

# Waite Pond Task Force

## Action Plan

February 2009

## Waite Pond Task Force

### CURRENT SITUATION

February 2009

The Town of Leicester took control of the dam at Waite Pond by tax title in 2005. A superficial visual examination of the dam reveals that the structure and its appurtenances do not meet current dam safety requirements. Simple flash boards atop the spillway hold back millions of gallons of water. The roof, and likely the floor, of the gate house are completely rotted away and the structure is leaning. It is not known whether the low level outlet valve is accessible or operable. The Massachusetts Office of Dam Safety is strictly enforcing regulations that went into effect in November 2005 that require dam owners to keep their dams in good condition and in compliance with dam safety regulations.

The Town has been served with a Certificate of Non-compliance and Dam Safety Order dated February 22, 2008 by the Department of Conservation and Recreation, Office of Dam Safety. This Order is based on the results of a 1998 inspection of the dam by the engineering firm Haley and Adrich in which the dam was found to be "Structurally Deficient and in Poor Condition." The dam was found to be in need of repair, breaching or removal to bring the dam into compliance with dam safety regulations.

Dams that are judged to be in "poor" condition must be visually inspected every six months. The first such inspection was to be completed and a report submitted to the Office of Dam Safety no later than May 31, 2008. The Town has failed to supply two six month inspections to date. Further, the Town was required to hire a qualified professional engineer to perform a Phase II investigation. The investigation was to commence prior to August 15, 2008 and be completed not later than November 30, 2008. These deadlines were not met. Lastly, the Order requires that the Town bring the dam into compliance and complete repairs, breach or removal work no later than November 30, 2009. The Town has been granted a requested extension on the August 15, 2008 deadline to the Annual Town Meeting in the Spring of 2009. The engineering firm of Fuss and O'Neill of West Springfield has provided a proposal to complete Phase II work.

The Phase II Investigation will include subsurface investigations of the make-up of the dam and surrounding soil, topographical surveys and wetland identification in the area surrounding the dam, analyses to determine the stability of, and seepage through, the dam, hydrologic and hydraulic analyses to determine spillway capacity, and construction cost estimates to bring the dam in compliance with dam safety regulations through repair or breaching.

Analyses performed a number of years ago to measure the effects of run-off pollution from the former landfill revealed concentrations of harmful chemicals in the soil beneath the pond and in the fish population. Further, according to local knowledge, the pond was harmed as a result of siltation run-off from new home construction sites.

There is no pond association on Waite Pond and there is currently no organized effort to protect, maintain, or save this body of water.

It is apparent that some unknown, but relatively large, sum of money will be required to make the dam safe and code compliant. The Town will soon be faced with difficult decisions and must make proposals to the next Town Meeting in the Spring of 2009. Options to be explored include seeking complete or partial financial participation by the direct abutters through formation of a Watershed District. Other sources of financial support should also be pursued.

# Waite Pond Task Force

## WORK PLAN

### Phase A - In preparation for Annual Town Meeting

#### TASK 1. OUTREACH AND INFORMATION GATHERING

Reach out to the direct abutters of the pond to seek their input regarding the past and future of the pond. Gather local knowledge regarding the extent of recreational usage, the history of harmful effects on the pond, and the history of the dam and dam maintenance. Educate the abutters through informational mailings and meetings regarding dam repair/breach options and the financial implications of each.

Responsibility: Waite Pond Task Force

Resources: Three mailings to 50 abutter households at \$0.42 each for postage. Two or more meetings with abutters. Minor printing costs for mailer and hand-out material.

#### TASK 2: REVIEW ENGINEERING INSPECTIONS AND PROPOSALS

Review 1998 Inspection/Evaluation Report as performed by Haley and Aldrich for the DEM. Review Phase II Inspection/Investigation proposal(s).

Responsibility: Waite Pond Task Force and Town Administrator

Resources: Minor copying expenses

#### TASK 3: POND ASSOCIATION

Encourage the formation of the Waite Pond Association through mailings and meetings.

Responsibility: Waite Pond Task Force

Resources: Mailing costs contained in TASK 1

#### TASK 4: WATERSHED DISTRICT

Encourage formation of Watershed District with assistance of Waite Pond Association.

Responsibility: Waite Pond Task Force

Resources: Mailing costs borne by Association

TASK 5: CONSERVATION COMMISSION

Hold meetings with ConCom to keep them informed regarding issues and costs facing Town.

Responsibility: Waite Pond Task Force

Resources: Minor copying costs

TASK 6: WATER QUALITY

Collect and analyze water samples with assistance of Mass Waterwatch Partnership to measure water quality. Compare to samples taken previously.

Responsibility: Waite Pond Task Force

Resources: Laboratory analysis costs

TASK 7: SOIL SAMPLING

Collect and analyze soil samples from the lake bottom to detect the presence, if any, of harmful chemicals originating from former landfill. Compare to samples taken previously.

Responsibility: Waite Pond Task Force

Resources: Laboratory analysis costs

TASK 8: POND DEPTHS

Gather pond depth data to determine extent of sedimentation pollution, if any, through use of fishermen's depth finder

Responsibility: Waite Pond Task Force

Resources: Volunteer fisherman with depth finder

TASK 9: AQUATIC PLANT SURVEY

Perform aquatic plant survey with assistance of Department of Conservation and Recreation.

Responsibility: Waite Pond Task Force

Resources: Volunteer plant collectors

TASK 10: FISH SURVEY

Perform informal fish survey to identify species of fish in pond and the health of this fish population with respect to presence of mercury and other harmful chemicals with assistance of Massachusetts Fish and Game. Compare to previous analyses.

Responsibility: Waite Pond Task Force

Resources: Local volunteer fishermen and laboratory analysis costs

#### TASK 11: REVIEW PHASE II INVESTIGATION REPORT

Review recommendations of qualified engineering firm upon completion of mandated Phase II Inspection / Evaluation report.

Responsibility: Waite Pond Task Force and Town Administrator

Resources: Minor copying costs

#### TASK 12: BREACH IMPACT

Based on the data gathered in Tasks 6, 7, 8 and 10, prepare a report identifying probable impacts to the Blackstone River and the wetlands under and surrounding Waite Pond resulting from a controlled draw down and planned dam breaching.

Responsibility: Waite Pond Task Force with the assistance of the Leicester Conservation Commission, and the Massachusetts Department of Environmental Protection

Resources: Minor copying costs

#### TASK 13: PRELIMINARY FINANCIAL IMPACTS

Assess the financial impacts on the Town associated with repairing or breaching the dam.

Responsibility: Waite Pond Task Force and Town Administrator

Resources: Minor copying costs

#### TASK 14: RESULTS PRESENTATIONS

Make presentations to Town Administrator and Selectmen to report results of task force activity.

Responsibility: Waite Pond Task Force and Town Administrator

Resources: Minor copying costs