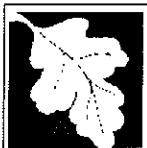


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Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

MassDEP File #
288-0396

WPA Form 5 - Order of Conditions

Massachusetts Wetlands Protection Act M.G. L. C. 131 S. 40
Town of South Hadley Wetlands Protection Bylaw

A. General Information

From: South Hadley Conservation Commission
1. Conservation Commission

2. This issuance is for (check one): a. Order of Conditions b. Amended Order of Conditions

3. To: Applicant:
a. First Name Paul b. Last Name Breen
c. Organization Trustees of Mount Holyoke College
d. Mailing Address 50 College Street
e. City/Town South Hadley f. State MA g. Zip Code 01075

4. Property Owner (if different from Applicant)
a. First Name _____ b. Last Name _____
c. Organization _____
d. Mailing Address _____
e. City/Town _____ f. State _____ g. Zip Code _____

5. Project Location:
a. Street Address Mount Holyoke College b. City/Town South Hadley
c. Assessor Map/Plat Number 49 d. Parcel/Lot Number 30
e. Latitude _____ f. Longitude _____
Latitude and Longitude, if known



Massachusetts Department of Environmental Protection
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A. General Information (cont'd)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one):

Hampshire

a. County

b. Certificate (if registered)

517

106

c. Book

d. Page

7. Dates: 7/17/2008

10/6/2008

12/16/2008

a. Date NOI filed

b. Date Public Hearing Closed

c. Date of Issuance

8. Final Approved Plans and Other Documents (attach additional plan references as needed):

Notice of Intent Routine Campus Maintenance

a. Plan Title

New England Environmental

none

b. Prepared by

10/3/2008

c. Signed and stamped by

1"=150'

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

Revised

Site Utilities

6/6/2008

10/3/2008

Extended until 12/16/20

Expires 12/16/2013

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the area in which work is proposed is significant to the following interest of the Wetlands Protection Act. Check all that apply:

- a. Public Water Supply
- b. Land Containing Shellfish
- c. Prevention of Pollution
- d. Private Water Supply
- e. Fisheries
- f. Protection of Wildlife Habitat
- g. Groundwater Supply
- h. Storm Damage Prevention
- i. Flood Control

2. This Commission hereby finds that the project, as proposed is: (check one of the following boxes):

Approved subject to:

- a. The following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all the work shall be performed in accordance with the Notice of Intent referenced above, the following General conditions, and any other special conditions attached to this order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of intent, these conditions shall control.

Denied because:



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- b. The proposed work cannot be conditioned to meet the performance standards set forth in the wetlands regulations. Therefore, work on this project may not go forward unless and until a new Notice of intent is submitted which provides measures which are adequate to protect these interests and a final Order of Conditions is issued. A description of the performance standards which the proposed work cannot meet is attached to this Order.

B. Findings (cont'd)

- c. The information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests and a final Order of Conditions is issued. A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05.(6) (c).

Inland Resource Area Impacts: Check all that apply below. (For Approvals Only)

3. Buffer Zone Impacts: Shortest distance between limit of project disturbance and wetland boundary (if available) 0
a. linear feet

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input checked="" type="checkbox"/> Bank	<input type="text"/> a. linear feet	<input type="text"/> b. linear feet	<input type="text"/> c. linear feet	<input type="text"/> d. linear feet
5. <input checked="" type="checkbox"/> Bordering Vegetated Wetland	<input type="text"/> a. square feet	<input type="text"/> b. square feet	<input type="text"/> c. square feet	<input type="text"/> d. square feet
6. <input checked="" type="checkbox"/> Land Under Water Bodies and Waterways	<input type="text"/> a. square feet	<input type="text"/> b. square feet	<input type="text"/> c. square feet	<input type="text"/> d. square feet
	<input type="text"/> e. cu.yd dredged	<input type="text"/> f. cu.yd dredged		
7. <input checked="" type="checkbox"/> Bordering Land Subject to Flooding Cubic Feet Flood Storage	<input type="text"/> a. square feet	<input type="text"/> b. square feet	<input type="text"/> c. square feet	<input type="text"/> d. square feet
	<input type="text"/> e. cubic feet	<input type="text"/> f. cubic feet	<input type="text"/> g. cubic feet	<input type="text"/> h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding Cubic Feet Flood Storage	<input type="text"/> a. square feet	<input type="text"/> b. square feet		
	<input type="text"/> c. cubic feet	<input type="text"/> d. cubic feet	<input type="text"/> e. cubic feet	<input type="text"/> f. cubic feet
9. <input checked="" type="checkbox"/> Riverfront Area	<input type="text"/> a. square feet	<input type="text"/> b. square feet		
	Sq ft within 100 ft <input type="text"/> c. square feet	<input type="text"/> d. square feet	<input type="text"/> e. square feet:	<input type="text"/> f. square feet:
Sq ft between 100-200 ft <input type="text"/> g. square feet	<input type="text"/> h. square feet	<input type="text"/> i. square feet:	<input type="text"/> j. square feet:	

Coastal Resource Area Impacts: Check all that apply below. (For Approvals Only)



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10. Designated Port Areas - Indicate size under land Under the Ocean below

