



*The Commonwealth of Massachusetts*  
*Executive Office of Energy and Environmental Affairs*  
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9/17/10  
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September 15, 2010

Anthony Zerilli  
Weston & Sampson  
5 Centennial Drive  
Peabody, MA 01960-7985

Re: Request for Advisory Opinion  
Look Park - Northampton

Dear Mr. Zerilli:

I am writing in response to your letter of August 18, 2010, in which you requested a determination as to whether review under the Massachusetts Environmental Policy Act (MEPA) would be required for the project referenced above.

According to your letter, the project entails the dredging of Willow Pond, a 2.5-acre man-made pond located in Look Park, in order to remove accumulated sediment which has restricted access to paddle boats, the primary recreational use of the pond. The pond was most recently dredged in 1984, and the 2003 Master Plan for Look Park anticipates that the pond must be dredged every 20-25 years. Approximately 6,000-8,000 cubic yards of material will be dredged as part of the project and will be disposed in the same upland area as in 1984. This upland area will be converted to athletic fields at a later date and sediment samples indicate that the dredged sediment would be suitable for this use. No other wetland resource areas are proposed to be altered in conjunction with this project.

Based on the information you provided, this work appears to meet the criteria for "Routine Maintenance", which is defined in the MEPA regulations at 301 CMR 11.02 as "any maintenance work or activity carried out on a regular or periodic basis in a manner that has no potential for Damage to the Environment or for which performance standards have been developed that avoid, minimize, or mitigate potential environmental impacts to the maximum extent practicable". Because your letter requested a finding of Routine Maintenance, it was noticed in the August 25, 2010 issue of the Environmental Monitor for a 20-day public review

period in accordance with the MEPA regulations at 301 CMR 11.01(6)(c). No comments on this request were received by this office. Based on the information you provided, I hereby determine that this work constitutes Routine Maintenance, as defined in the MEPA regulations. Accordingly, the review thresholds do not apply to this project and, as a result, no review under MEPA is required.

Please contact Richard Bourré, Assistant Director of the MEPA Office, at (617) 626-1130 if you have any questions concerning this matter.

Sincerely,



Alicia McDevitt  
Assistant Secretary