ☐ No. Check why the project is exempt:
 1. ☐ Single-family house
 2. ☐ Emergency road repair
 3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

- ☒ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☐ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. ☐ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



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D. Additional Information (cont'd)

3. ☐ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. ☐ List the titles and dates for all plans and other materials submitted with this NOI.

a. Plan Title

b. Prepared By

c. Signed and Stamped by

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. ☐ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. ☐ Attach NOI Wetland Fee Transmittal Form
9. ☐ Attach Stormwater Report, if needed.

E. Fees

1. ☒ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

2. Municipal Check Number

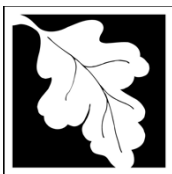
3. Check date

4. State Check Number

5. Check date

6. Payor name on check: First Name

7. Payor name on check: Last Name



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Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Eligibility Checklist

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

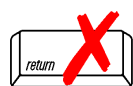
Agawam

City/Town

This Ecological Restoration Limited Project Eligibility Checklist guides the applicant in determining if their project is eligible to file as an Inland or Coastal Ecological Restoration Limited Project (310 CMR 10.53(4) or 310 CMR 10.24(8) respectively). These criteria must be met when submitting the Ecological Restoration Limited Project Notice of Intent to ensure that the restoration and improvement of the natural capacity of a Resource Area(s) to protect and sustain the interests identified in the WPA is **necessary** to achieve the project's ecological restoration goals.

Important:

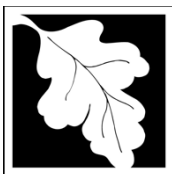
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

Regulatory Features of All Coastal and Inland Ecological Restoration Limited Projects

- (a) May result in the temporary or permanent loss of or conversion of Resource Area: An Ecological Restoration Limited Project that meets the requirements of 310 CMR 10.24(8) may result in the temporary or permanent loss of Resource Areas and/or the conversion of one Resource Area to another when such loss is necessary to the achievement of the project's ecological restoration goals.
- (b) Exemption from wildlife habitat evaluation: A NOI for an Ecological Restoration Limited Project that meets the minimum requirements for Ecological Restoration Projects and for a MassDEP Combined Application outlined in 310 CMR 10.12(1) and (2) is exempt from providing a wildlife habitat evaluation (310 CMR 10.60).
- (c) The following are considerations for applicants filing an Ecological Restoration Limited Project NOI and for the issuing authority approving a project as an Ecological Restoration Limited Project:
- ☒ The condition of existing and historic Resource Areas proposed for restoration.
 - ☒ Evidence of the extent and severity of the impairment(s) that reduce the capacity of the Resource Areas to protect and sustain the interests identified in M.G.L. c. 131, § 40.
 - ☒ The magnitude and significance of the benefits of the Ecological Restoration Project in improving the capacity of the affected Resource Areas to protect and sustain the other interests identified in M.G.L. c. 131, § 40.
 - ☒ The magnitude and significance of the impacts of the Ecological Restoration Project on existing Resource Areas that may be modified, converted and/or lost and the interests for which said Resource Areas are presumed significant in 310 CMR 10.00, and the extent to which the project will:
 - a. avoid adverse impacts to Resource Areas and the interests identified in M.G.L. c. 131, § 40, that can be avoided without impeding the achievement of the project's ecological restoration goals.
 - b. minimize adverse impacts to Resource Areas and the interests identified in M.G.L. c. 131, § 40, that are necessary to the achievement of the project's ecological restoration goals.
 - c. utilize best management practices such as erosion and siltation controls and proper construction sequencing to avoid and minimize adverse construction impacts to resource areas and the interests identified in M.G.L. c. 131, § 40.



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Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Eligibility Criteria - Coastal Ecological Restoration Limited Projects (310 CMR 10.24(8))

Provided by MassDEP:

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Complete this Eligibility Criteria Checklist **before** filling out a Notice of Intent Application to determine if your project qualifies as a Coastal Ecological Restoration Limited Project. (310 CMR 10.24(8)) Sign the Eligibility Certification at the end of Appendix A, and attach the checklist with supporting documentation and the Eligibility Certification to your Notice of Intent Application.

General Eligibility Criteria for All Coastal Ecological Restoration Limited Projects

Notwithstanding the requirements of 310 CMR 10.25 through 10.35, 310 CMR 10.54 through 10.58, and the Wildlife Habitat evaluations in 310 CMR 10.60, the Issuing Authority may issue an Order of Conditions permitting an Ecological Restoration Project listed in 310 CMR 10.24(8)(e) as an Ecological Restoration Limited Project and impose such conditions as will contribute to the interests identified in the WPA M.G.L. provided that the project meets all the requirements in 310 CMR 10.24 (8).

- ☐ The project is an Ecological Restoration Project as defined in 310 CMR 10.04 and is a project type listed below [310 CMR 10.24(8)(e)].
- ☐ Tidal Restoration.
- ☐ Shellfish Habitat Restoration.
- ☐ Other Ecological Restoration Limited Project Type.
- ☐ The project will further at least one of the WPA (M.G.L. c. 131, § 40) interests identified below.
 - ☐ Protection of public or private water supply.
 - ☐ Protection of ground water supply.
 - ☐ Flood control.
 - ☐ Storm damage prevention.
 - ☐ Prevention of pollution.
 - ☐ Protection of land containing shellfish.
 - ☐ Protection of fisheries.
 - ☐ Protection of wildlife habitat.
- ☐ If the project will impact an area located within estimated habitat which is indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetlands, a NHESP preliminary written determination is attached to the NOI submittal that the project will not have any adverse long-term and short-term effects on specified habitat sites of Rare Species or the project will be carried out in accordance with an approved NHESP habitat management plan.



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Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Eligibility Criteria - Coastal Ecological Restoration Limited Projects (310 CMR 10.24(8)) (Cont.)

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General Eligibility Criteria for All Coastal Ecological Restoration Limited Projects (cont.)

- ☐ If the project is located in a Coastal Dune or Barrier Beach, the project avoids and minimizes armoring of the Coastal Dune or Barrier Beach to the maximum extent practicable.
- ☐ The project complies with all applicable provisions of 310 CMR 10.24(1) through (6) and 310 CMR 10.24(9) and (10).

Additional Eligibility Criteria for Specific Coastal Ecological Restoration Limited Project Types

These additional criteria must be met to qualify as an Ecological Restoration Limited Project to ensure that the restoration and improvement of the natural capacity of a Resource Area to protect and sustain the interests identified in the WPA is **necessary** to achieve the project's ecological restoration goals.

- ☐ This Ecological Restoration Limited Project application meets the eligibility criteria for Ecological Restoration Limited Project [310 CMR 10.24(8)(a) through (d) and as proposed, furthers at least one of the WPA interests is for the project type identified below.

☐ Tidal Restoration Projects

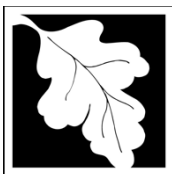
- ☐ A project to restore tidal flow that will not significantly increase flooding or storm damage impacts to the built environment, including without limitation, buildings, wells, septic systems, roads or other man-made structures or infrastructure.

☐ Shellfish Habitat Restoration Projects

- ☐ The project has received a Special Projects Permit from the Division of Marine Fisheries or, if a municipality, has received a shellfish propagation permit.
- ☐ The project is made of cultch (e.g., shellfish shells from oyster, surf or ocean clam) or is a structure manufactured specifically for shellfish enhancement (e.g., reef blocks, reef balls, racks, floats, rafts, suspended gear).

☐ Other Ecological Restoration Projects that meet the criteria set forth in 310 CMR 10.24(8)(a) through (d).

