



# Public Notice

U.S. Army Corps  
Of Engineers  
New England District  
696 Virginia Road  
Concord, MA 01742-2751

Date: December 6, 2004

Comment Period Closes: January 5, 2005

Evaluation Branch, Engineering/Planning Division

## 30-DAY PUBLIC NOTICE MILFORD POND MILFORD, MASSACHUSETTS AQUATIC ECOSYSTEM RESTORATION PROJECT

Interested parties are hereby notified that the U.S. Army Corps of Engineers, New England District plans an aquatic ecosystem restoration project to restore Milford Pond in Milford, Massachusetts. This work is being conducted under Section 206 of the Water Resources Development Act of 1996, P.L. 104-303, as amended. Section 206 provides programmatic authority for the U.S. Army Corps of Engineers (USACE) to carry out aquatic ecosystem restoration projects that improve environmental quality, are in the public interest, and are cost effective. The town of Milford, Massachusetts is the non-Federal sponsor of this project. Attachment 1 includes a list of pertinent laws, regulations, and directives considered in project planning and Figures 1-1, 5-1, and 6-1; include maps of the project area and associated project operations.

**Project Description:** Milford Pond is a 120± acre pond located in Milford Massachusetts, which has been impacted by sedimentation (Figure 1-1). The proposed Federal action is to restore approximately 45± acres of Milford Pond to a maximum depth of 12 feet by hydraulically dredging up to 400,000± cubic yards of accumulated sediment and organic deposits from the pond. The pond bottom to be excavated contains nutrient-rich soft organic sediments (muck) that have accumulated over recent years, reducing pond depth and allowing for a substantial increase in aquatic plant density and percent cover that severely impacts the warm-water fishery of the pond. The limits of the dredging project have been established to avoid impacts to important aquatic and wetland habitats that have developed on this eutrophic lake. Only limited areas of the pond will be dredged to avoid impact to emergent wetland vegetation and potential habitat for waterfowl and wading birds, including State-listed rare species.

Dredging is proposed to extend from the outlet dam northerly, to a point slightly north of Clark Island. The existing emergent vegetation areas along the westerly boundary of the dredge limits are proposed to remain unaltered except for the area immediately surrounding the Town swimming pool in the southeasterly corner of the pond. The overall project will continue to balance the maintenance of emergent marsh areas with large expanses of dense

aquatic vegetation, and deeper open water areas. Almost all of the dense aquatic vegetation will be left untouched in the northern end of the pond to protect the Milford Water Company well fields. The dimensions of the resulting open water area will be approximately 3,400 feet long with an average width of approximately 500 feet (Figure 5-1).

The hydraulic dredging process will pump the organic sediments in a slurry state to a mechanical dewatering site located north of Milford Pond on the opposite side of Dilla Street, to the east of the upgradient Louisa Lake. The dewatering site will also serve as the disposal site, although the beneficial use of the material as a soil supplement is anticipated. This site is a 20± acre parcel located north of Milford Pond on the north side of Dilla Street, to the east of Louisa Lake and the west of Monhegan Circle, a subdivision ending in a cul-de-sac (Figure 6-1). The disposal site is in Town of Milford ownership and has been partially used for sand excavation, equipment storage, and earth materials. The site is partially cleared with a dirt roadway extending the length of the parcel from south to north. The remainder of the site is wooded wetlands or uplands. The period of construction is estimated to be two to three construction seasons.

**Additional Information:** Additional information may be obtained from the Engineering/Planning Division of the U.S. Army Corps of Engineers, Mr. Michael Tuttle, the Project Manager, and Mr. Kenneth Levitt, of the Environmental Resources Section, at the return address shown. These individuals may also be reached by phone: for Mr. Tuttle at (978) 318-8677 or email at [michael.r.tuttle@usace.army.mil](mailto:michael.r.tuttle@usace.army.mil) and for Mr. Levitt at (978) 318-8114 or email at [kenneth.m.levitt@usace.army.mil](mailto:kenneth.m.levitt@usace.army.mil). Collect calls will be accepted weekdays between 9:00 a.m. and 3:00 p.m.