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
11. <input type="checkbox"/> Land Under the Ocean	<input type="text"/> a. square feet	<input type="text"/> b. square feet	<input type="text"/>	<input type="text"/>
	<input type="text"/> c. cu.yd dredged	<input type="text"/> d. cu.yd dredged		

B. Findings (cont'd)

12. Barrier Beaches - Indicate size under Coastal Beaches and/or coastal Dunes below

13. <input type="checkbox"/> Coastal Beaches	<input type="text"/> a. square feet	<input type="text"/> b. square feet	<input type="text"/> c. c/y nourishmt.	<input type="text"/> d. c/y nourishmt.
14. <input type="checkbox"/> Coastal Dunes	<input type="text"/> a. square feet	<input type="text"/> b. square feet	<input type="text"/> c. c/y nourishmt.	<input type="text"/> d. c/y nourishmt.
15. <input type="checkbox"/> Coastal Banks	<input type="text"/> a. linear feet	<input type="text"/> b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	<input type="text"/> a. square feet	<input type="text"/> b. square feet		
17. <input type="checkbox"/> Salt Marshes	<input type="text"/> a. square feet	<input type="text"/> b. square feet	<input type="text"/> c. square feet	<input type="text"/> d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	<input type="text"/> a. square feet	<input type="text"/> b. square feet		
	<input type="text"/> c. cu.yd dredged	<input type="text"/> d. cu.yd dredged		
19. <input type="checkbox"/> Land Containing Shellfish	<input type="text"/> a. square feet	<input type="text"/> b. square feet	<input type="text"/> c. square feet	<input type="text"/> d. square feet
20. <input type="checkbox"/> Fish Runs- Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	<input type="text"/> a. cu.yd dredged	<input type="text"/> b. cu.yd dredged		
21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	<input type="text"/> a. square feet	<input type="text"/> b. square feet		

C. General Conditions Under Massachusetts Wetland Protection Act

(only applicable to approved projects)

1. Failure to comply with all conditions stated herein, and with all related statues and other regulatory measures shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges, it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statues, ordinances, bylaws or regulations.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - (a) the work is a maintenance dredging project as provided for in the Act; or
 - (b) the time for completion has been extended to a specified date more than three years, but less than five years, for the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.



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Massachusetts Wetlands Protection Act M.G. L. C. 131 S. 40

Town of South Hadley Wetlands Protection Bylaw

C. General Conditions (cont'd)

5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
7. This Order does not become final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
8. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to this Conservation Commission on the form at the end of this Order which form must be stamped by the Registry of Deeds, prior to the commencement of work.
9. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,
"Massachusetts Department of Environmental Protection" [or, "MA DEP"]
"File Number 288-0396"
10. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
11. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
12. The work shall conform to the plans and special conditions referenced in this order.
13. Any changes to the plans identified in Condition #12 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
14. The Agent or members of the Conservation Commission and Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
15. This Order of Conditions shall apply to any successor interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
16. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.



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Massachusetts Wetlands Protection Act M.G. L. C. 131 S. 40

Town of South Hadley Wetlands Protection Bylaw

C. General Conditions (cont'd)

17. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.
18. **The work associated with this Order is (1) is not (2) subject to the Massachusetts Stormwater Policy Standards. If the work is subject to the Stormwater Policy, the following conditions apply to this work and are incorporated into this Order:**
- a) No work, including site preparation, land disturbance, construction and redevelopment, shall commence unless and until the construction period pollution prevention and erosion and sedimentation control plan required by Stormwater Standard 8 is approved in writing by the issuing authority. Until the site is fully stabilized, construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan, and if applicable, the Stormwater Pollution Plan required by the National Discharge Elimination System Construction General Permit.
- b) No stormwater runoff may be discharged to the post-construction stormwater BMPs until written approval is received from the issuing authority. To request written approval, the following must be submitted: illicit discharge compliance statement required by Stormwater Standard 10 and as-built plans signed and stamped by a registered professional engineer certifying the site is fully stabilized; all construction period stormwater BMPs and any illicit discharges to the stormwater management system have been removed; and all post-construction stormwater BMPs were installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure they are not damaged and will function properly.
- c) Prior to requesting a Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall submit to the issuing authority an Operation and Maintenance (O M) Compliance Statement for the Stormwater BMPs. This statement shall identify the responsible party for implementing the Operation and Maintenance Plan and also state that: 1. "Future responsible parties shall be notified in writing of their continuing legal responsibility to operate and maintain the stormwater management BMPs and implement the Pollution Prevention Plan; and 2. the Operation and Maintenance Plan for the stormwater BMPs is complete and will be implemented upon receipt of the Certificate."
- d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Discharge Elimination System Multi-Sector General Permit.