- ☐ Restoration, enhancement, or management of Rare Species habitat.
- ☐ Restoration of hydrologic and habitat connectivity.
- ☐ Removal of aquatic nuisance vegetation to impede eutrophication.
- ☐ Thinning or planting of vegetation to improve habitat value.
- ☐ Fill removal and re-grading.
- ☐ Riparian corridor re-naturalization.
- ☐ River floodplain re-connection.



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Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Eligibility Criteria - Coastal Ecological Restoration Limited Projects (310 CMR 10.24(8)) (Cont.)

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Additional Eligibility Criteria for Specific Coastal Ecological Restoration Limited Project Types

- ☐ In-stream habitat enhancement.
- ☐ Remediation of historic tidal wetland ditching.
- ☐ Eelgrass restoration.
- ☐ Invasive species management.
- ☐ Installation of fish passage structures.
- ☐ Other. Describe:
- ☐ This project involves the construction, repair, replacement or expansion of public or private infrastructure (310 CMR 10.24(9)).
 - ☐ The NOI attachment labeled _____ is an operation and maintenance plan to ensure that the infrastructure will continue to function as designed.
 - ☐ The operation and maintenance plan will be implemented as a continuing condition in the Order of Conditions and the Certificate of Compliance.
- ☐ This project proposes to replace an existing stream crossing (310 CMR 10.24(10)). The crossing complies with the Massachusetts Stream Crossing Standards to the maximum extent practicable with details provided in the NOI. The crossing type:
 - ☐ Replaces an existing non-tidal crossing that is part of an Anadromous/Catadromous Fish Run (310 CMR 10.35)
 - ☐ Replaces an existing tidal crossing that restricts tidal flow. The tidal restriction will be eliminated to the maximum extent practicable.
- ☐ At a minimum, in evaluating the potential to comply with the standards to the maximum extent practicable the following criteria have been considered site constraints in meeting the standard, undesirable effects or risk in meeting the standard, and the environmental benefit of meeting the standard compared to the cost, by evaluating the following:
 - ☐ The potential for downstream flooding;
 - ☐ Upstream and downstream habitat (in-stream habitat, wetlands);
 - ☐ Potential for erosion and head-cutting;
 - ☐ Stream stability;
 - ☐ Habitat fragmentation caused by the crossing;
 - ☐ The amount of stream mileage made accessible by the improvements;
 - ☐ Storm flow conveyance;



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Appendix A: Ecological Restoration Limited Project Checklists

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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Eligibility Criteria - Coastal Ecological Restoration Limited Projects (310 CMR 10.24(8)) (Cont.)

Additional Eligibility Criteria for Specific Coastal Ecological Restoration Limited Project Types

- ☐ Engineering design constraints specific to the crossing;
- ☐ Hydrologic constraints specific to the crossing;
- ☐ Impacts to wetlands that would occur by improving the crossing;
- ☐ Potential to affect property and infrastructure; and
- ☐ Cost of replacement.

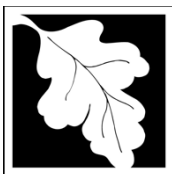
Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4))

Complete this Eligibility Criteria Checklist **before** filling out a Notice of Intent Application to determine if your project qualifies as an Inland Ecological Restoration Limited Project. (310 CMR 10.53(4)) Sign the Eligibility Certification at the end of Appendix A, and attach the checklist with supporting documentation and the Eligibility Certification to your Notice of Intent Application.

General Eligibility Criteria for All Inland Ecological Restoration Limited Projects

Notwithstanding the requirements of any other provision of 310 CMR 10.25 through 10.35, 310 CMR 10.54 through 10.58, and 310 CMR 10.60, the Issuing Authority may issue an Order of Conditions permitting an Ecological Restoration Project listed in 310 CMR 10.53(4)(e) as an Ecological Restoration Limited Project and impose such conditions as will contribute to the interests identified in M.G.L. c. 131, § 40, provided that:

- ☒ The project is an Ecological Restoration Project as defined in 310 CMR 10.04 and is a project type listed below [310 CMR 10.53(4)(e)].
 - ☐ Dam Removal
 - ☐ Freshwater Stream Crossing Repair and Replacement
 - ☐ Stream Daylighting
 - ☐ Tidal Restoration
 - ☐ Rare Species Habitat Restoration
 - ☐ Restoring Fish Passageways
 - ☒ Other (describe project type): Removal of excessive nuisance aquatic vegetation in pond.



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Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4)) (cont.)

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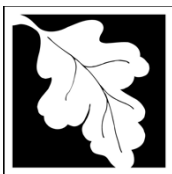
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General Eligibility Criteria for All Inland Ecological Restoration Limited Projects

- ☒ The project will further at least one of the WPA (M.G.L. c. 131, § 40) interests identified below.
 - ☐ Protection of public or private water supply
 - ☐ Protection of ground water supply
 - ☐ Flood control
 - ☐ Storm damage prevention
 - ☐ Prevention of pollution
 - ☐ Protection of land containing shellfish
 - ☒ Protection of fisheries
 - ☒ Protection of wildlife habitat
- ☐ If the project will impact an area located within estimated habitat which is indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetlands, a NHESP preliminary written determination is attached to the NOI submittal that the project will have no adverse long-term and short-term effects on specified habitat sites of Rare Species or the project will be carried out in accordance with an approved NHESP habitat management plan.
- ☐ The project will be carried out in accordance with any time of year restrictions or other conditions recommended by the Division of Marine Fisheries for coastal waters and the Division of Fisheries and Wildlife in accordance with 310 CMR 10.11(3).
- ☐ If the project involves the dredging of 100 cubic yards of sediment or more or dredging of any amount in an Outstanding Resource Water, a Water Quality Certification has been applied for or obtained.
- ☒ The project complies with all applicable provisions of 310 CMR 10.53(1), (2), (7), and (8).



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Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4)) (cont.)

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Additional Eligibility Criteria for Specific Inland Ecological Restoration Limited Project Types

These additional criteria must be met to qualify as an Ecological Restoration Limited Project to ensure that the restoration and improvement of the natural capacity of a Resource Area to protect and sustain the interests identified in the WPA is **necessary** to achieve the project's ecological restoration goals.

- ☒ This project application meets the eligibility criteria for Ecological Restoration Limited Project in accordance with [310 CMR 10.53(4)(a) through (d) and as proposed, furthers at least one of the WPA interests is for the project type identified below:

☐ **Dam Removal**

- ☐ Project is consistent with MassDEP's 2007 Dam Removal Guidance.

☐ **Freshwater Stream Crossing Repair and Replacement.** The project as proposed and the NOI describes how:

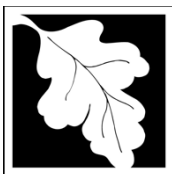
- ☐ Meeting the eligibility criteria set forth in 310 CMR 10.13 would result in significant stream instability or flooding hazard that cannot otherwise be mitigated, and site constraints make it impossible to meet said criteria.
- ☐ The project design ensures that the stability of the bank is NOT impaired.
- ☐ To the maximum extent practicable, the project provides for the restoration of the stream upstream and downstream of the structure as needed to restore stream continuity and eliminate barriers to aquatic organism movement.
- ☐ The project complies with the requirements of 310 CMR 10.53(7) and (8).

☐ **Stream Daylighting Projects**

- ☐ The project meets the eligibility criteria for Ecological Restoration Limited Project [310 CMR 10.53(4)(a) through (d)] and as proposed the NOI describes how the proposed project meets to the maximum extent practicable, consistent with the project's ecological restoration goals, all the performance standards for Bank and Land Under Water Bodies and Waterways.
- ☐ The project meets the requirements of 310 CMR 10.12(1) and (2) and a wildlife habitat evaluation is not included in the NOI.