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**Coordination:** The proposed work is being coordinated with the following Federal, state, and local agencies:

**Federal:**

U.S. Environmental Protection Agency  
U.S. Fish and Wildlife Service

**State:**

Massachusetts Department of Environmental Protection (DEP)  
Massachusetts Division of Fisheries and Wildlife, Natural Heritage & Endangered Species Program  
Massachusetts Historical Commission

**Local:**

Town of Milford, Massachusetts  
Milford Conservation Commission

**Environmental Impacts:** A draft Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) have been prepared for this restoration project. These documents will be available for public review at the Milford Town Hall at 52 Main St., Milford, MA, and at the Milford Town Library, 80 Spruce Street, Milford, MA or by contacting the U.S. Army Corps of Engineers, as noted above. The EA and FONSI will be finalized after consideration of public and agency comments. A preliminary determination has been made that an

Environmental Impact Statement for the proposed project is not required under the provisions of the National Environmental Policy Act of 1969.

**Purpose and Need for Work:** The ecosystem of Milford Pond has been degraded from excess sedimentation and nutrient loading which has been deposited in the pond via runoff from the urban and wooded watershed. These have created eutrophic conditions and impaired water quality. Areas of extremely dense emergent and floating leafed vegetation have continued to rapidly convert open water areas to choked aquatic habitat. Effects on the pond's ecosystem include degradation of fish habitat and a proliferation of cycles of aquatic vegetation growth and organic material buildup. The purpose of this project is as follows:

- Restore the open water aquatic ecosystem in the pond, while maintaining the existing vegetated wetlands
- Provide habitat for fisheries and waterfowl
- Increase recreational opportunities

**Alternatives:** Four alternatives were analyzed in detail, including the No-Action alternative. The analysis included three alternatives for deepening either the entire 120-acre pond, or portions of it; involving dredging of either 45 acres or 21 acres, to restore habitat for fish and other aquatic species and to improve the waterfowl habitat associated with the pond and adjoining wetlands.

**Historic and Archaeological Resources:** The proposed restoration project is not expected to impact any structures or sites of historic, architectural, or archaeological significance as defined by the National Historic Preservation Act of 1966, as amended. The Massachusetts Historical Commission has concluded that the project as presently proposed is unlikely to affect any significant historic or archaeological resources.

**Endangered Species:** The U.S. Fish and Wildlife Service has not identified any Federally listed threatened and endangered species in the project area. The Massachusetts Natural Heritage and Endangered Species Program has identified the occurrence of four State-listed bird species in the vicinity of the project area. These species include the pied-billed grebe (Endangered), least bittern (Endangered), king rail (Threatened), and the common moorhen (Special Concern). These State-listed species all nest in freshwater marshes with emergent vegetation communities, including cattails. Habitat requirements for all four of the identified State-listed species include large contiguous cattail-dominant emergent marsh. Suitable habitat was found to be present around much of western littoral zones of the pond. This 41.5± acre habitat will be preserved by the proposed dredging program, except for a small, 2-acre area near the municipal swimming pool at the southern end of the pond, near the dam. In this area, the Town swimming pool and baseball field directly border the western shoreline and the eastern shoreline is composed of residential development with landscaped lawns to the waters edge. The human disturbance associated with these high use areas during the breeding seasons of these very secretive and elusive birds is likely to discourage any potential nesting. Therefore, no adverse impacts to State-listed birds are anticipated as a result from the conversion of this small portion of emergent vegetation growth marsh to open water habitats. The dewatering site is located in an upland area that does not contain estimated and priority habitats of these four bird species (or other species), therefore no impact to these species from activities within the dewatering site are expected. Therefore, the proposed action is not expected to adversely affect any of the above listed threatened and/or endangered species.

