



**WESTFIELD RIVER
WILD AND SCENIC RIVER EVALUATION**

DRAFT 12/18/2002

**Findings regarding the Commonwealth of Massachusetts'
application for expansion of the
Westfield River's Wild and Scenic Designation**



**National Park Service
Northeast Region
Boston, Massachusetts**

**EVALUATION OF THE WESTFIELD RIVER FOR EXPANSION
OF ITS NATIONAL WILD AND SCENIC RIVER DESIGNATION**

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EXECUTIVE SUMMARY

The Proposal

On behalf of the Commonwealth of Massachusetts, Acting Governor Jane Swift has proposed to the Secretary of the Interior that additional segments of the Westfield River and its headwater tributaries in Massachusetts be included in the National Wild and Scenic Rivers system under Section 2(a) (ii) of the National Wild and Scenic Rivers Act. This proposed designation expansion would add 34.8 river miles to the existing designated area of 43 river miles, including 19 river segments in five communities. In 1993, 43 miles of the Westfield River's East, Middle and West Branches in the towns of Becket, Chester, Chesterfield, Cummington, Middlefield and Worthington were designated as the first National Wild and Scenic River in Massachusetts.

As required by Section 2(a) (ii), future river management will be accomplished through state and local mechanisms. The federal government's role will be to ensure federal consistency with state and local protection efforts.

This report is the National Park Service's evaluation of the Commonwealth of Massachusetts' proposal.

Evaluation Procedure

Section 2(a) (ii) provides for administrative designation by the Secretary of the Interior if the river in question meets the following requirements:

- 1) the river must have been designated as a state wild, scenic or recreational river by or pursuant to an act of the state legislature;
- 2) the river must be administered by an agency or political subdivision of the state;
- 3) the river must meet the eligibility criteria required of all national wild and scenic rivers, i.e. it must be free-flowing and possess one or more "outstandingly remarkable" resource values;
- 4) it must be demonstrated that the river and any outstanding resources associated with the river will be protected over time.

In addition, the proposal must be evaluated for potential impacts as per the National Environmental Policy Act.

Findings

The following are summary findings regarding each of the above four technical requirements:

- 1) The proposed river segments meet the requirement of having been designated into a state river protection system. Each of the segments is designated a "Local Scenic River" pursuant to Massachusetts Scenic and Recreational Rivers Act.
- 2) The management strategy currently being implemented meets the requirement that the river be administered by the state or a political subdivision. Assignments for

administration and management are described in an intergovernmental Memorandum of Agreement for Protection of the Westfield River amended and signed in 2002. The federal role is limited to processing the Acting Governor's application and, after designation, monitoring federal projects as required by Section 7 of the Wild and Scenic Rivers Act.

- 3) The additional river segments meet wild and scenic river eligibility requirements as each segment is free-flowing and bolsters the outstanding values of the originally designated sections. In addition, the proposed segments of river host a high concentration of outstanding natural, recreational, and/or cultural values – including additional scenic gorges, the historic villages of Huntington and Becket, and habitat to more than twenty rare and endangered species.
- 4) The Massachusetts River Protection Act, the Intergovernmental Memorandum of Agreement, the Westfield River Wild and Scenic Advisory Committee (WRWSAC) and its Action Plans, local river protection bylaws, the Westfield River Greenway Plan and other factors combine to ensure that the river and its outstanding natural, recreational, and cultural values will be protected in the future.

The WRWSAC has taken an active and involved leadership role in managing this resource. Committee members have worked with their Boards of Selectmen to secure community approval of the “Memorandum of Agreement for Protection of the Westfield River,” which serves as the overall management plan for protecting the river. WRWSAC developed a brochure explaining the Wild and Scenic designation for residents within the already designated areas and will update this information should the designation be extended. The designation has been a positive experience for the original communities, evident by the commitment to the WRWSAC and by promoting education, outreach, and stewardship in the designated areas.

Public Attitudes

As demonstrated by both public statements and actions, there is strong, across-the-board support for the proposed designation extension on the part of local government, state agencies, elected officials, environmental and sportsman organizations, and private citizens. This is due to two factors: 1) a broad recognition of the value of the river on the part of local residents and state officials, and 2) the efforts of the Westfield River Wild and Scenic Advisory Committee (its members include representatives of the towns of Becket, Chester, Chesterfield, Cummington, Huntington, Middlefield, Savoy, Washington, Windsor, and Worthington and the Commonwealth of Massachusetts, National Park Service, Pioneer Valley Planning Commission, Westfield River Watershed Association, and The Trustees of Reservations) and other local supporters in crafting management strategies that both protect the river and remain sensitive to the needs of landowners and river users.