☐ **Tidal Restoration Project**

- ☐ Restores tidal flow.
- ☐ the project, including any proposed flood mitigation measures, will not significantly increase flooding or storm damage to the built environment, including without limitation, buildings, wells, septic systems, roads or other man-made structures or infrastructure.



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Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4)) (cont.)

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- ☒ **Other Ecological Restoration Projects** that meet the criteria set forth in 310 CMR 10.53 (4) (a) through (d).
- ☐ Restoration, enhancement, or management of Rare Species habitat.
 - ☐ Restoration of hydrologic and habitat connectivity.
 - ☒ Removal of aquatic nuisance vegetation to impede eutrophication.
 - ☒ Thinning or planting of vegetation to improve habitat value.
 - ☐ Riparian corridor re-naturalization.
 - ☐ River floodplain re-connection.
 - ☐ In-stream habitat enhancement.
 - ☐ Fill removal and re-grading.
 - ☐ Flow restoration.
 - ☐ Installation of fish passage structures.
 - ☐ Invasive species management.
 - ☐ Other. Describe: _____
- ☐ This project involves the construction, repair, replacement or expansion of public or private infrastructure. (310 CMR 10.53(7))
- ☐ The NOI attachment labeled _____ is an operation and maintenance plan to ensure that the infrastructure will continue to function as designed.
 - ☐ The operation and maintenance plan will be implemented as a continuing condition in the Order of Conditions and the Certificate of Compliance.
- ☐ This project replaces an existing stream crossing (310 CMR 10.53(8)). The crossing type:
- ☐ Replaces an existing non-tidal crossing designed to comply with the Massachusetts Stream Crossing Standards to the maximum extent practicable with details provided in the NOI.
 - ☐ Replaces an existing tidal crossing that restricts tidal flow. The tidal restriction will be eliminated to the maximum extent practicable.



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Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4)) (cont.)

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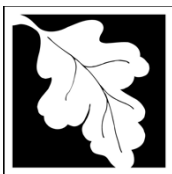
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- ☐ At a minimum, in evaluating the potential to comply with the standards to the maximum extent practicable the following criteria have been consider site constraints in meeting the standard, undesirable effects or risk in meeting the standard, and the environmental benefit of meeting the standard compared to the cost, by evaluating the following:
 - ☐ The potential for downstream flooding;
 - ☐ Upstream and downstream habitat (in-stream habitat, wetlands);
 - ☐ Potential for erosion and head-cutting;
 - ☐ Stream stability;
 - ☐ Habitat fragmentation caused by the crossing;
 - ☐ The amount of stream mileage made accessible by the improvements;
 - ☐ Storm flow conveyance;
 - ☐ Engineering design constraints specific to the crossing;
 - ☐ Hydrologic constraints specific to the crossing;
 - ☐ Impacts to wetlands that would occur by improving the crossing;
 - ☐ Potential to affect property and infrastructure; and
 - ☐ Cost of replacement.



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Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Required Actions (310 CMR 10.11)

Provided by MassDEP:

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Complete the Required Actions before submitting a Notice of Intent Application for an Ecological Restoration Project and submit a completed copy of this Checklist with the Notice of Intent.

☒ **Massachusetts Environmental Policy Act (MEPA) / Environmental Monitor**

<https://www.mass.gov/service-details/the-environmental-monitor>

For Ecological Restoration Limited Projects, there are no changes to MEPA requirements.

☒ Submit written notification at least 14 days prior to the filing of a Notice of Intent (NOI) to the Environmental Monitor for publication. A copy of the written notification is attached and provides at minimum:

☒ A brief description of the proposed project.

☒ The anticipated NOI submission date to the conservation commission.

☒ The name and address of the conservation commission that will review the NOI.

☒ Specific details as to where copies of the NOI may be examined or acquired and where to obtain the date, time, and location of the public hearing.

☐ **Massachusetts Endangered Species Act (MESA) /Wetlands Protection Act Review**

☐ Preliminary Massachusetts Endangered Species Act Review from the Natural Heritage and Endangered Species Program (NHESP) has been met and the written determination is attached.

☐ Supplemental Information for Endangered Species Review has been submitted.

1. ☐ Percentage/acreage of property to be altered:

a. Within Wetland Resource Area

Percentage/acreage

b. Outside Wetland Resource Area

Percentage/acreage

2. ☐ Assessor's Map or right-of-way plan of site

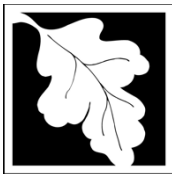
3. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work.

4. ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

5. ☐ Photographs representative of the site

6. ☐ MESA filing fee (fee information available at

<https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>)



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Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Required Actions (310 CMR 10.11) (cont.)

Provided by MassDEP:

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Make check payable to “Commonwealth of Massachusetts - NHESP” and mail to NHESP:

Natural Heritage & Endangered Species Program

MA Division of Fisheries & Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

7. Projects altering 10 or more acres of land, also submit:

- a. ☐ Vegetation cover type map of site
- b. ☐ Project plans showing Priority & Estimated Habitat boundaries

OR Check One of the Following:

1. ☐ Project is exempt from MESA review.

Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/ma-endangered-species-act-mesa-overview>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59 – see C4 below)

2. ☐ Separate MESA review ongoing.

a. NHESP Tracking #

b. Date submitted to NHESP

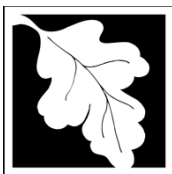
3. ☐ Separate MESA review completed. Include copy of NHESP “no Take” determination or valid Conservation & Management Permit with approved plan.

☐ **Estimated Habitat Map of State-Listed Rare Wetlands Wildlife**

If a portion of the proposed project is located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP), complete the portion below. To view habitat maps, see the **Massachusetts Natural Heritage Atlas** or view the maps electronically at: <https://www.mass.gov/guides/masswildlife-publications#-massachusetts-natural-heritage-atlas->

- ☐ A preliminary written determination from Natural Heritage and Endangered Species Program (NHESP) must be obtained indicating that:
 - ☐ Project will NOT have long- or short-term adverse effect on the actual Resource Area located within estimated habitat indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetlands Wildlife published by NHESP.
 - ☐ Project will have long- or short-term adverse effect on the actual Resource Area located within estimated habitat indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetlands Wildlife published by NHESP. A copy of NHESP’s written preliminary determination in accordance with 310 CMR 10.11(2) is attached. This specifies:

☐ Date of the map: _____



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Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Required Actions (310 CMR 10.11) (cont.)

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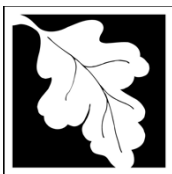
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- ☐ If the Rare Species identified is/are likely to continue to be located on or near the project, and if so, whether the Resource Area to be altered is in fact part of the habitat of the Rare Species.
- ☐ That if the project alters Resource Area(s) within the habitat of a Rare Species:
- ☐ The Rare Species is identified;
- ☐ NHESP's recommended changes or conditions necessary to ensure that the project will have no short or long term adverse effect on the habitat of the local population of the Rare Species is provided; or
- ☐ An approved NHESP habitat management plan is attached with this Notice of Intent.