**Federal Permit Requirements:** A Water Quality Certificate will be acquired from the Massachusetts DEP pursuant to Section 401 of the Clean Water Act. A Section 404(b)(1) evaluation, pursuant to the Clean Water Act, is provided as an attachment to the draft Environmental Assessment. In addition, a Notice of Intent will be filed with Milford's Conservation Commission, MA Department of Environmental Protection and the Natural Heritage and Endangered Species Program.

**Comments:** Any person who has an interest that may be affected by the proposed project may request a public hearing. The request must be submitted in writing to me within 30 days of the date of this notice and must clearly set forth the interest that may be affected and the manner in which the interest may be affected by this activity.

Please bring this notice to the attention of anyone you know to be interested in this project. Comments are invited from all interested parties and should be directed to me at: U.S. Army Corps of the Engineers, New England District, 696 Virginia Road, Concord, Massachusetts, 01742-2751, Attn: Engineering/Planning Division, within 30 days of this notice.

12/3/04  
Date

  
Thomas L. Koning  
Colonel, Corps of Engineers  
District Engineer

Attachments

## **Attachment 1 – Pertinent Laws, Regulations, and Directives**

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

Archaeological Resources Protection Act of 1979, as amended, 16 U.S.C. 470 et seq.

Clean Air Act, as amended, 42 U.S.C. 7401 et seq.

Clean Water Act of 1977 (Federal Water Pollution Control Act Amendments of 1972), 33 U.S.C. 1251 et seq.

Endangered Species Act of 1973, as amended, 16 U.S.C. 1531 et seq.

Federal Water Project Recreation Act, as amended, 16 U.S.C. 4601-12 et seq.

Fish and Wildlife Coordination Act, as amended, 16 U.S.C. 661 et seq.

Land and Water Conservation Fund Act of 1965, as amended, 16 U.S.C. 4601-1

National Environmental Policy Act of 1969, as amended, 42 U.S.C. 4321 et seq.

National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470 et seq.

Preservation of Historic and Archaeological Data Act of 1974, as amended, 16 U.S.C. 469 et seq. This amends the Reservoir Salvage Act of 1960 (16 U.S.C. 469).

Watershed Protection and Flood Prevention Act, as amended, 16 U.S.C. 1001 et seq.

Wild and Scenic Rivers Act, as amended, 16 U.S.C. 1271 et seq.

Executive Order 11988, Floodplain Management, May 24, 1977 amended by Executive Order 12148, July 20, 1979

Executive Order 11990, Protection of Wetlands, May 24, 1977

Executive Order 11593, Protection and Enhancement of the Cultural Environment, 13 May 1971 (36 FR 8921, May 15, 1971).

Executive Order 13007, Accommodations of Sacred Sites, May 24, 1996.

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, February 11, 1994.

