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To: Ashland and Hopkinton
Conservation Commissions

Date: November 7, 2022

From: Scott Morrison

Re: 299 Wilson Street, Ashland/Hopkinton
(MassDEP# 095-0976)

This memo is written to provide a response and clarification for a MassDEP File number letter issued on October 28, 2022. This memo provides some detail on the project elements to clarify the details and impacts followed by responses to comments.

EcoTec conducted a site inspection on October 28, 2021, during that time EcoTec inspected the stormwater basins, wetland delineation flagging, and stormwater BMP's on the site. This includes the areas subject to this Notice of Intent application. At that time EcoTec found the wetland (delineated by others) to be accurate.

Project elements:

1. Settling Basin:

A settling basin is proposed to be reconstructed off Wilson Street just westerly of an intermittent stream. This basin appears to have been constructed when the adjacent water storage tank and swale was installed. It appears to have subsequently filled with accumulated sediments. This stormwater BMP is located within the 100-foot Buffer Zone adjacent to an intermittent stream. This captures runoff that flows from the west alongside the gravel access to the water treatment lagoons. During the EcoTec site inspection in 2021, it was suggested that this contained accumulated sediments and should be excavated and reconstructed to provide capacity to collect sediments.

2. Westerly rip-rap channel:

Overflow from the water treatment lagoons, hillside, and access road currently flows into the adjacent stream or into an existing culvert alongside Wilson Street and travels westerly before discharging to the east of the existing culvert beneath Wilson Street. Stormwater then runs through a culvert beneath Wilson Street and enters a man-made grass/gravel swale before flowing into Hopkinton Reservoir. The source of water to the settling basin, culvert and swale consists of stormwater runoff and these areas do not drain from a wetland resource area. As such, the proposed rip-rap channel consists of improvements to a Stormwater BMP within the Buffer Zone before flowing into the regulated Hopkinton Reservoir. This will provide added stability of the swale.

3. Culvert Removal and Stabilization:

The culvert beneath and to the north of Wilson Street contains flow from an upgradient wetland resource areas including Bordering vegetated Wetland (BVW) and intermittent stream (Bank) regulated by the Wetlands Protection Act and local Bylaw regulations. The proposed project consists of the removal of northernmost 10-foot section of a 36-inch corrugated metal pipe. EcoTec suggests a minor revision to the project to include reconstruction of the channel utilizing stones and boulders rather than rip rap to reconstruct the channel. This pipe provides no wildlife habitat. Once removed the stream channel will be reconstructed. It should be noted that due to the presence of a shallow water line that is located beneath the existing culvert, that pipe will require concrete to protect it from scouring or erosion. As such, the engineered plans propose to remove the pipe and reconstruct the stream channel. The portion of the stream that was piped will be reconstructed using stone and concrete. This opens the channel, reconstructs the natural shape of the channel, and provides the required protection to the shallow water main. This will provide wildlife improvements due to the removal of the pipe and reconstruction of the channel.

This memo serves as a response to the MassDEP comments as follows:

DCR Property: DCR was consulted and has yet to agree to work on their property. Permission will be obtained prior to any of the work being initiated, otherwise that work scope will be eliminated.

Wetland Delineation: As noted above, EcoTec conducted a site inspection in October of 2021. During the inspection the wetland delineation (by others) was reviewed and appeared accurate. It should also be noted that the development project required review and approval by the Hopkinton Conservation Commission. As such, it is EcoTec understanding that that included review of the wetland boundaries.

Work not a Buffer Zone only project:

This is correct, approximately 10-linear feet of culvert (Bank) is proposed to be impacted to remove the culvert and to reconstruct the channel.

Wildlife Habitat Evaluation: There is no new stream crossing or culvert extension proposed. Rather, 10-linear feet of Bank (20-feet if one were to argue that both sides of an intermittent stream contain Bank) are proposed to be altered. This consists of the removal of a culvert that contains no habitat and replacement with a constructed Bank consisting of concrete and stone. As such, the project will not exceed the 50-linear foot threshold for a wildlife habitat evaluation.

Stormwater Standards:

The proposed project consists of stormwater improvements including stabilization and reconstruction the settling basin. All of which, will improve the water quality of the receiving wetlands.

Fill within an ORW:

Hopkinton Reservoir is not a surface drinking water supply. Therefore, the project will not alter an Outstanding Resource Water (“ORW”) as outlined below.

ORWs are defined at 314 CMR 4.04(3) as:

- Class A Public Water Supplies, as well as their tributaries and bordering wetlands;
- “Certain wetlands designated at 314 CMR 4.06(2) and other waters as determined by the Department.” 314 CMR 4.06(2) species the “other waters” as
 - Certified vernal pools
 - Wetlands bordering Class B, SB, or SA ORWs to the boundary of the defined area

As indicated on the attached Table 24 from 314 CMR 4.00, the Sudbury River between the Fruit Street bridge to Saxonville Pond (ultimate receiving water from the site) is designated as a Class B (non-ORW) water. Furthermore, Zone I and Zone II are not listed or considered ORW.

Therefore, the project will not alter any amount of ORW and a 401 Water Quality Certificate is not required.

4.06: continued

TABLE 24 SUDBURY, ASSABET, and CONCORD (SuAsCo) RIVER BASIN*				
Surface Water Name[†]	Surface Water or Segment Boundary	Mile Point[‡]	Class	Qualifiers
Sudbury River	From outlet of Cedar Swamp Pond to Fruit Street Bridge in Hopkinton ¹	Above 29.1	B	Warm Water ORW
	From Fruit Street Bridge, Hopkinton to outlet of Saxonville Pond	29.1 - 16.2	B	Warm Water High Quality Water
	From outlet of Saxonville Pond to confluence with Hop Brook, Wayland	16.2 - 10.6	B	Aquatic Life High Quality Water
	From confluence with Hop Brook, Wayland to confluence with the Assabet River forming the headwaters of the Concord River	10.6 - 0.00	B	Aquatic Life
Denney Brook	Entire brook ¹		B	ORW
Jackstraw Brook	Source in Westborough to Upton Road, first crossing south of Hopkinton Road, Westborough ¹		B	Cold Water ORW
	From Upton Road, first crossing south of Hopkinton Road, Westborough, to the inlet of Cedar Swamp Pond, Westborough ¹		B	ORW
Picadilly Brook	Entire brook ¹		B	ORW
Rutters Brook	Entire brook ¹		B	ORW
Whitehall Brook	Entire brook ¹		B	ORW
Hop Brook	From Carding Mill Pond Dam to confluence with the Sudbury River	9.7 - 0.0	B	Warm Water
Concord River	From confluence of Assabet and Sudbury Rivers to the Billerica Water Supply Intake	15.4 - 5.9	B	Warm Water Treated Water Supply
	From the Billerica Water Supply Intake to Rogers Street, Lowell	5.9 - 1.0	B	Warm Water
	From Rogers Street, Lowell to confluence with the Merrimack River	1.0 - 0.0	B	Warm Water CSO
Assabet River	Source to the Westborough POTW discharge	31.8 - 30.4	B	Warm Water High Quality Water
	From the Westborough POTW discharge to outlet of Boones Pond (Lake Boon)	30.4 - 12.4	B	Warm Water
	From outlet of Boones Pond to confluence with the Sudbury River, forming the headwaters of the Concord River	12.4 - 0.0	B	Warm Water