Send the request for a preliminary determination to:
Natural Heritage & Endangered Species Program
MA Division of Fisheries & Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

☐ Division of Marine Fisheries

- ☐ If the project will occur within a coastal waterbody with a restricted Time of Year, [see Appendix B of the Division of Marine Fisheries (DMF) Technical Report TR 47 "Marine Fisheries Time of Year Restrictions (TOYs) for Coastal Alteration Projects" dated April 2011 <https://www.nae.usace.army.mil/Portals/74/docs/regulatory/StateGeneralPermits/MA/TR-47.pdf>].
- ☐ Obtain a DMF written determination stating:
 - ☐ The proposed work does NOT require a TOY restriction.
 - ☐ The proposed work requires a TOY restriction. Specific recommended TOY restriction and recommended conditions on the proposed work is attached.
- ☐ If the project may affect a diadromous fish run [re: Division of Marine Fisheries (DMF) Technical Reports TR 15 through 18, dated 2004: <https://www.mass.gov/service-details/marine-fisheries-technical-reports>]
- ☐ Obtain a DMF written determination stating:
 - ☐ The design specifications and operational plan for the project are compatible with the passage requirements of the fish run.
 - ☐ The design specifications and operational plan for the project are not compatible with the passage requirements of the fish run.



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Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Required Actions (310 CMR 10.11) (cont.)

Provided by MassDEP:

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Send the request for a written or electronic determination to:

South Shore – Bourne to Rhode Island border,
and the Cape & Islands:
Division of Marine Fisheries –
South Coast Field Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: DMF.EnvReview-South@state.ma.us

North Shore – Plymouth to New Hampshire
border:
Division of Marine Fisheries –
North Shore Field Station
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: DMF.EnvReview-North@state.ma.us

- ☐ **Division of Fisheries and Wildlife** – <https://www.mass.gov/orgs/division-of-fisheries-and-wildlife>
- ☐ Projects that involve silt-generating, in-water work that will impact a non-tidal perennial river or stream and the in-water work will not occur between May 1 and August 30.
- ☐ Obtain a written determination from the Division of Fisheries and Wildlife (DFW) as to whether the proposed work requires a TOY restriction.
- ☐ The proposed work does NOT require a TOY restriction.
- ☐ The proposed work requires a TOY restriction. The DFW determination with TOY restriction and other conditions is attached.
- ☐ **MassDEP Water Quality Certification**
- ☐ Project involves dredging of 100 cubic yards or more in a Resource Area or dredging of any amount in an Outstanding Resource Water (ORW). A copy and proof of the MassDEP Water Quality Certification pursuant to 314 CMR 9.00 is attached to the NOI.
- ☐ This project is a Combined Permit Application for 401 Dredging and Restoration (BRP WW 26).
- ☐ **MassDEP Wetlands Restriction Order**
- Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
- ☐ Yes ☐ No
- ☐ **Department of Conservation and Recreation**
- Office of Dam Safety**
- ☐ For Dam Removal Projects, obtain a written determination from the Department of Conservation and Recreation Office of Dam Safety that the dam is not subject to the jurisdiction of the Office under 302 CMR 10.00, a written determination that the dam removal does not require a permit under 302 CMR 10.00 or a permit authorizing the dam removal in accordance with 302 CMR 10.00 has been issued.



WPA Form 3 – Notice of Intent

Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Required Actions (310 CMR 10.11) (cont.)

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Agawam

City/Town

Areas of Critical Environmental Concern (ACECs)

Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?

☐ Yes

☒ No

If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations).

Name of ACEC

Minimum Required Documents (310 CMR 10.12)

Complete the Required Documents Checklist below and provide supporting materials before submitting a Notice of Intent Application for an Ecological Restoration Project.

- ☒ This Notice of Intent meets all applicable requirements outlined in for Ecological Restoration Projects in 310 CMR 10.12. Use the checklist below to ensure that all documentation is included with the NOI.

At a minimum, a Notice of Intent for an Ecological Restoration Project shall include the following:

- ☒ Description of the project's ecological restoration goals;
- ☒ The location of the Ecological Restoration Project;
- ☐ Description of the construction sequence for completing the project;
- ☐ A map of the Areas Subject to Protection Under M.G.L. c. 131, § 40, that will be temporarily or permanently altered by the project or include habitat for Rare Species, Habitat of Potential Regional and Statewide Importance, eel grass beds, or Shellfish Suitability Areas.
- ☐ The method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.) is attached with documentation methodology.
- ☒ List the titles and dates for all plans and other materials submitted with this NOI.

Project narratives & figures

a. Plan Title

Goddard Consulting, LLC.

b. Prepared by

c. Signed and Stamped by

d. Final Revision Date

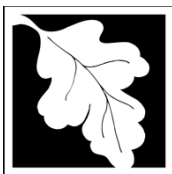
e. Scale

f. Additional Plan or Document Title

11/18/2025

g. Date

- ☐ If there is more than one property owner, attach a list of these property owners not listed on this form.
- ☒ Attach NOI Wetland Fee Transmittal Form.



WPA Form 3 – Notice of Intent

Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Minimum Required Documents (310 CMR 10.12)

Provided by MassDEP:

MassDEP File Number

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Agawam

City/Town

- ☐ An evaluation of any flood impacts that may affect the built environment, including without limitation, buildings, wells, septic systems, roads or other man-made structures or infrastructure as well as any proposed flood impact mitigation measures;
- ☐ A plan for invasive species prevention and control;
- ☐ The Natural Heritage and Endangered Species Program written determination in accordance with 310 CMR 10.11(2), if needed;
- ☐ Any Time of Year restrictions and/or other conditions recommended by the Division of Marine Fisheries or the Division of Fisheries and Wildlife in accordance with 310 CMR 10.11(3), (4), (5), if needed;
- ☒ Proof that notice was published in the Environmental Monitor as required by 310 CMR 10.11(1);
- ☒ A certification by the applicant under the penalties of perjury that the project meets the eligibility criteria set forth in 310 CMR 10.13;
- ☐ If the Ecological Restoration Project involves the construction, repair, replacement or expansion of infrastructure, an operation and maintenance plan to ensure that the infrastructure will continue to function as designed;
- ☐ If the project involves dredging of 100 cubic yards or more or dredging of any amount in an Outstanding Resource Water, a Water Quality Certification issued by the Department pursuant to 314 CMR 9.00;
- ☐ If the Ecological Restoration Project involves work on a stream crossing, information sufficient to make the showing required by 310 CMR 10.24(10) for work in a coastal resource area and 310 CMR 10.53(8) for work in an inland resource area; and
- ☐ If the Ecological Restoration Project involves work on a stream crossing, baseline photo-points that capture longitudinal views of the crossing inlet, the crossing outlet and the upstream and downstream channel beds during low flow conditions. The latitude and longitude coordinates of the photo-points shall be included in the baseline data.
- ☐ This project is subject to provisions of the MassDEP Stormwater Management Standards. A copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) is attached.
- ☐ Provide information as to whether the project has the potential to impact private water supply wells including agricultural or aquacultural wells or surface water withdrawal points.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent
Appendix A: Ecological Restoration Limited
Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Agawam

City/Town

Certification that the Ecological Restoration Project Meets the
Eligibility Criteria

I hereby certify under penalties of perjury that the Ecological Restoration Project Notice of Intent application does not meet the Eligibility criteria for an Ecological Restoration Order of Conditions set forth in 310 CMR 10.13, but does meet the Eligibility Criteria for a Ecological Restoration Limited Project set forth in 10.24(8) or 10.53(4) whichever is applicable. I certify that I am familiar with the information contained in the application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities.

