



BRPC

Berkshire Regional Planning Commission

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Environmental Review Committee

Meeting Minutes

Tuesday, July 13, 2020, 4:00 p.m.

Via Zoom

Committee Members Present: Roger Bolton (Chair), Jacky Hickey, Eleanor Tillinghast, Mark Smith, Edward Holub, and Kyle Hanlon

Others Present: Eric Ford (FWE), Karen Lombard (TNC), Thomas Matuszko (BRPC), and Melissa Provencher (BRPC)

I. Call to Order

ERC Chairman Bolton called the meeting to order at 4:04pm and began roll call.

II. Approval of Meeting Minutes from July 16, 2019

K. Hanlon made a motion to approve the minutes. The motion was seconded by E. Holub. ERC Chairman Bolton conducted a roll call vote.

E. Tillinghast: Aye

E. Holub: Aye

M. Smith: Aye

K. Hanlon: Aye

Jack Hickey: Aye

R. Bolton: Aye

The motion was passed unanimously.

III. Becker Pond Dam Removal Expanded ENF, Mount Washington

M. Provencher explained that the Environmental Review Committee learned during their meeting on July 7, 2020 that the proponent for the Becker Pond Dam Removal Project had submitted supplemental materials, which BRPC did not receive. M. Provencher received supplemental materials on 7/8/20 and circulated materials to the Committee via email.

M. Provencher explained that, in addition to the requirements of an ENF, an Expanded ENF (EENF) must include more extensive and detailed information that describes and analyzes a proposed project and its alternatives and assesses its potential environmental impacts and environmental mitigation measures. In staff's opinion, despite the submission of supplemental material, EENF for the Becker Pond Dam

Removal does not include the level of extensive and detailed information that is warranted in order to grant a waiver of the mandatory EIR.

M. Provencher outlined the changes to the draft Environmental Review Report and the draft comment letter. According to supplemental materials provided by the proponent the preferred alternative has changed, under the preferred alternative “the limits of disturbance would be substantially greater than the footprint of the excavated channel”, however it does not appear that any additional information has been provided with respect to the limits of disturbance, environmental impacts or proposed mitigation measures. According to the supplemental materials, the final details of the on-site placement in upland areas would need to be discussed with Natural Heritage and Endangered Species Program because the site and surrounding land is within a mapped Priority Habitat.

BRPC remains concerned that site access has yet to be determined and the EENF is deficient in its assessment of environmental impacts that would result from the creation of an access road. The new preferred alternative includes off-site hauling of material that would cause substantial wear and tear on the access road and on East Street. However, the supplemental materials do not include additional information with respect to the wear and tear on the access road and East Street, environmental impacts or proposed mitigation measures. Lastly, a fifth alternative has not been included, which is leaving the dam intact and repairing the dam to eliminate the safety issues currently posed by the condition of the dam. For these reasons, BRPC respectfully requests that the waiver from the mandatory EIR not be granted and that a Single EIR be required, at a minimum.

E. Ford (FWE) explained that although the fifth alternative of leaving the dam intact and repairing the dam has not been evaluated the cost of dam repair typically far exceeds the cost of dam removal.

E. Tillinghast inquired about “depth of refusal surveys” referenced on page 2 of the Environmental Review Report. M. Provencher suggested that E. Ford answer that question. E. Ford explained that a depth of refusal survey is conducted by using hand held instruments to prod the bottom of the stream until hitting a surface hard enough to prevent further penetration.

E. Tillinghast also inquired about the temporary burial of habitat features and/or organisms that cannot quickly mobilize and adapt to changing conditions referenced on page 3 of the Environmental Review Report. E. Ford explained that as the pond transitions back into a stream the habitat and specie E. Ford explained that as the pond transitions back into a stream the habitat and specie E. Ford explained that as the pond transitions back into a stream the habitat and specie E. Ford explained that as the pond transitions back into a stream the habitat will change. Some species will be able to move to another suitable habitat while other species or larvae may be buried. In some instances they may be impacted temporarily, while in others the individual flora or fauna may be killed.

E. Holub inquired about why the dam was originally built. The proponent was not sure of the answer to this question.

E. Holub moved to approve the comments as drafted. E. Tillinghast seconded the motion. ERC Chairman Bolton conducted a roll call vote.

E. Tillinghast: Aye

E. Holub: Aye

M. Smith: Aye
K. Hanlon: Aye
Jack Hickey: Aye
R. Bolton: Aye

The motion was passed unanimously.

IV. Other Business

M. Provencher explained that BRPC has received a hard copy of an ENF for the Lenox Valley Waste Transfer Facility. The ENF has not been noticed in the Environmental Monitor. M. Provencher also informed the Committee that she has been contacted by Fuss & O'Neill about electronic submittal requirements for an EENF that they plan to submit.

V. Adjournment

K. Hanlon made a motion to adjourn at 4:34pm. The motion was seconded by J. Hickey. ERC Chairman Bolton conducted a roll call vote.

E. Tillinghast: Aye

E. Holub: Aye

M. Smith: Aye

K. Hanlon: Aye

Jack Hickey: Aye

R. Bolton: Aye

The motion was passed unanimously.