



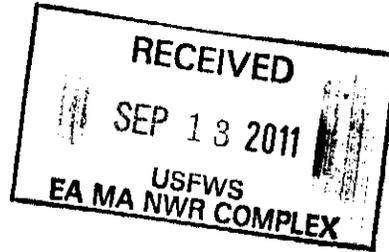
REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS  
696 VIRGINIA ROAD  
CONCORD, MASSACHUSETTS 01742-2751

September 8, 2011

Regulatory Division  
CENAE-R-PEA  
File Number: NAE-2008-2316

Libby Herland  
U.S. Fish and Wildlife Service  
73 Weir Hill Road  
Sudbury, Massachusetts 01776



Dear Ms. Herland:

We have reviewed your application to excavate and grade bottom contours in the upper and lower pool wetlands to create four new ¼ acre - sized open water pools (45,000 square feet total, 2,963 cu yards total), and excavate a 5,400 square foot area in an existing pool (400 cubic yards) to create refuge for blanding's turtles during low water level periods. Each of the refugia pools would be about 2 feet deep and hold about 12-18 inches of water at low water periods. The excavated material from the pools would be deposited in four areas near the created refugia pools to a depth of 2 feet to create topographical relieve for wildlife. Approximately 5,662 linear feet (39,634 square feet, 2,936 cubic yards) of existing ditches would be excavated with an amphibious excavator with a bucket attachment. Sediment excavated from the ditches would be broadcast and spread thinly (about 3 inches or less deep) adjacent to the ditches to a distance of about of about 5 feet to 25 feet from the edge of the ditches. The maintained ditches would be approximately 7 feet wide and 4 feet deep.

This project is located in floodplain wetlands adjacent to the Concord River at the Great Meadows National Wildlife Refuge in Concord, Massachusetts. The work is shown on the attached plans entitled "Great Meadows National Wildlife Refuge", on 2 sheets, and dated "September 1, 2011" and "June 30, 2009".

Based on the information you have provided, we have determined that the proposed activity which includes a discharge of dredged or fill material into waters or wetlands will have only minimal individual or cumulative environmental impacts on waters of the United States, including wetlands. Therefore, this work is authorized as a Category 2 activity under the attached Federal permit known as the Massachusetts General Permit (GP). This work must be performed in accordance with the terms and conditions of the GP.

You are responsible for complying with all of the GP's requirements. Please review the attached GP carefully, in particular the GP conditions beginning on Page 5, to familiarize yourself with its contents. You should ensure that whoever does the work fully understands the requirements and that a copy of the permit document and this authorization letter are at the project site throughout the time the work is underway.

This determination becomes valid only after the Massachusetts Department of Environmental Protection (MassDEP) issues or waives Water Quality Certification (WQC) as required under Section 401 of the Clean Water Act. In the event the DEP denies the 401 WQC, this determination becomes null and void. The address of the MassDEP Regional office for your area is provided in the attached GP.

This GP expires on January 21, 2015. Activities authorized under this GP that have commenced (i.e., are under construction) or are under contract to commence before this GP expires will have until January 21, 2016 to complete the activity under the terms and general conditions of the current GP. For work within Corps jurisdiction that is not completed by January 21, 2016, you will need to reference any reissued GP to see if your project is still authorized under Category 1 (no application required), or Category 2 (application required). If it is no longer authorized you must submit an application and receive written authorization before you can continue work within our jurisdiction. Please contact us immediately if you change the plans or construction methods for work within our jurisdiction. This office must approve any changes before you undertake them.

This authorization requires you to complete and return the attached Work Start Notification Form to this office at least two weeks before the anticipated starting date. You must also complete and return the enclosed Compliance Certification Form within one month following the completion of the authorized work and any required mitigation.

This authorization presumes that the work as described above and as shown on your plans noted above is in waters of the U.S. Should you desire to appeal our jurisdiction, submit a request for an approved jurisdictional determination in writing to this office.

This permit does not obviate the need to obtain other federal, state, or local authorizations required by law, as listed on Page 2 of the GP. Performing work not specifically authorized by this determination or failing to comply with any special condition(s) provided above or all the terms and conditions of the GP may subject you to the enforcement provisions of our regulations.

We continually strive to improve our customer service. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at <http://per2.nwp.usace.army.mil/survey.html>

Please contact John Sargent of my staff at 978-318-8026 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen Kirk Adams". The signature is fluid and cursive, with the first name "Karen" being the most prominent.