Owen Kramer

Signature of Applicant or Authorized Agent

Owen Kramer

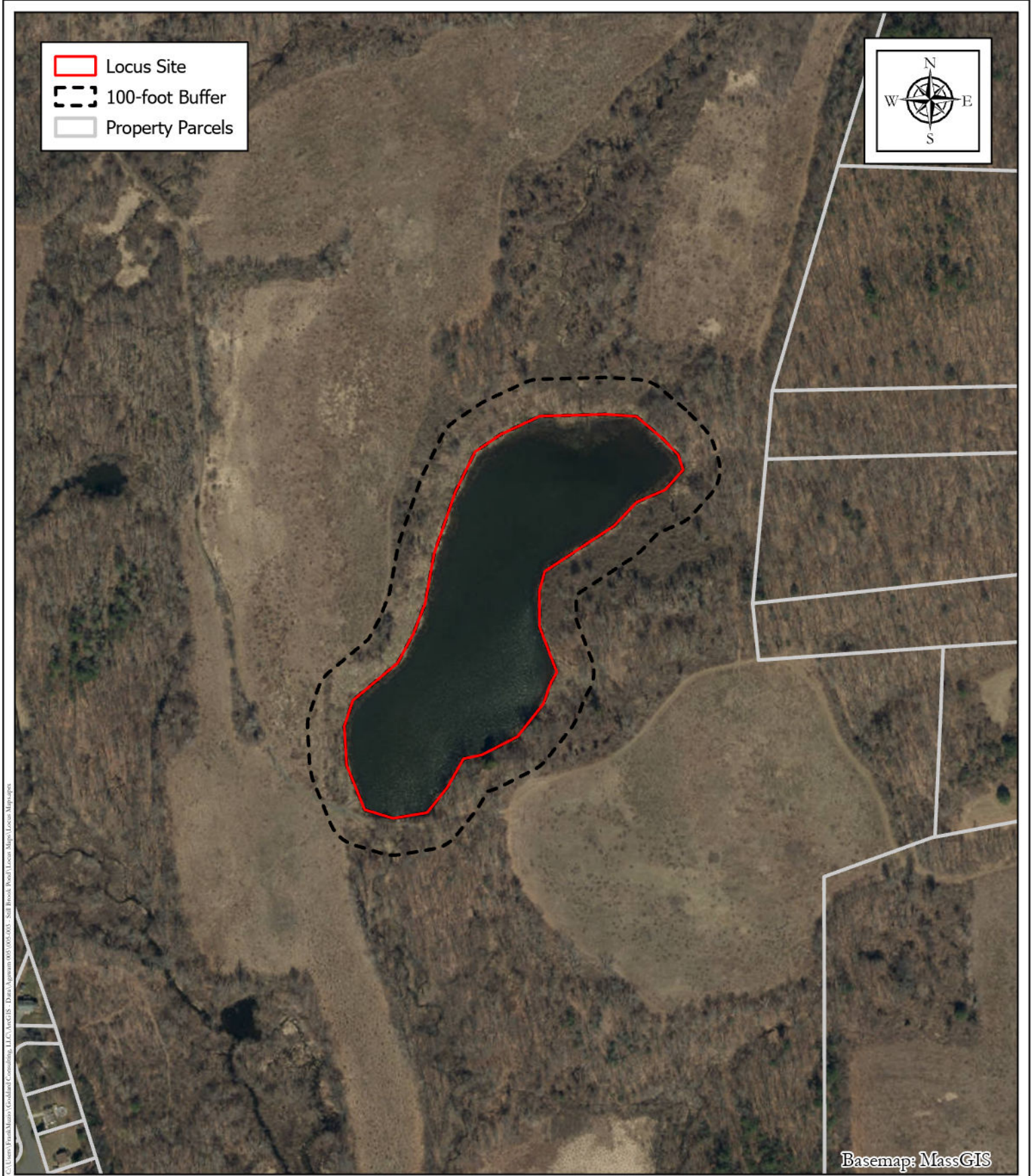
Printed Name of Applicant or Authorized Agent

11/24/2025

Date

The certification must be signed by the applicant; however, it may be signed by a duly authorized agent (named in Item 2) if this form is accompanied by a statement by the applicant designating the agent and agreeing to furnish upon request, supplemental information in support of the application.

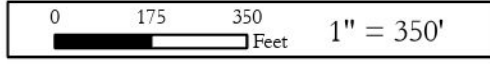
Attachment B: Abutter Information



C:\Users\jpratt\My Documents\Goddard Consulting\LLC\AgGIS - Data\AgGIS - Still Brook Pond\Locust Map\AgGIS - Still Brook Pond\Locust Map.aprx



Abutters Map (100-foot Buffer)



72.6860089°W, 42.0513857°N

Date: 11/18/2025

Still Brook Pond
Agawam, MA 01030

Parcel ID: C7_2_4

To: The Environmental Monitor

From: Goddard Consulting, LLC

Date: 11/24/2025

Re: Notification of filing a Notice of Intent (NOI) for Still Brook Pond - Agawam, MA

Anticipated Date of Submission: 12/08/2025

The proposed project is seeking approval to implement an aquatic plant management program at Still Brook Pond in Agawam, MA. The focus of this management will be to reduce, control, and proactively manage nuisance aquatic vegetation using herbicide treatment. This project aims to protect the interests of the Wetlands Protection Act by slowing eutrophication and improving habitat value.