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Massachusetts Wetlands Protection Act M.G. L. C. 131 S. 40

Town of South Hadley Wetlands Protection Bylaw

C. General Conditions (cont'd)

e) Unless and until another party accepts responsibility, the issuing authority shall presume that the responsible party for maintaining each BMP is the landowner of the property on which the BMP is located. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement acceptable to the issuing authority evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.

f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the Operation and Maintenance Plan section of the approved Stormwater Report, and the Massachusetts Stormwater Handbook.

g) The responsible party shall:

1. Maintain an operation and maintenance log for the last three years including inspections, repairs, replacement and disposal (for disposal the log shall indicate the type of material and the disposal location);
2. Make this log available to MassDEP and the Conservation Commission upon request; and
3. Allow members and agents of the MassDEP and the Conservation Commission to enter and inspect the premises to evaluate and ensure that the responsible party complies with the Operation and Maintenance requirements for each BMP set forth in the Operations and Maintenance Plan approved by the issuing authority.

h) All sediments or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.

i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.

j) The stormwater management system approved in the Final Order of Conditions shall not be changed without the prior written approval of the issuing authority. Areas designated as qualifying pervious areas for purpose of the Low Impact Site Design Credit shall not be altered without the prior written approval of the issuing authority.

k) Access for maintenance of stormwater BMPs shall not be obstructed or blocked. Any fencing constructed around stormwater BMPs shall include access gates. Fence(s) shall be at least six inches above grade to allow for wildlife passage.

Special Conditions:

See Attached Pages Incorporated Herein and Made Part of This Order

SOUTH HADLEY CONSERVATION COMMISSION
ORDER OF CONDITIONS

ISSUED TO: Paul Breen

This Order of Conditions applies to:
Mount Holyoke College

DEP #: 288-0396

This Order of Conditions is for routine maintenance activities on the main campus of Mount Holyoke College, including the Equestrian Center. It replaces an earlier Order for general maintenance, # 288-208, and includes continuing maintenance work on earlier projects approved under Orders # 288-312 (nuisance vegetation control in Lower Lake) and # 288-386 (vegetation maintenance on banks of three dams on campus) and a Determination for invasive species control. The approved maintenance work is only for those areas identified on the referenced plans, and does not include bridge and road work on Park and Morgan Streets. It does not include property across College Street, nor the golf course and related property.

These Orders reference the information provided in the Notice of Intent filed July 17, 2008 and revised sections, and the final approved plans dated 10/3/08 and cited in this Order.

This Order does not confirm the wetland boundaries shown on the referenced plans, nor does it necessarily portray all the vernal pools or streams present on the properties. For purposes of this maintenance plan the wetland boundaries shown will suffice, but any new work will require specific review of wetland boundaries. This Order does not permit permanent wetland alteration, other than very minor "in-situ" replacement. This Order does not permit new impervious surface or any new stormwater discharge points in the buffer zone, Riverfront Area or other resource areas.

This Order shall be good for five (5) years, until 2013. It includes the following Special Conditions 19-46, and the attachment entitled "Maintenance and Repair Work permitted on the Mount Holyoke College Campus under General Maintenance Order of Conditions # 288-396".

The applicant shall comply with all conditions indicated with a check mark:

ADMINISTRATIVE

- 19. The Complete Notice of Intent, approved Site Plans and the Order of Conditions shall be included in all construction contracts/subcontracts for the proposed work superseding all other contract specs.
- 20. Prior to site work, the applicant shall schedule an on-site pre-construction meeting to review the Order of Conditions with a representative of: the Commission, contractor, construction supervisor, wetland specialist (if applicable) and any other individual involved in managing project site work. At this time the applicant shall provide the Commission in writing with the name, title, affiliation, business address, telephone numbers (24 hours/day) and fax number of the project supervisor or other reasonable individual having daily control over the site and responsibility for ensuring on-site compliance with this Order.
- 21. The Conservation Commissioners or Agent shall have the right to halt all work on the site if the Commissioner or Agent determines that any of the work is not in compliance with the Order of Conditions. Work shall not resume until the Commission is satisfied that compliance has been achieved.
- 22. The applicant and contractor shall be responsible for maintaining a copy of the Order of Conditions on site and shall be responsible for compliance with them.
- 23. This Order applies only to the work permitted. The Commission reserves the right to impose additional conditions on any portions of the project that could impact an area of statutory interest.
- 24. The Commission shall be notified at least forty-eight (48) hours before work on the site begins.
- 25. If any alteration of the wetland/resource area occurs other than what is permitted within this Order, the Conservation Commission shall impose such measures as it finds necessary to protect and restore those areas.
- 26. If approved changes to the original plan occur during construction, an as-built plan of the project shall be submitted to the Conservation Commission for review and approval prior to the issuance of a Certificate of Compliance.

EROSION AND SEDIMENTATION CONTROLS

27. Prior to the start of construction, adequate erosion and sedimentation control measures as specified in the Notice of Intent shall be implemented and maintained until the site has become stabilized with permanent vegetative cover and a final inspection made by the Conservation Commission. Said erosion control measures must be inspected by the Commission or its Agent prior to the commencement of work, with approval indicated below:

Signature of Commission Member or Agent

Date

28. The erosion and sedimentation barrier shall serve as the alteration limit line. No site disturbance shall be permitted beyond this limit including, but not limited to: cutting vegetation, stockpiling materials, movement of equipment, grading, mowing, stockpiling of snow.
29. An adequate stockpile of erosion control materials shall be maintained on site for emergency or routine replacement and shall include materials to repair silt fences, haybales, stone riprap filter dikes or any other devices to be used during construction.