Impacts of Designation

An evaluation of the potential impacts of designation extension to the additional segments of the Westfield River and its tributaries concludes that, in comparison to maintaining the status

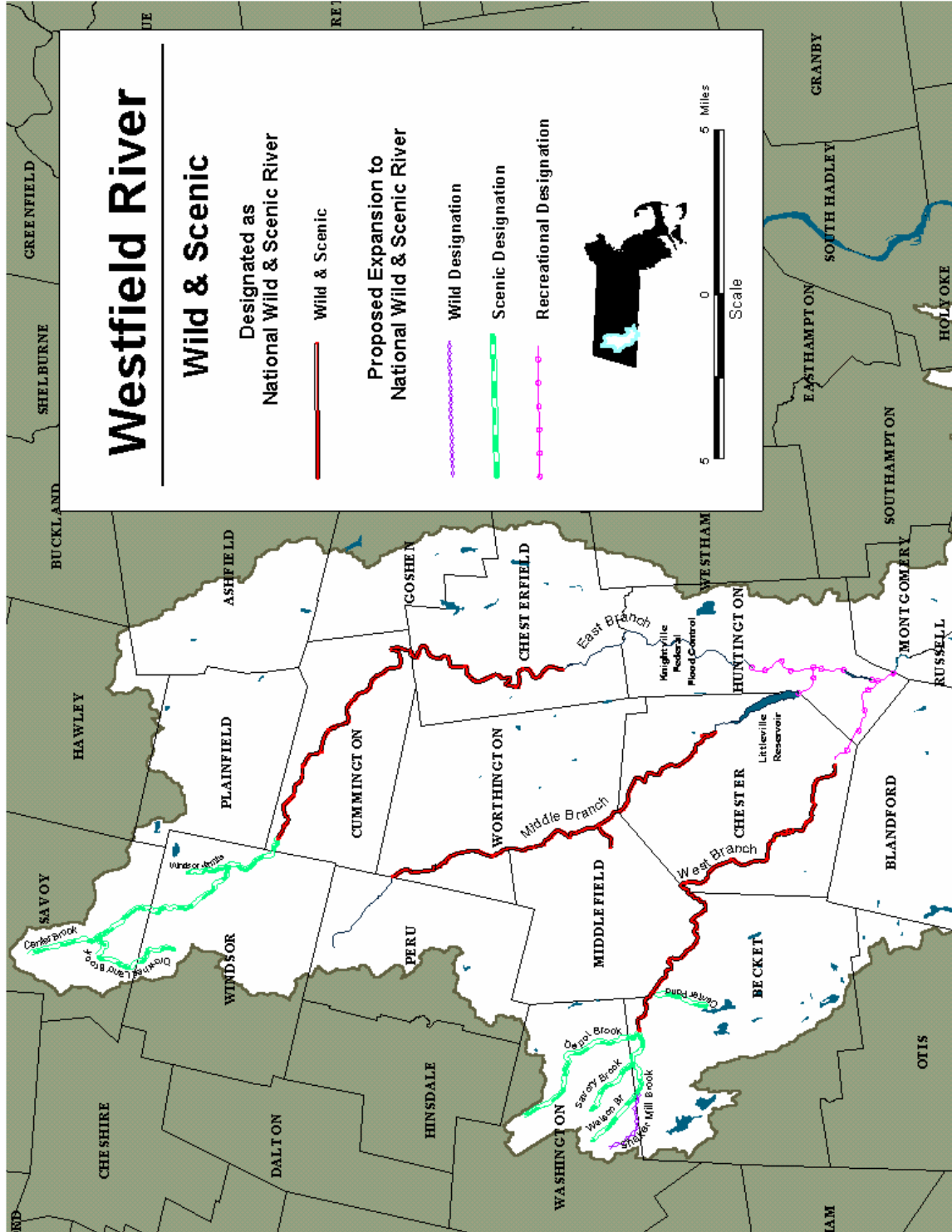
quo, designation provides significant public benefits with few if any negative consequences. Designation is therefore identified as the preferred alternative.