Reviewing Conservation Commissions

Agawam Conservation Commission

Town Hall

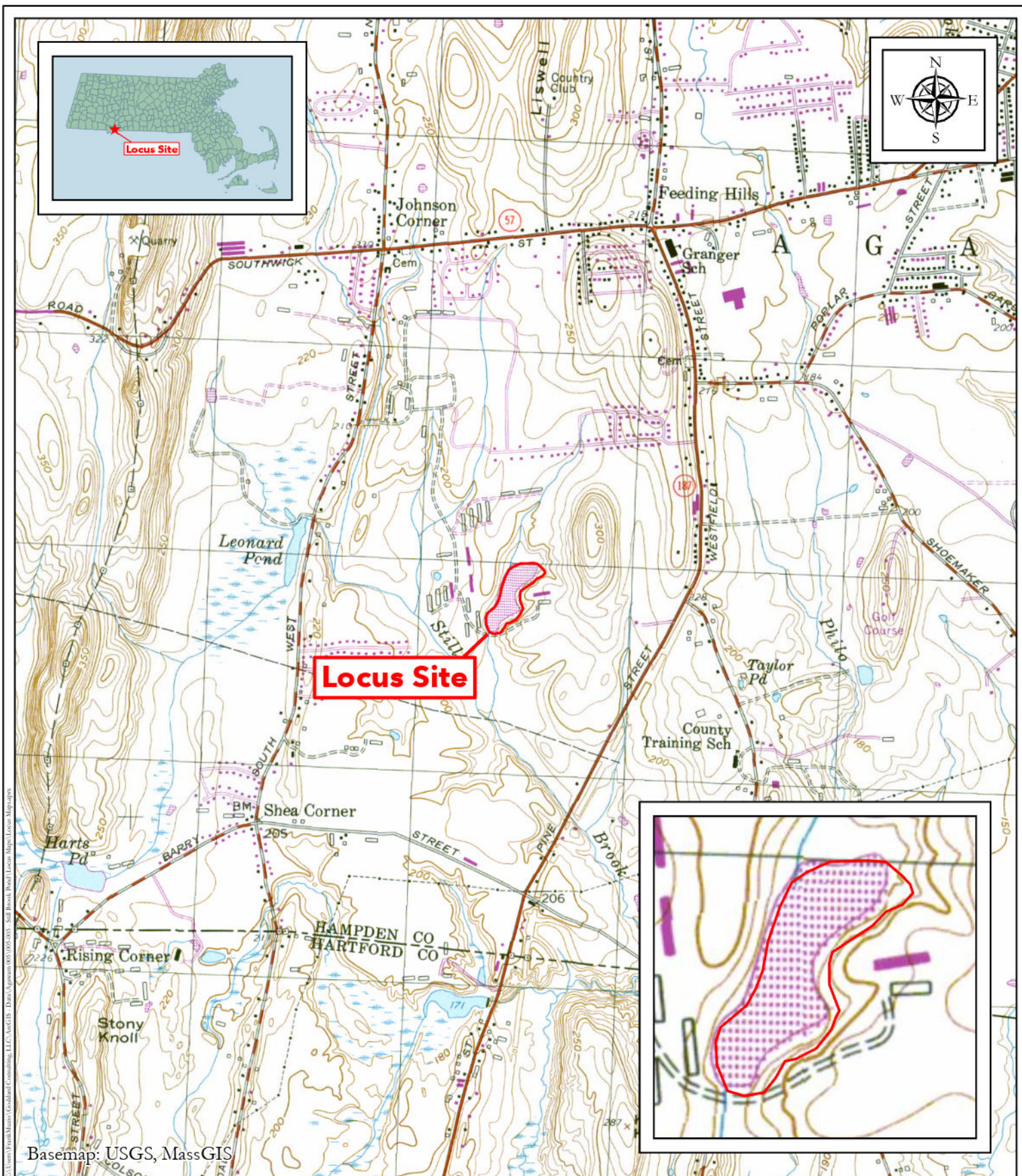
36 Main Street

Agawam, MA 01001

Copies of the Notice of Intent may be examined or acquired by contacting the applicant's representative, Goddard Consulting, LLC, at (508) 393-3784.

Please see the Agawam Conservation Commission website for the meeting schedule to confirm exact dates and agendas.

Attachment C: Locus Maps & Figures



USGS of Locus Site

0 1,000 2,000 Feet 1" = 2,000'

72.6860196°W, 42.0512271°N

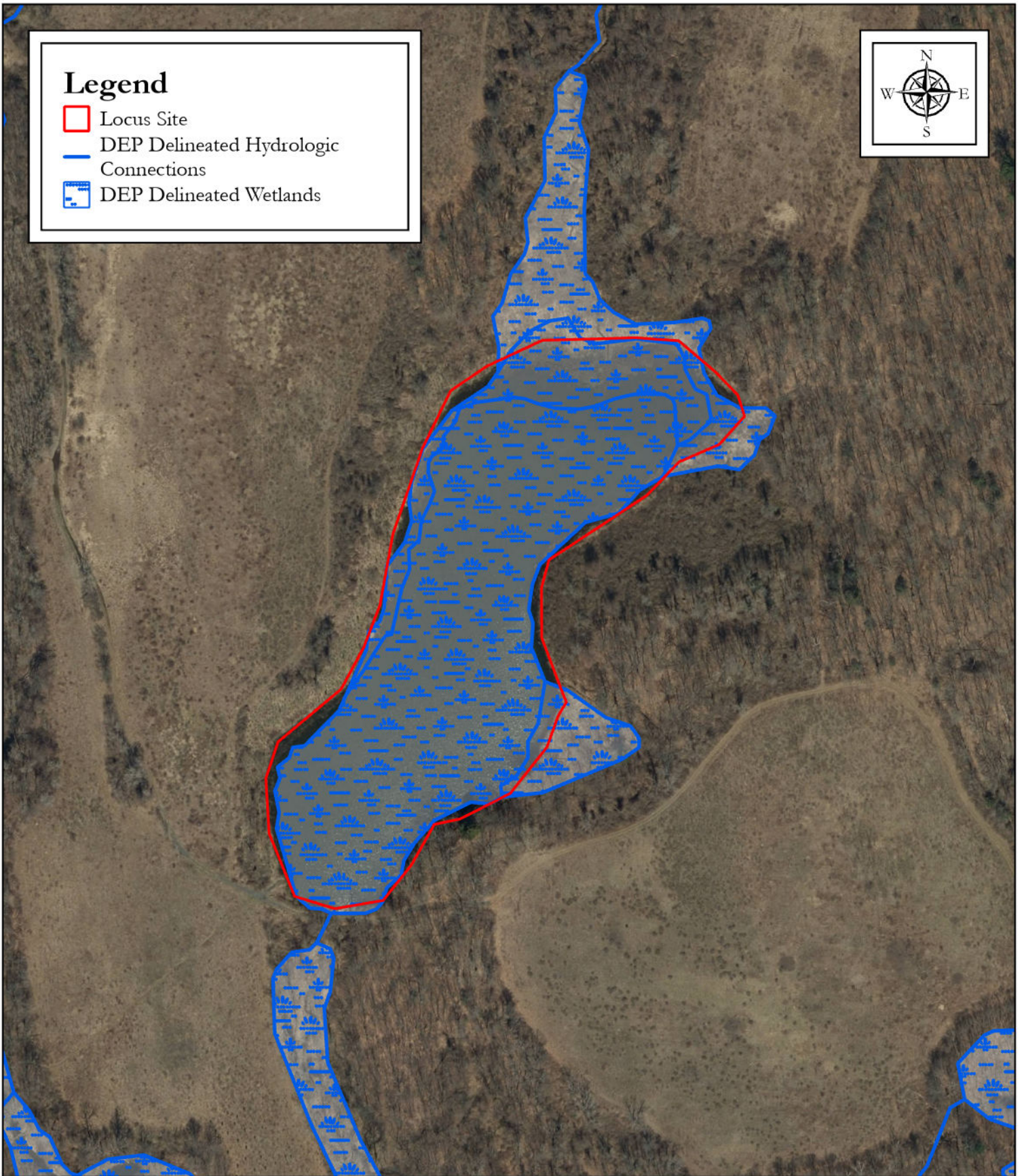
Date: 11/18/2025

Still Brook Pond
Agawam, MA 01030

Parcel ID: C7_2_4

Legend

-  Locus Site
-  DEP Delineated Hydrologic Connections
-  DEP Delineated Wetlands



Orthophoto of Locus Site

0 125 250 Feet 1" = 250'