ON-SITE CONSTRUCTION

30. Servicing of equipment (fueling, changing, adding or supplying lubricants or hydraulic fluids) must be done outside the 100-foot Buffer Zone.
31. The construction site shall be left in a stable condition at the close of each day. Construction refuse and debris shall be removed daily. The Conservation Commission may require specific approval of the disposition of such materials prior to the start of construction.
32. During snow removal operations, snow shall not be deposited within an area of statutory interest.
33. All work within an area of statutory interest shall minimize disturbance to existing vegetative cover (except as permitted) and contours.
34. Used petroleum products resulting from the maintenance of construction equipment shall be collected and disposed of off-site. No on-site disposal of these items is allowed.

The applicant shall comply with the following additional conditions (if applicable):

35. The Conservation Commission encourages the upgrading of stormwater management systems and structures as opportunities arise with repairs and new building on campus.

36. The College shall maintain and repair all stormwater management structures and supporting drainage systems and follow best stormwater management practices to ensure serviceability during operation as designed. Catch basins within the 100' buffer zone or 200' Riverfront shall be inspected and cleaned on at least a semi-annual basis.

37. Vehicle and equipment washing shall be performed on the side of the Kohler maintenance building in an area that will not allow soapy water to drain directly into wetlands and waterbodies.

38. Heavy equipment and vehicles shall not be stored overnight or longterm on unpaved areas within the 100' buffer of wetland resource areas on campus.

39. The College shall follow the DEP guidelines for storing road salt and snow disposal.

40. The College shall use only slow-release organic granular type fertilizers within the 50' Conservation Zone of Stony Brook, the Lakes and associated Bordering Vegetated Wetlands. The College may request exceptions to this rule from the Commission for special circumstances, when use of other types are shown to

be more beneficial to the nearby wetlands and waterbodies.

41. No dumping of leaves, grass clippings, brush, or other debris into wetlands, streams or other waterbodies, or within 50' of the aforementioned.

42. The College is encouraged to certify the vernal pools on campus property.

43. The College is encouraged to take care of the Bicentennial Tree, located near the Kohler Building on Morgan Street, and is permitted to carefully remove undergrowth, vines, and other vegetation that would hinder its growth and health.

44. Removal of beaver dams requires a separate Notice of Intent.

45. The Commission requests copies of any water quality monitoring reports, wildlife habitat surveys, plant surveys and other wetland related research reports completed by academic staff for wetland resource areas and buffer zones on campus.

46. No digging, filling, clearing of vegetation or other alteration in wetlands and water bodies on campus except as permitted in the attached "Maintenance and Repair Work permitted on the Mount Holyoke College Campus under General Maintenance Order of Conditions # 288-396".

Maintenance and Repair Work permitted on the Mount Holyoke College Campus under General Maintenance Order of Conditions # 288-396.

Work in CATEGORY 1 does not require prior notice of the Conservation Commission, shall be done as needed, and shall follow the measures listed here and in the Order of Conditions.

Work in CATEGORY 2 includes work that does not require prior notice and approval as well as some that does, as described below. Some additional permitting may be required.

CATEGORY 1

A. Lawn and landscape maintenance

Lawn mowing, pruning in landscaped areas, and planting of native species are exempt activities. Conversion of impervious surfaces to lawn, such as removing or relocating a paved pathway, is also exempt. Additional lawn maintenance will include fertilizing, removal of leaves and debris, aeration, and occasionally rehabilitation by roto-tilling and reseeding bare areas. Maintenance of landscaped areas includes fertilizing, as well as mulching (compost, wood chips, or shredded bark) and planting and removal of landscape plantings. Fertilizing shall be done sparingly within the 50 foot buffer zone of wetlands and water bodies, and in accordance with all manufacturers' specifications. Conversion of pavement to lawn, or rehabilitation of lawn which includes disturbance of the soil, will only be performed after installation of appropriate erosion control measures.

B. Roadway, parking lot, and paved walkway maintenance

Maintenance of existing paved campus roads, parking lots, and walkways within the Riverfront Area is an exempt activity. Maintenance within the existing footprint of these paved areas includes work on the existing drainage system, patching of potholes and cracks, repaving, installation and repair of curbs, painting of lines, and installation and maintenance of accessory features such as fences, signs, guardrails, litter receptacles, and street lamps. Proposed work also specifically includes installation of a new catch basin in the parking lot south of the Kohler building, to improve stormwater quality. This work will be performed when an opportunity arises to combine it with other improvements to the parking lot.

Snow removal, sanding, and salting are necessary in winter. The College does not remove snow and transport it to a separate storage area. Snow is plowed to adjacent areas, onto permeable surfaces. Snow shall be plowed away from waterways and wetlands. Streets shall be swept at least once a year in the Spring to remove sand, which is stored and used as fill in underground utility excavations. Salt will be used carefully on roads and paths within the 100' buffer zone and 200' Riverfront Areas. Salt will be stored in a manner that will prevent it washing into wetland resource areas. Paved surfaces are colored dark gray on the referenced plans.

