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March 19, 2004

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3/23/04

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## CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS ON THE FINAL GENERIC ENVIRONMENTAL IMPACT REPORT

PROJECT NAME : GEIR – Eutrophication and Aquatic Weed Control  
PROJECT MUNICIPALITY : Statewide  
EOEA NUMBER : 0011/6934  
PROJECT PROPONENT : DCR and DEP  
DATE NOTICED IN MONITOR : February 11, 2004

As the Secretary of Environmental Affairs, I hereby determine that the Final Generic Environmental Impact Report (GEIR) submitted on this project **adequately and properly complies** with the Massachusetts Environmental Policy Act (M.G.L. c. 30, ss. 61-62H) and with its implementing regulations (301 CMR 11.00).

As described in the Final GEIR, the intent of these companion documents, the *Eutrophication and Aquatic Plant Management in Massachusetts* and *The Practical Guide to Lake and Pond Management in Massachusetts*, is to provide guidance to lake and pond managers, conservation commissions, and citizens concerned with lake management issues and to provide a basis for more consistent and effective lake management in the Commonwealth. The Final GEIR describes technical approaches and management options for control of aquatic vegetation and for the protection of lakes from water quality degradation and reduction in ecological and recreational values. The Final GEIR also contains recommendations on future needs to protect and enhance lakes and ponds in Massachusetts.

The project background dates back to 1973 when the Division of Environmental Health proposed to prepare a combined EIR for its program for Control of Aquatic Nuisance Vegetation. The Statement of the Secretary on the Environmental Assessment Form (EOEA # 0011), issued August 22, 1973, concurred with that decision. In 1975 a Draft EIR was submitted and was determined to not adequately comply with G.L. c.30, s.62 of the MEPA regulations. A second Draft EIR was submitted in 1977, which was determined adequate. The Final EIR was submitted in 1978 that was determined inadequate. A redirection of the program was developed in the EIR



review. Emphasis was shifted from chemical control to long-term lake management with physical control of vegetation by harvesting and dredging. Requirements for lake evaluations and pre- and post-treatment monitoring were established.

The 1978 GEIR had three major objectives, which were to summarize the extensive aquatic vegetation growth in Massachusetts' water bodies, to examine the latest aquatic vegetation control techniques and to report on programs to control aquatic vegetation in the Commonwealth of Massachusetts. In 1988 after a proposal to update the GEIR, the Secretary's Certificate identified the generic environmental review (EOEA # 0011/6934) as a Major and Complicated Project (3/11/88), and established a Citizens Advisory Committee (CAC) and a preliminary scope. The Secretary's Certificate issued October 13, 1988, determined the Final Scope, which was then revised on November 23, 1994 following a Notice of Project Change. A Draft GEIR was published in 1998, which was determined to be adequate on January 29, 1999. The proponents, the Department of Environmental Protection (DEP) and the Department of Conservation and Recreation (DCR), have prepared the Final GEIR with the assistance of the CAC.

I commend the proponents and the CAC for the thorough job done between the review of the Draft and Final GEIR in producing the *Eutrophication and Aquatic Plant Management in Massachusetts* and *The Practical Guide to Lake and Pond Management in Massachusetts*. The documents provide invaluable resources to communities, conservation commissions, lake managers and others interested in promoting the health of our lakes and ponds. These documents summarize the effectiveness and impacts of a wide range of techniques to control nutrients and aquatic plants, including point source and non-point source controls, water level drawdowns, dredging, harvesting, biological controls, benthic barriers, and herbicides and algaecides. Specifically, *Eutrophication and Aquatic Plant Management in Massachusetts* provides a detailed scientific discussion and analyses of key lake management issues and techniques. *The Practical Guide to Lake and Pond Management in Massachusetts* provides a succinct and very useable version aimed at a more general audience.

The proponents and the CAC have requested, and I concur, that in accordance with the 301CMR 11.09, Special Review Procedures I find that projects implemented in accordance with performance guidelines in the Final GEIR's *Eutrophication and Aquatic Plant Management in Massachusetts* and *The Practical Guide to Lake and Pond Management in Massachusetts* do not require individual MEPA review, except for:

- a. dredging projects that exceed any of the thresholds found in 301 CMR 11.00;
- b. proposals to implement new physical or biological techniques for lake management; or
- c. proposals to use any new pesticide active ingredient with an aquatic pattern and/or a substantially different formulation from a currently registered active ingredient.

For projects described in a, b, or c, proponents should contact MEPA and the DCR Office of Water Resources to discuss appropriate filings and review process.



Upon review of the Final GEIR and the comments received, I find that the Final GEIR meets the standard for adequacy contained in Section 11.08(8)(c) of the MEPA regulations. These publications, *Eutrophication and Aquatic Plant Management in Massachusetts* and *The Practical Guide to Lake and Pond Management in Massachusetts*, should serve as living documents, updated periodically to incorporate new and innovative techniques for lake and pond management that can further reduce the potential for environmental impacts. I commend the proponents for their efforts in working with the Massachusetts Association of Conservation Commissions to sponsor upcoming workshops and distribute these companion documents for both conservation commission members and the general public. DCR and DEP should carefully consider the comments on the Final GEIR, as well as those comments that may be garnered from the workshops and other forums, to determine where additional information may need to be developed. DCR and DEP should continue discussions with stakeholders to examine opportunities for further refinements to these publications and should consult with MEPA regarding potential future filings.

March 19, 2004

Date

  
Ellen Roy Herzfelder

Comments received:

03/02/04	Montachusett Regional Planning Commission
03/15/04	Mass Audubon
03/15/04	Berkshire Regional Planning Commission
03/18/04	Barbara Ernst

ERH/ACC/acc