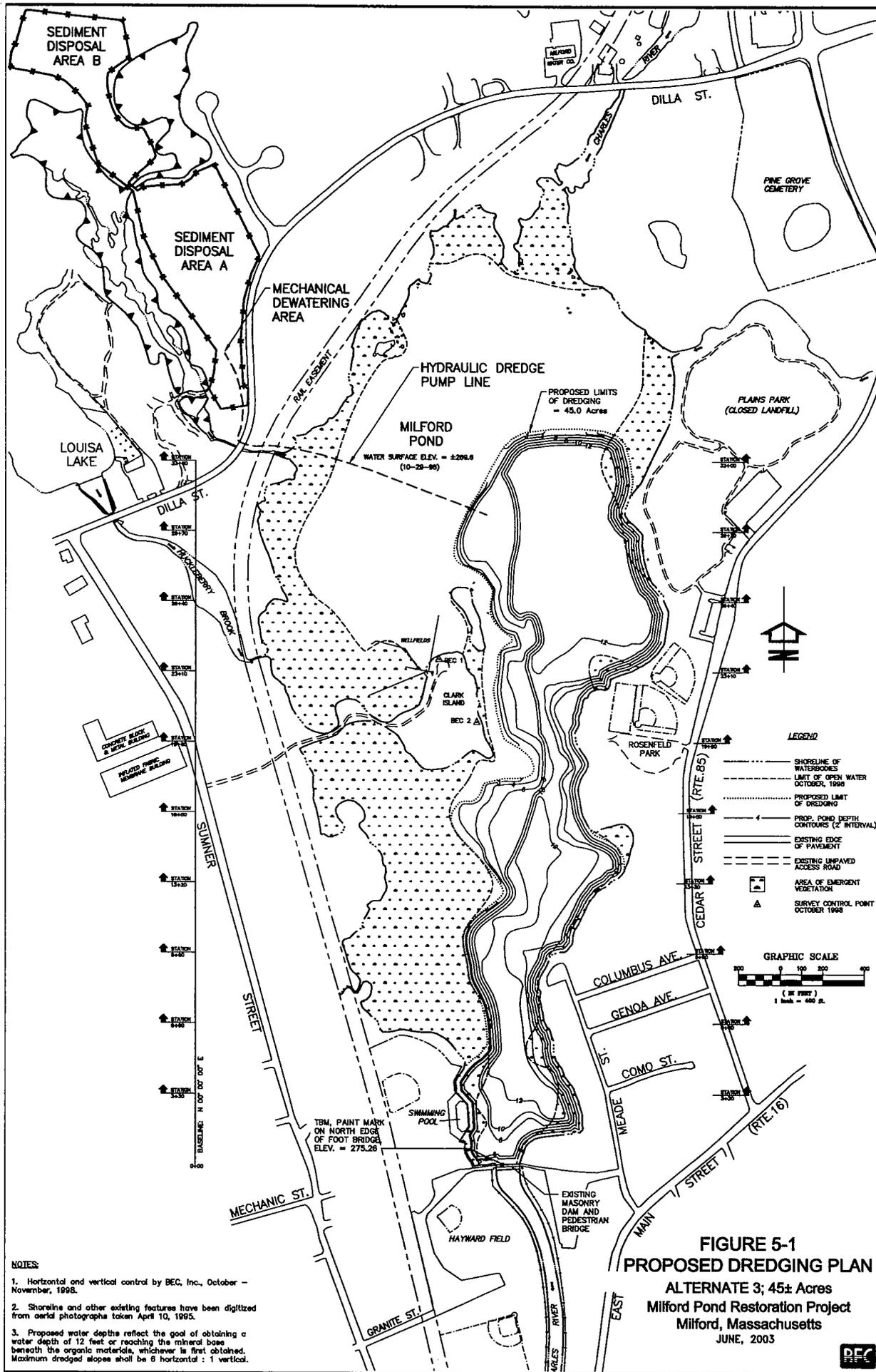
Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks, April 21, 1997.