C. Unpaved road and path maintenance

Unpaved roads and walkways are largely surfaced with stone dust, although some sections have a gravel or unimproved soil surface. Unpaved campus ways are often subject to multiple uses, with vehicle access to some sections, and use by equestrians in others. Maintenance includes filling of holes and gullies with stone dust, gravel, or wood chips; removal of stones brought up by frost action; trimming of vegetation; removal of downed trees and limbs; installation and

repair of fences, signs, and litter receptacles; and occasional painting of directional arrows for runners. It also includes installation and repair of small stone drains, where surface water would otherwise wash across the path and move sediment. Unpaved paths are colored light gray on the referenced plans.

D. Clearance of waterways, paved swales and culverts

Stormwater runoff tends to concentrate leaves, sediment, and debris at the end of paved swales and at the inverts and outlets of culverts and pipes. These accumulations are routinely removed in order to keep paved swales and culverts clear, so that stormwater does not seek new flow paths and cause erosion. Occasionally, debris or driftwood may become lodged in streams or Stony Brook, especially near the dams. This debris tends to accumulate more debris and form blockages. Such material may be removed from the water or Bank with hand tools, in order to preserve free-flowing conditions. The material removed is transported to an upland disposal location.

This Order does not include repair, replacement or new installation of culverts.

E. Maintenance of tennis courts

Tennis courts are located within the 100 foot wetland buffer zone north of Upper Lake. Maintenance of tennis courts includes sealing cracks in the court surface, repainting court lines, and repair of the nets and fences.

F. Equestrian center activities

Portions of the equestrian center are located in the outer limit of Riverfront Area on the east side of the facility, in the buffer zone of a small intermittent stream and associated wetlands on the south side, and in the buffer zone of wooded slope wetlands and a small wet meadow area on the north and west side. Some turn-out paddocks are located in the Riverfront Area. Unpaved parking, paved and unpaved roadways, paddocks, manure storage, and sheds are within the buffer zone. A temporary stabling and overflow parking area, which is used for larger equestrian events, is located on the south side of the stream. Manure and bedding material is collected in horse stalls and stored in a three-sided concrete structure. This material is removed from the site regularly and is not allowed to exceed the capacity of the manure storage structure. Turn-out paddocks and sheds are repaired and maintained. Uneven ground used for equestrian activities may be filled or re-graded.

No equestrian events shall take place in wetlands or stream. No new clearing of vegetation, grading or other alteration of the 50 foot Conservation Zone for expansion of facilities such as paddocks, parking, or storage.

G. Canoe docks

The seasonal canoe docks are located in Upper Lake. They are bolted to anchors on the shore, and placed in the lake in the spring, and removed each fall. All major maintenance to the docks is performed after they have been removed from the water.

H. Maintenance of irrigation vault

The irrigation vault is a concrete structure located near the canoe docks in Upper Lake. It was

placed on the bottom of the lake to house a line which provides irrigation water to the athletic fields. The intake line is placed underwater during warm weather and removed in the fall. Normal maintenance may include removing organic debris from the vault. Repairs to the vault and surrounding filtration stone are conducted on an as-needed basis.

I. Maintenance of spillway boards

Wooden boards located on the top of Upper Lake Dam control the water level in the lake. They were designed to be a breakaway structure in times of flooding. The wooden boards need occasional repair or replacement. It is proposed to continue maintaining the existing wooden spillway of Upper Lake Dam by replacing or repairing boards as needed.

Any long term change in the placement of the boards that results in a change in the flow to Stony Brook is not included in this Order, and will require prior notification and approval of the Conservation Commission.

J. Sandbagging during floods

In very heavy rains, every few years, floodwaters have risen to a level where sandbagging has been conducted along Willits Middle Dam. The purpose of the sandbag placement is to preserve the integrity of the existing Banks, and to prevent erosion of adjacent lawn and plantings. Sandbags are removed as soon as floodwaters have subsided.

K. Ice skating

When conditions allow, Upper Lake and Lower Lake are used for ice skating. It will occasionally be necessary to remove snow from the ice surface. All benches and materials placed on the ice should be removed before ice melt.

L. Removal of upland invasive, exotic, and noxious vegetation

A number of invasive, exotic, and noxious plant species have been identified on the Mount Holyoke College campus, with a particular concentration along the Stony Brook corridor in the middle of the campus. A list of invasive and noxious species is found in the Notice of Intent. Included in the list is one native species which the college would like to control in the central campus, Poison Ivy (*Toxicodendron radicans*).

Removal of invasive and noxious plants by hand pulling and hand tools shall continue around Lower Lake, and expanded to the rest of the campus. The various methods of control for each species are detailed in Appendix D of the Notice of Intent. Removal of woody species will be by cut-stem technique, applying herbicide by hand to the woody stub. Herbicides will only be applied by licensed Massachusetts applicators with experience in wetlands. Due to the proximity of the proposed work to wetland resource areas, the herbicides marketed as Rodeo and Renovate are used, as they are effective on the targeted plants and are approved for use in wetland resource areas in MA. Work will be conducted in small sections at a time.