72.6860089°W, 42.0513857°N

Date: 11/18/2025

Still Brook Pond
Agawam, MA 01030

Parcel ID: C7_2_4



Legend

- Locus Site
- FEMA National Flood Hazard Layer
- 1% Annual Chance Flood Hazard

Basemap: MassGIS



FEMA Flood Map of Locus Site

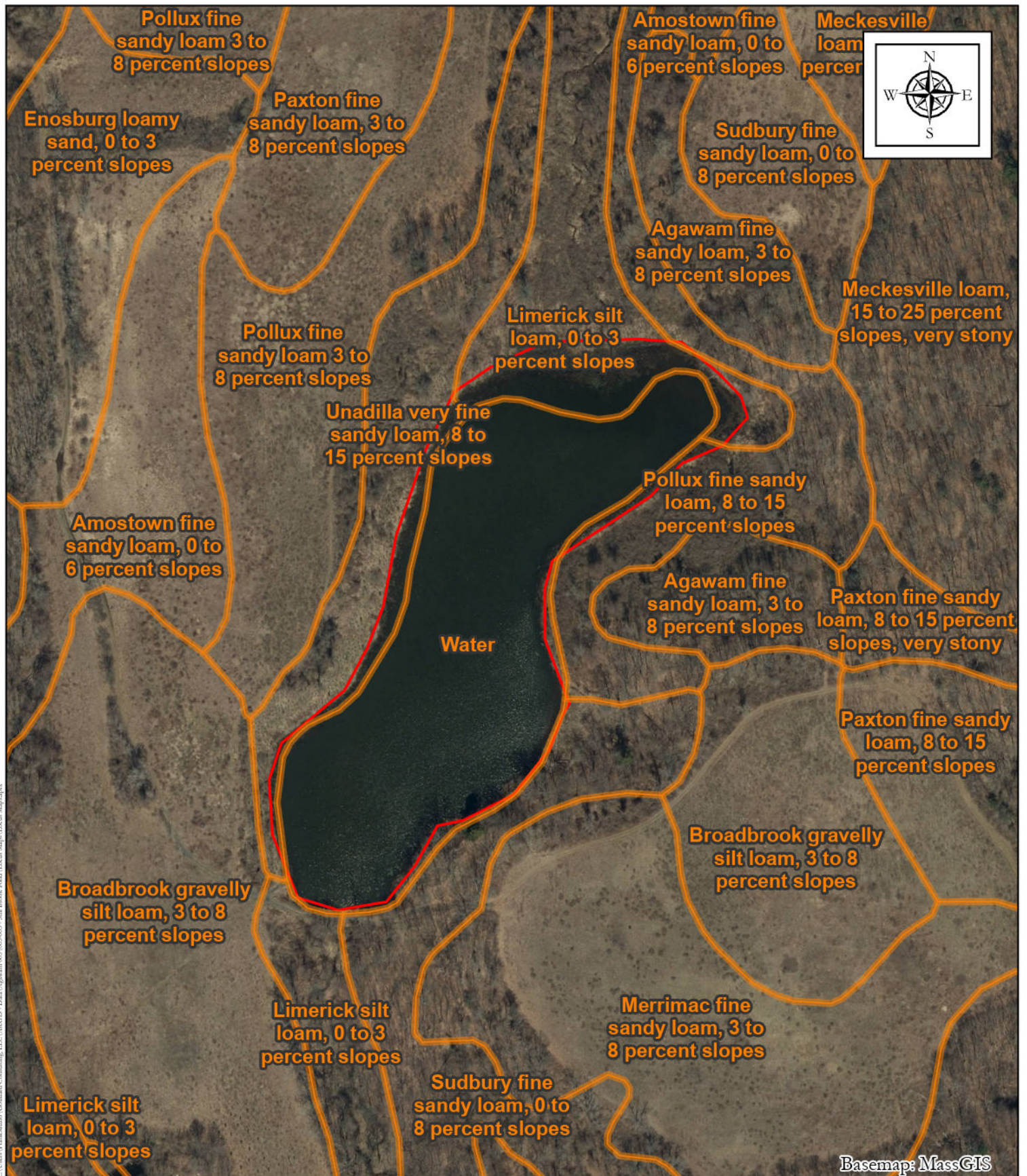
0 150 300 Feet 1" = 300'

72.6860089°W, 42.0513857°N

Date: 11/18/2025

Still Brook Pond
Agawam, MA 01030

Parcel ID: C7_2_4



NRCS Soil Survey of Locus Site

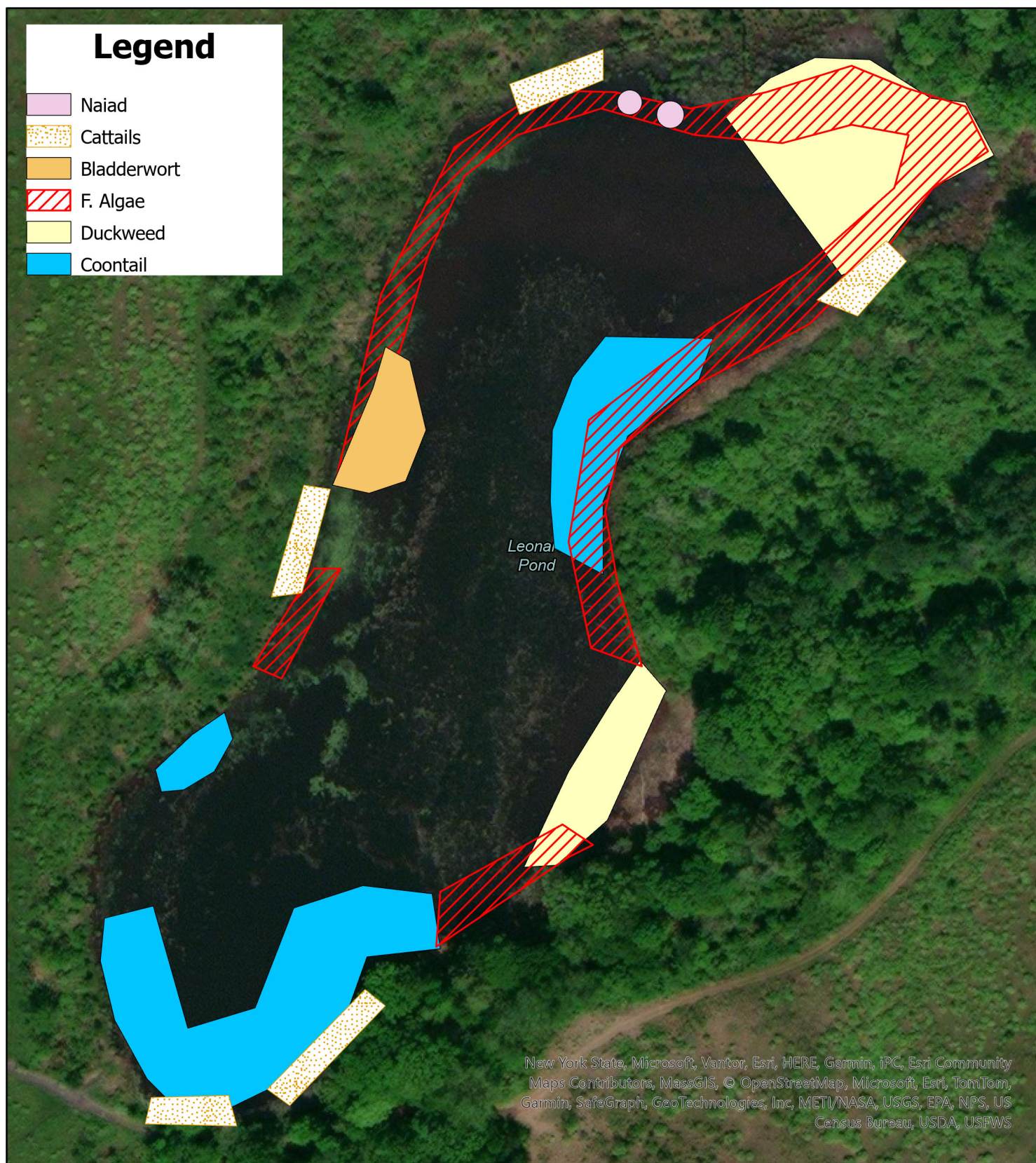
0 125 250 Feet 1" = 250'

72.6860089°W, 42.0513857°N

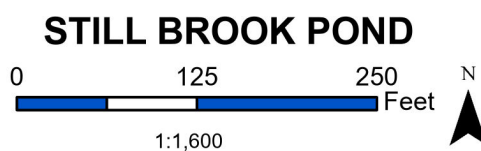
Date: 11/18/2025

Still Brook Pond
Agawam, MA 01030

Parcel ID: C7_2_4



STILL BROOK POND
AGAWAM, MA
HAMPDEN COUNTY



Map Date: 11/11/2025
Prepared by: TAP
Office: SHREWSBURY, MA

Attachment D: Safety Datasheets

Diquat Treatment

<https://www.cdms.net/ldat/mp9UM003.pdf>

Endothall Treatment

http://www.cleanlake.com/images/Aquathol_K_SDS_2022_.pdf

Fluridone Treatment

https://www.sepro.com/Documents/Sonar-AS_SDS.pdf

Imazamox Treatment

https://file.medchemexpress.com/batch_PDF/HY-100427/Imazamox-SDS-MedChemExpress.pdf

Flumioxazin Treatment

https://assets.greenbook.net/18-40-26-28-05-2019-Ms_384_RedEagle_Flumioxazin_51__WDG.pdf

Glyphosphate Treatment

https://cms2.revize.com/revize/claytownship/AquaPro_MSDS.pdf

AGAWAM CONSERVATION COMMISSION
February 12, 2026

MEMBERS PRESENT:

Henry Kozloski, Chair
Keven Brown
Sheryl Becker
Jill Ward

MEMBERS ABSENT:

Frank Meagher
Magda Galiatsos

ALSO PRESENT:

Taryn Egerton
Stefanie Kesecker

Mr. Kozloski called the meeting to order at 6:00pm.