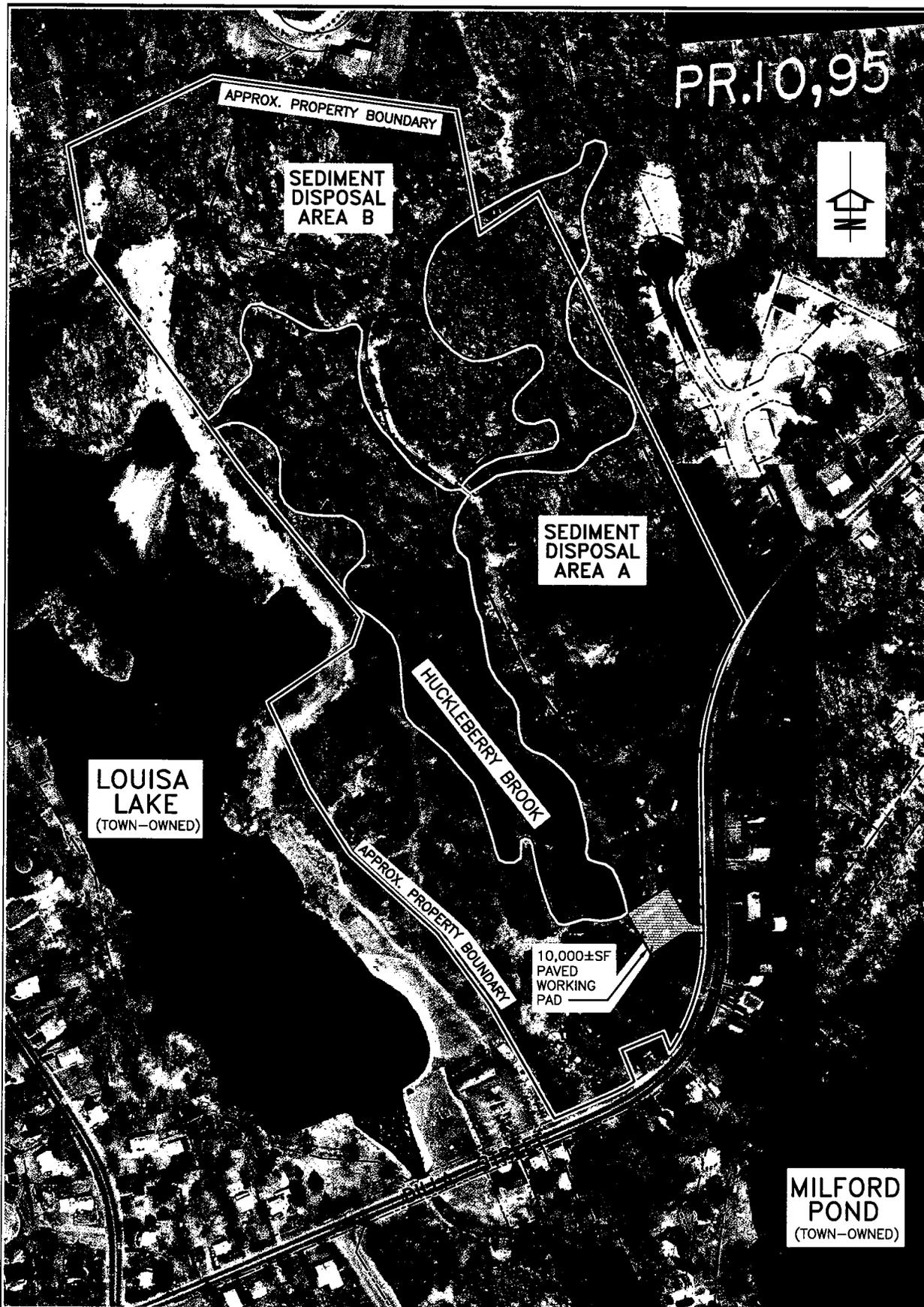
White House Memorandum, Government-to-Government Relations with Indian Tribes, April 29, 1994.



MILFORD POND HABITAT RESTORATION PROJECT  
MILFORD, MASSACHUSETTS

USGS TOPOGRAPHIC QUADRANGLE MAPS  
MILFORD, 1982 & HOLLISTON, 1987





- NOTES:
1. PROPERTY BOUNDARIES HAVE BEEN DIGITIZED FROM MILFORD ASSESSOR'S PLANS AND ARE APPROXIMATE ONLY.
  2. AERIAL PHOTOGRAPHY TAKEN APRIL 10, 1995.

GRAPHIC SCALE  
 ( IN FEET )  
 1 inch = 200 ft.

**FIGURE 6-1**  
**SEDIMENT DEWATERING AND DISPOSAL SITE**  
**FORMER CONSIGLI PARCEL**  
**Milford Pond Restoration Project**  
**Milford, Massachusetts**  
**JUNE, 2003**