Treatment areas will be monitored and possibly re-treated in order to control sprouting of species that are difficult to control. Control of newly germinated seedlings will need to be conducted for several years following initial herbicide application, with additional herbicide or hand pulling, as appropriate. Treatment will be scheduled when the forecast calls for little or no precipitation in

order to increase the efficacy of the treatment. When trees, shrubs, or extensive patches of herbaceous vegetation are removed, they will be replaced with native plants as soon as possible, and at least by the same growing season. If bare areas are created, temporary erosion control measures shall be taken to ensure no adverse impact on the resource areas. When replacement plantings are necessary within wetlands or on Bank, a plant list will be submitted to the Conservation Commission for approval.

M. Aquatic weed control

Because of its shallow depth and high nutrient levels, Lower Lake has had a chronic problem with algae blooms and excessive growth of leafy aquatic vegetation, including some invasive species. Among the alien species of aquatic plants found in this lake are Water Chestnut (*Trapa natans*), Eurasian Watermilfoil (*Myriophyllum spicatum*), and Curlyleaf Lakeweed (*Potamogeton crispus*). As a result, the College has routinely taken measures to control vegetation, including the installation of aerators, treatments with alum and herbicides, and harvesting of weeds mechanically and by hand. This latter control is typically done by students in canoes. These measures have largely been successful, so that annual treatments are now routine and use only maintenance doses of chemicals. All herbicide work will be conducted by licensed Massachusetts aquatic applicators. Routine work includes maintenance and repairs to the existing aeration equipment, and application of herbicide and algaecide in late spring and, if needed, later in the summer. The Conservation Commission is notified before treatments begin, and a post-control report is submitted in the fall.

Upper Lake was dredged approximately 20 years ago and has few aquatic weeds, save for water chestnut which is harvested by hand. Invasive species are evaluated by periodic inspections within Upper Lake.

The College will continue annual lake treatments to control nuisance vegetation. The Conservation Commission will be notified beforehand about the types of treatment proposed and the conditions which require it. The Commission will be provided with a report following completion of all treatments, which will detail the status of lake vegetation. An annual permit for the application of herbicides is required from the Commonwealth, and copies of this permit will be provided to the Commission.

Refueling, servicing and repair of watercraft and service vehicles will take place at least 100 feet from the boundary of the lake and associated wetlands.

N. Eelway maintenance and operation

A structure which is designed to help transport American Eels past the Lower Lake dam has been in place on the dam during eel migration season in the spring. It consists of a wooden ramp, a pump which creates a flow along the ramp, and a 30 gallon tank at the top of the ramp, along with supporting structures attached to the dam. Any eels which make it to the tank are hand-carried past the dam in buckets. The pump, ramp, and tank are removed after the eel migration season.

Mount Holyoke College will continue use of the eelway, and repair its components, without special notice to the Commission. Any expansion of the footprint of the structures will require

prior notification and approval of the Conservation Commission.

CATEGORY 2

O. Maintenance of Stony Brook dams

In accordance with the requirements of the Office of Dam Safety, and recommendations by Tighe and Bond, consulting engineers, the College has begun removing woody vegetation on specifically designated banks of the three campus dams as a safety measure since 2007. The College is committed to maintaining the structural integrity of the dams, and intends to continue with this work. The banks where woody vegetation must be controlled are shown on the approved plans.

In addition, Tighe and Bond recommended that the low flow gates and outlets be inspected on the Upper Lake and Lower Lake dams. Part of this work will be performed by a diver in the water, who might clear debris from the openings. Minor repairs to the concrete surface of the dams, on dry exposed surfaces only, are included as well.

The Conservation Commission must be notified of any dam maintenance work that requires large releases of water down stream, or the holding back of significant flow from Stony Brook. Depending on the nature and duration of the change in flow, additional paperwork for permitting may be required.

P. Removal of storm damaged, dead, or hazardous trees

Trees which are dead, damaged, or unstable pose a danger to the students and passersby. The maintenance department routinely removes trees which may fall or drop branches where pedestrians are passing, throughout the central part of campus and along pathways. Trees which threaten the stability of lake or stream Banks may also be cut, *with prior notification and approval of the Commission*. Dead and dying trees within undeveloped areas are left standing for their habitat value.

The College may also remove dead trees and branches along a utility easement which runs from the Gorse Garage to the Kohler parking lot, across Stony Brook, and conduct periodic trimming of branches close to the transmission lines. No live trees, shrubs, or herbaceous vegetation will be cut, and no herbicides used. Dead trees or branches which are in no danger of falling across transmission lines will be left in place. No vehicles or heavy equipment will be introduced into this utility corridor, work will be done using chain saws from the ground or by climbers.

“Safety pruning” of trees along paths and roadways and around campus, to preserve sight lines and the effectiveness of security lighting, is also permitted on an as-needed basis. The removal of hazardous trees within the 100’ buffer zone and 200’ Riverfront Area will be allowed, provided the tree is not within the Town of South Hadley 50 foot Conservation Zone.

Removal of hazardous trees within the 50’ Conservation Zone, on Bank, or in wetlands, including maintenance trimming along the Gorse-Kohler utility corridor, will be subject to prior notification and approval of the Conservation Commission, unless they pose an immediate threat to public safety.

For the purposes of this Order, a “tree” is any woody vegetation over 20 feet tall, including saplings.