Karen Kirk Adams  
Chief, Permits & Enforcement Branch  
Regulatory Division

Attachments

Copies Furnished:

Ed Reiner, U.S. EPA, Region 1, Boston, Massachusetts, [reiner.ed@epa.gov](mailto:reiner.ed@epa.gov)  
Rachel Freed, DEP NERO, Wetland and Waterways, Wilmington, Massachusetts,  
[rachel.freed@state.ma.us](mailto:rachel.freed@state.ma.us)



Great Meadows National Wildlife Refuge



0 250 500 1,000 Meters



June 30, 2009

Sheet 1 of 2



**US Army Corps  
of Engineers**  
New England District

**GENERAL PERMIT  
WORK-START NOTIFICATION FORM**  
(Minimum Notice: Two weeks before work begins)

\*\*\*\*\*  
\* MAIL TO: U.S. Army Corps of Engineers, New England District \*  
\* Permits and Enforcement Branch \*  
\* Regulatory Division \*  
\* 696 Virginia Road \*  
\* Concord, Massachusetts 01742-2751 \*  
\*\*\*\*\*

Corps of Engineers Permit No. NAE-2008-2316 was issued to U.S. Fish and Wildlife Service, Libby Herland, on September 8, 2011. This work is located in floodplain wetlands adjacent to the Concord River at the Great Meadows National Wildlife Refuge in Concord, Massachusetts. The permit authorized the permittee to excavate and grade bottom contours in the upper and lower pool wetlands to create four new ¼ acre - sized open water pools (45,000 sf total, 2,963 cu yds total), and excavate a 5,400 square foot area in an existing pool (400 cu yds) to create refuge for blanding's turtles during low water level periods. Each of the refugia pools would be about 2 feet deep and hold about 12-18 inches of water at low water periods. The excavated material from the pools would be deposited in four areas near the created refugia pools to a depth of 2 feet to create topographical relieve for wildlife. Approximately 5,662 linear feet (39,634 sf, 2,936 cy) of existing ditches would be excavated with an amphibious excavator with a bucket attachment. Sediment excavated from the ditches would be broadcast and spread thinly (about 3 inches deep) adjacent to the ditches to a distance of about of about 5 feet to 30 feet from the edge of the ditches. The maintained ditches would be 7 feet wide and 4 feet deep (presently 2 feet deep).

The people (e.g., contractor) listed below will do the work, and they understand the permit's conditions and limitations.

**PLEASE PRINT OR TYPE**

**Name of Person/Firm:** USFWS, Eastern Massachusetts NWR Complex

**Business Address:** 73 Weir Hill Road  
Subury, MA 01776

**Telephone Numbers:** (978)443-4661 ( )

**Proposed Work Dates:** **Start:** September 26, 2011 **Finish:** January 21, 2016\*

**Permittee/Agent Signature:** *Stephanie Koch* **Date:** 14 September 2011

**Printed Name:** Stephanie Koch For Libby Herland **Title:** Wildlife Biologist

**Date Permit Issued:** September 8, 2011 **Date Permit Expires:** January 21, 2015

\*\*\*\*\*  
\*Work in 2011 will likely end by October 28, depending on weather, (rain and temperatures) and turtle activity. Work may commence in the spring of 2012, again depending on weather and turtle activity. We expect the entire project to be completed well before Jan 21, 2016.

**FOR USE BY THE CORPS OF ENGINEERS**

**PM:** John Sargent

**Submittals Required:** \_\_\_\_\_

**Inspection Recommendation:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**US Army Corps  
of Engineers®**  
New England District

(Minimum Notice: Permittee must sign and return notification  
within one month of the completion of work.)

**COMPLIANCE CERTIFICATION FORM**

**Permit Number:** NAE-2008-2316

**Project Manager** John Sargent

**Name of Permittee:** U.S. Fish and Wildlife Service, Libby Herland

**Permit Issuance Date:** September 8, 2011

Please sign this certification and return it to the following address upon completion of the activity and any mitigation required by the permit. You must submit this after the mitigation is complete, but not the mitigation monitoring, which requires separate submittals.

\*\*\*\*\*  
 \* MAIL TO: U.S. Army Corps of Engineers, New England District \*  
 \* Permits and Enforcement Branch A \*  
 \* Regulatory Division \*  
 \* 696 Virginia Road \*  
 \* Concord, Massachusetts 01742-2751 \*  
 \*\*\*\*\*

Please note that your permitted activity is subject to a compliance inspection by an U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, or revocation.