1. 6:00PM PUBLIC HEARING-Amendment to Order of Conditions-56 Forest Ridge and 248 River Road-Nakhabenko

Filipe Cravo, with R. Levesque Associates and the petitioner Serge Nakhabenko were present for this agenda item. Mr. Cravo stated the petitioner is seeking to amend the original Order of Conditions for 56 Forest Ridge and 248 River Road to allow for more compensatory storage, which will take into consideration future projects at the adjoining parcel. He stated the original compensatory storage was for 50 cubic yards and the amendment is for 499 cubic yards. The intent is to provide additional storage so that the adjacent parcel can have future improvements. It is in the same general area, with the same conditions and is further south towards the property line.

Mr. Kozloski asked about additional plantings. Mr. Cravo stated within the compensatory storage area there will be number of plantings shown on the plan.

Ms. Ward stated the compensatory capacity on this property would be to cover an additional property, and she asked if all the calculations had been done to ensure there was enough compensatory storage. Ms. Ward asked about the extra compensatory storage, once the current project is completed. Mr. Cravo stated the proposed displacement is 131 cubic yard, and 630 cubic yards are gained, so there would be 499 cubic yards of extra compensatory storage. He went on to say the future improvements would stay under the volume of compensatory storage being proposed. He stated the approximate volume will be 444 cubic yards. Ms. Egerton stated any future projects would have to come before the Commission as the property is located in the floodplain.

Mr. Nakhabenko stated he wants to do the compensatory storage now so he does not have to drag equipment in twice.

Mr. Kozloski stated the compensatory storage should be completed prior to any work occurring.

Mr. Kozloski opened the meeting to the public and there were no comments.

Motion was made by Ms. Ward and seconded by Ms. Becker to issue the Amendment to the Order of Conditions for 56 Forest Ridge and 248 River Road-Nakhabenko with the additional condition that the compensatory storage be completed prior to any filling of the land subject to flooding.

VOTE 4-0-0

2. Request for Certificate of Compliance-Still Brook Park

Ms. Egerton stated that Procurement Director, Jennifer Bonfiglio stated all the work is completed and the contract has been closed out, but Ms. Egerton suggested the Commission have ongoing conditions.

Motion was made by Mr. Brown and seconded by Ms. Ward to issue the Certificate of Compliance-Still Brook Park, with ongoing conditions 11, 12, & 13 in the Order of Conditions.

VOTE 4-0-0

3. PUBLIC HEARING CONT.-NOTICE OF INTENT-38 Tuckahoe Drive-Town of Agawam

Tanner Poole, Project Manager with Solitude was present for this agenda item. The proposed management plan is for Still Brook pond and includes the aeration of the fountain and the solar panels. Mr. Kozloski asked how the power would get to the solar panels into the water. Mr. Poole stated there is a cord that runs from the solar panels from the shore line into the water. Mr. Kozloski asked how the solar panels are anchored. Mr. Poole stated through cinder blocks. Mr. Brown asked if there was any subsurface or soil disturbance work. Mr. Poole stated no. Mr. Kozloski asked how the management plan would work. Mr. Poole stated it would commence in April and would be done on a monthly basis, depending on the temperature. Mr. Poole stated the management plan would consist of herbicide and algaecide depending on the species. Mr. Kozloski asked if the pond would be closed down during treatment. Mr. Poole stated yes. Ms. Becker asked if the Commission would be notified before treatment is done. Mr. Poole stated the Commission would be notified 2 weeks prior. Mr. Kozloski stated it would also have to be advertised in the paper. Mr. Brown asked about signage. Mr. Poole stated yes there would be signage as many as possible on open surfaces. He then went over the list of herbicides and algaecides that will be used dependent upon specific species. Mr. Kozloski then went over the Heath Department response from the Director, Lauren Kennedy, in which she stated the pond must be closed for all treatments, and signage must be posted at the shoreline, indicating temporary water restrictions prior to treatments, at the launch point, northern pond entrance point, and the northern parking trailhead. She also stated the herbicide treatment program must be advertised in the local paper beginning every August-September during treatment season.

Mr. Kozloski stated the Order of Conditions will be written at the February 26, 2026 meeting.

Mr. Kozloski opened the meeting for public comments and there were none.

Motion was made by Ms. Ward and seconded by Mr. Brown to close the PUBLIC HEARING CONT.-NOTICE OF INTENT-38 Tuckahoe Drive-Town of Agawam.

VOTE 4-0-0

4. REQUEST FOR DETERMINATION CONT.-769 Silver Street-Agawam Energy Center, LLC (Previously continued to February 26, 2026).

5. Request for Certificate of Compliance-Suffield Street-Tennessee Gas Pipeline, LLC

The water quality certification has been closed out, and the Commission's peer reviewer went onsite in December.

Motion was made by Ms. Ward and seconded by Mr. Brown to issue the Certificate of Completion for Suffield Street-Tennessee Gas Pipeline, LLC.

VOTE 4-0-0

6. Request for Certificate of Compliance-233, 265, & Lot 6 Main Street-HP Hood, LLC

Filipe Cravo, R. Levesque Associates was present for this agenda item. He stated a small portion of the proposed work was completed. He stated the petitioner wishes to file a new Notice of Intent to propose a new addition that wasn't part of the Order of Conditions. He stated the work around the outfalls was completed and they were armored and the dock addition was completed to the existing building on the south side and the improvements in that immediate area, including water quality units with two catch basins were all done in accordance with the plan. He stated they wished to dissolve the remainder of site improvements and submit a new Notice of Intent. He stated the petitioner is aware any work within the location has to come before the Conservation Commission.

Motion was made by Ms. Ward and seconded by Ms. Becker to issue the Certificate of Completion for 233, 265, & Lot 6 Main Street-HP Hood, LLC to certify portions of the work have been completed as shown in the as built plan dated 11/30/2023. The remaining work permitted with the Order of Conditions will not be pursued by the applicant.

VOTE 4-0-0

7. APPROVAL OF MINUTES-January 22, 2026

Motion was Ms. Ward and seconded by Mr. Brown to approve the January 22, 2026 minutes as written.

VOTE 3-0-1(Ward)

8. Correspondence and Complaints

Ms. Egerton stated at 1298 Suffield Street historic mowing is occurring in a jurisdictional area.

Motion was Made by Ms. Ward and seconded by Mr. Brown to send a Cease and Desist letter to the owner.

VOTE 4-0-0

The Commission received a letter from William Torres regarding a parcel at 280 North Street, concerning this large parcel. The letter stated he had observed significant wildlife activity in the area and was interested in the Commission preserving the location.

The area at 280 North Street does not fall within the Conservation Commission's jurisdiction and Ms. Ward stated the Commission will send a letter to Mr. Torres advising him to contact the Mass Division of Fisheries and Wildlife and the Department of Fish and Game.

Motion was made by Mr. Brown and seconded by Ms. Ward to adjourn the meeting.

VOTE 4-0-0

Meeting adjourned at 7:00pm.