Q. Cutting of trees in landscaped areas

Pruning of trees in landscaped areas is an exempt activity under the Wetlands Protection Act. Occasionally, changes in a landscape plan may call for removal of an inappropriate tree within the developed part of the campus. Such removal is allowed as needed within the 100’ buffer zone or 200’ Riverfront Area, provided the tree is not within the town wetland bylaw’s 50’ Conservation Zone.

No removal of trees within the 50’ Conservation Zone, Bank, or wetlands without prior notification and approval of the Conservation Commission, to ensure that the trees proposed for removal are non-native or invasive, not significant to wildlife habitat or have other important cultural and historical interests, and that the removal will not have an adverse impact on any of the wetland resource areas.

R. Maintenance of unpaved drainage ways

Unpaved drainage ways serve as stormwater conveyances (e.g. roadside ditches carrying runoff from paved surfaces). Drainage ways downgradient of wetlands are intermittent streams under the Wetlands Protection Act, and subject to jurisdiction. In addition, drainage ways flowing into wetlands from upgradient are also protected under the South Hadley wetlands bylaw. In order to keep the drainage ways running freely and prevent flooding of paths or blocking of downstream culverts, it is necessary from time to time to remove accumulations of leaves, debris, and sediment. This maintenance will be performed with hand tools only, and removed materials relocated to an offsite upland disposal area.

Any excavation of drainage ways which requires the use of power equipment is subject to prior notification and approval of the Conservation Commission.

S. Maintenance and repair of culverts

Existing culverts under roadways and paths vary from very old stone culverts to small plastic pipes to larger corrugated steel or reinforced concrete pipes. When culverts fail, the result could be erosion of adjacent resource areas such as Bank, flooding of pathways, or sedimentation of wetlands, all of which should be avoided. Whenever possible, culverts with broken or eroded ends will be repaired. If erosion is a problem at the end of the culvert, additional energy-dissipating stone may be added in the immediate area to solve the problem. Replacement stone will be of similar type and size. Similarly, areas which have been subject to sediment accumulation may be cleaned out. All culvert work will be performed with appropriate erosion and sedimentation controls.

Any repair of culverts involving Bank, wetland, or water is subject to prior notification and approval of the Conservation Commission before work commences. Replacement of existing culverts or installation of new culverts will require additional permitting.

T. Maintenance, replacement, and addition of underground utilities in developed areas

Conduits and pipes carrying gas, water, waste, steam, electricity, and telecommunications cables

are located underground on the Mount Holyoke College campus. Water pipes carry potable water, chilled water for air conditioning, fire protection water, irrigation water, and stormwater. Access to these utilities often requires excavation. This will be required whenever maintenance (such as unblocking a grease trap), repair (as to a leaking steam line), replacement (as for a corroded pipe), or additions (such as extension of telecommunications conduit) are needed. *It is understood that excavation in water, Bank, and wetlands will require the filing of a separate Notice of Intent.*

Work on underground utilities may also involve existing structures which are at the surface (such as manholes) and above the surface (utility and light poles, for example). Maintenance of these types of structures and excavation for utilities within the 100 foot buffer zone and 200' Riverfront Area are permitted, when it is within areas covered by pavement, mown lawn, landscaped gardens, and other previously developed areas. When paved areas surrounded by curbing are excavated, sediment control at all catch basins will be used. Other areas will be protected by appropriate erosion control devices.

Any projects which require excavation within the 50' Conservation Zone will require prior notification and approval of the Conservation Commission before work commences. Likewise, any projects that require excavation in the 100' buffer zone or 200' Riverfront Area in naturally vegetated areas will require prior notification and approval of the Conservation Commission.

U. Bridge maintenance

The bridges on the Mount Holyoke College campus include pedestrian walkways near the Lower Lake and Middle Pond dams, Prospect Hall Bridge between the Middle Pond dam and Lower Lake, and an unnamed bridge over Stony Brook east of Upper Lake. The latter two bridges transport vehicles as well as pedestrians. The structure and surfaces of these bridges are subject to periodic maintenance such as painting and replacement of worn components. In addition, all four bridges also support campus utilities such as steam, potable water, fire protection water, telecommunications, sanitary sewer, and electrical lines. These conduits are also subject to periodic maintenance. Bank, wetlands and water are found under and near these bridges. *Any major structural work on these bridges will be subject to the filing of an individual Notice of Intent.* For minor periodic maintenance or as-needed repairs which might dislodge paint, rust, or component materials, canvas or plastic tarps would be suspended under the structure, or supported on staging, so that all loose materials are collected and removed for proper disposal offsite. No permanent alteration of any resource area will result. Impacts due to placement of staging and tarps will be minor and temporary.

Any project which requires work over water and tarping will be subject to prior notification and approval of the Conservation Commission before work commences.

STORMWATER MANAGEMENT

EROSION & SEDIMENT CONTROL PROCEDURES

Facilities Management employees working in or near wetlands are furnished with a map depicting the location of wetlands, buffer zones, and Riverfront Area, and are instructed to perform no work in these areas without notifying the Facilities Management Resource Protection Coordinator, and no soil-disturbing work without installing proper erosion and sediment controls. College grounds maintenance vehicles will all have a copy of the protection area map. Outside contractors have a section of their contract with the College specifically covering resource protection.