**I hereby certify that the work authorized by the above referenced permit was completed in accordance with the terms and conditions of the above referenced permit, and any required mitigation was completed in accordance with the permit conditions.**

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

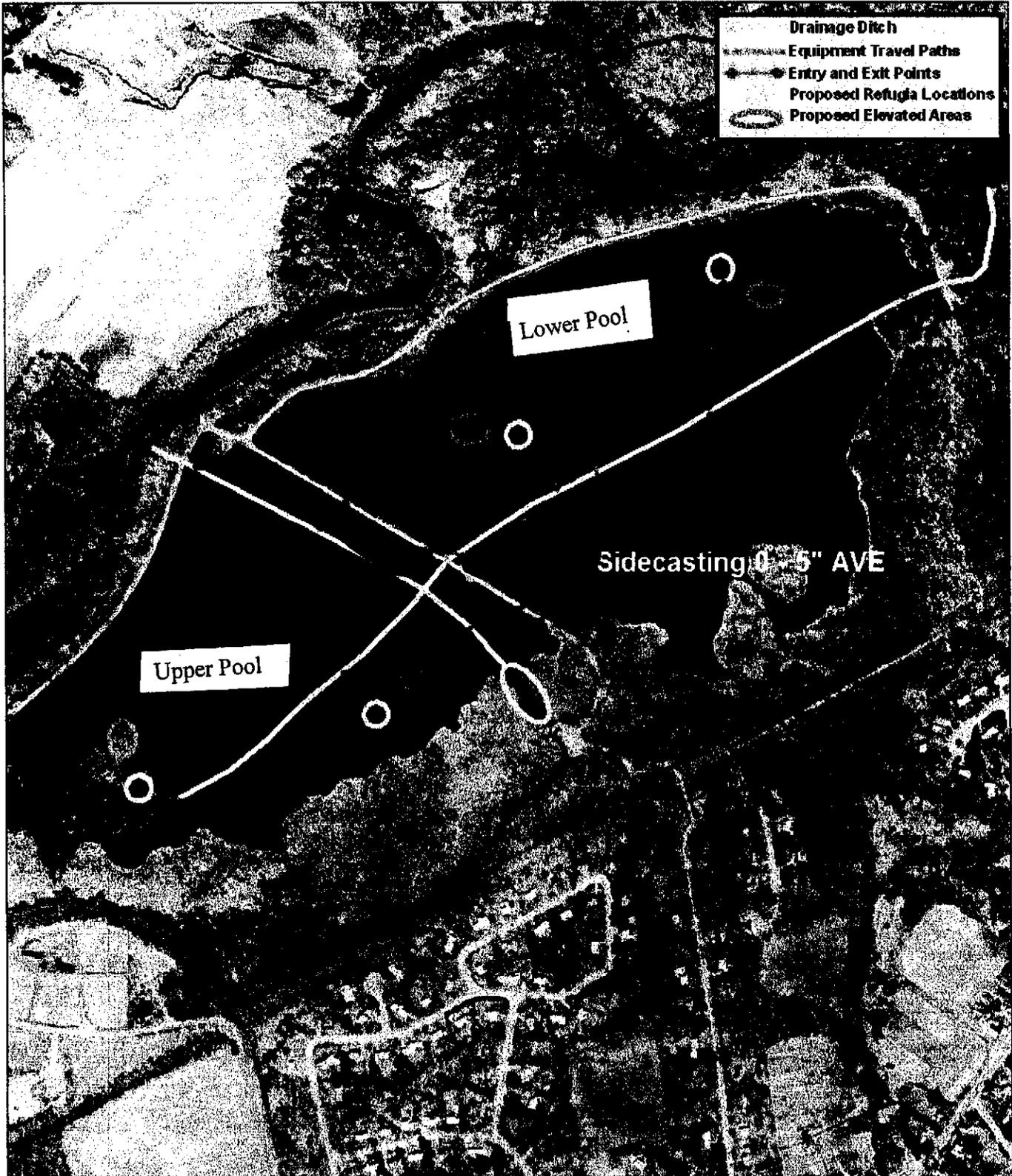
\_\_\_\_\_  
Date of Work Completion

( ) \_\_\_\_\_  
Telephone Number

( ) \_\_\_\_\_  
Telephone Number



Great Meadows National Wildlife Refuge



Sheet 20-12