The erosion, sediment, and pollution control section of the contract, and instructions to College employees, includes the following points:

- Schedule/phase work to minimize exposed soil
- Install and maintain silt fences around all areas with exposed soil
- Install and maintain a “sock” in every catch basin in the vicinity of project
- Inspect silt fences and catch basins at least weekly and after each rain event
- Avoid placing soil piles on paved surfaces
- Divert rainwater around soil piles which must be placed on pavement
- Hydroseed, tackify, or mulch sloping exposed soil areas as soon as possible
- Maintain a spill cleanup kit that includes several bags of absorbent and a temporary catch basin cover
- Report all hazardous material releases, including oil, immediately to Facilities Management, or after hours to Public Safety
- Design stormwater collection systems to introduce stormwater runoff back into the soil where soil conditions allow...if recharge is not feasible, divert runoff to stormwater collection systems to prevent overland flow to water bodies.

One purpose of the notification policy for sensitive maintenance work is to allow Conservation staff to inspect and approve sediment control barriers before work begins. Barriers are left in place until all exposed soil surfaces are stabilized and re-vegetated. The College will not use haybales (which contain weed seeds), but will use straw bales, straw wattles, or other weed-free erosion controls in lieu of haybales.



WPA Form 5 - Order of Conditions

Massachusetts Wetlands Protection Act M.G. L. C. 131 S. 40

Town of South Hadley Wetlands Protection Bylaw

D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? Yes No

2. The South Hadley Conservation Commission hereby finds (check one that applies):
Conservation Commission

a. That the proposed work cannot be conditioned to meet the standards set forth in a municipal law, ordinance or bylaw specifically

1. Municipal Ordinance or Bylaw

2. Citation

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards and a final Order of Conditions is issued.

b. that the following additional conditions are necessary to comply with a municipal law, bylaw or ordinance specifically

1. Municipal Ordinance or Bylaw

2. Citation

3. The Commission orders that all the work shall be performed in accordance with the said additional conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

The special conditions relating to municipal law, bylaw or ordinance are as follows:



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions
 Massachusetts Wetlands Protection Act M.G. L. C. 131 S. 40

DEP File Number
288-396
 Provided by DEP

E. Issuance

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4 from the date of issuance.
 Please indicate the number of members who will sign this form:
 This Order must be signed by a majority of the Conservation Commission.

12/16/08
 1. Date of Issuance
5
 2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy must be mailed or hand delivered at the same time to the appropriate regional office of the Department of Environmental Protection, if not filing electronically (see Appendix A), and the property owner, if different from the applicant.

Signatures:

<u>John Fleming</u> John Fleming	<u>James J. Canning</u> James J. Canning
<u>Bradford Allen</u> Bradford Allen	<u>Arthur J. Jackson</u> Arthur J. Jackson
<u>Dennis J. Swartwout</u> Dennis J. Swartwout	

Notary Acknowledgement

Commonwealth of Massachusetts County of Hampshire
 On this 16th Day of December Month, 2008 Year

before me, the undersigned Notary Public, personally appeared

John Fleming
Name of Document Signer

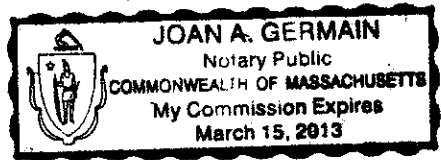
proved to me through satisfactory evidence of identification, which was/were

Mass Drivers License
Description of evidence of identification

To be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

As member of South Hadley
City/Town

Conservation Commission



Joan Germain
Signature of Notary Public

JOAN GERMAIN
Printed Name of Notary Public

3-15-13
My Commission Expires (Date)

Place Notary seal and/or any stamp above

This Notification is issued to the applicant as follows:

by hand delivery on

by certified mail, return receipt requested on

Date

12/16/08
Date



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

MassDEP File #

288-0396

WPA Form 5 - Order of Conditions

Massachusetts Wetlands Protection Act M.G. L. C. 131 S. 40

Town of South Hadley Wetlands Protection Bylaw

F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate DEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03 (7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant if he/she is not the appellant. Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order or Determination, or providing written information to the Department prior to issuance of a Superseding Order or Determination.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131 s. 40) and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.

Section G, Recording Information is available on the following page.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

MassDEP File #

288-0396

WPA Form 5 - Order of Conditions

Massachusetts Wetlands Protection Act M.G. L. C. 131 S. 40

Town of South Hadley Wetlands Protection Bylaw

G. Recording Information

This Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information shall be submitted to the Conservation Commission listed below.

South Hadley Conservation Commission

Conservation Commission

Cut on the dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission

To South Hadley Conservation Commission

Conservation Commission

Please be advised that the Order of Conditions for the project at

Mount Holyoke College

288-0396

Project Location

MassDEP File Number

has been recorded at the Registry of Deeds of

Hampshire

County

Book

Page

For:

Property Owner

and has been noted in the chain of title of the affected property in

Book

Page

In accordance with the Order of Conditions issued on

12/16/2008

Date

If recorded land the instrument number which identifies this transaction is

Instrument Number

If registered land the document number which identifies this transaction is

Document Number

Signature of Applicant