Recommendations

Based on the fact that the Commonwealth of Massachusetts' application has been found to meet the technical designation requirements and that the proposed designation extension has positive public benefits, the National Park Service recommends that the Secretary of the Interior designate all proposed portions of the Westfield River, headwaters and tributaries as additional river miles in the national Wild and Scenic Rivers System.

Further, the National Park Service recommends that the Intergovernmental Memorandum of Agreement, the Westfield River Wild and Scenic Advisory Committee (WRWSAC) and its Action Plans, local river protection bylaws, and the Westfield River Greenway Plan (upon its update to include the new sections) be recognized along with the Massachusetts River Protection Act, as providing the foundation for future management actions.

The following map and chart show the proposed river segments and respective classifications.



INTRODUCTION

On April 26, 2002, Acting Governor Jane Swift of the Commonwealth of Massachusetts petitioned the Secretary of the Interior to extend the Westfield River's Wild and Scenic designation to additional segments of the river and its headwaters under Section 2 (a) (ii) of the national Wild and Scenic Rivers Act. This "Proposal for Expansion of National Wild and Scenic River Designation of the Westfield River" consists of the following main elements:

- A cover letter signed by Acting Governor Jane Swift
- Additional cover letters from: Westfield River Wild and Scenic Advisory Committee; Bob Durand, Secretary, MA Executive Office of Environmental Affairs; David M. Peters, Commissioner, MA Department of Fisheries, Wildlife, and Environmental Law Enforcement; Peter C. Weber, Commissioner, Department of Environmental Management
- A 41 Page Report Entitled, "Proposal for Expanding National Wild and Scenic River Designation of the Westfield River"
- Eight Appendices, including 22 letters of support. These letters include all of the affected communities as well as, their elected state legislative representatives and federal congressional legislators (Senators Kerry and Kennedy, and Representative Olver)

This report assesses the extent to which the proposed additional segments of the Westfield River meet designation requirements as defined in the Wild and Scenic Rivers Act and subsequent agency guidelines. It also describes the potential environmental impacts attributable to the proposed designation expansion.

For a river to qualify under section 2 (a) (ii) four requirements must be met:

- 1) the river must have been designated as a state wild, scenic or recreational river by or pursuant to an act of the state legislature;
- 2) the river must be administered by an agency or political subdivision of the state;
- 3) the river must meet the eligibility criteria required of all national wild and scenic rivers, i.e. it must be free-flowing and possess one or more "outstandingly remarkable" resource values;
- 4) it must be demonstrated that the river and any outstanding resources associated with the river will be protected over time.

EVALUATION OF ELIGIBILITY AND CLASSIFICATION

Eligibility findings will be presented separately for each proposed segment of river, whereas the nomination document is organized by each resource value. In some cases, this evaluation provides more information on the specific resources of a segment than the nomination document. For each segment, the **free-flowing condition** will be first be determined. Following this, the manner in which the proposed segments' values contribute to the existing designated sections' **outstandingly remarkable scenic, historic, biologic, geologic, wildlife, and/or recreational values** will be described. Finally, the proposed **wild, scenic or recreational classification** for each section is listed following its eligibility findings.

Some areas have individual attributes that are outstanding in their own right, other areas contribute overall to the entire designation – existing and proposed.

All of the proposed river sections are listed as Class B, High Quality Water/Cold Water Fishery areas.

Upper East Branch Westfield River and Tributaries: Drowned Land Brook; Center Brook; Windsor Jambs Brook (*Towns of Savoy and Windsor*)

Free-Flowing Condition

Upper East Branch:

The East Branch from the confluence of Drowned Land Brook in Savoy to the Windsor/Cumington town line is without dams and impoundments. Channel alterations are minimal. Thus it meets the free-flowing eligibility criterion of the Wild & Scenic Rivers Act.

Headwaters Tributaries of the East Branch:

The headwater streams of the East Branch in the towns of Savoy and Windsor, which include Drowned Land Brook, Center Brook, and Windsor Jambs Brook, are without dams and impoundments. Channel alterations are minimal. Thus these streams meet the free-flowing eligibility criterion of the Wild & Scenic Rivers Act.

Outstanding Resources

Scenic Resources

Center Brook and Drowned Land Brook join in the town of Savoy to form the beginning of the East Branch of the Westfield River. These two brooks possess many outstanding scenic resources, including a gorge located near Jackson Road and an extensive wetland on Drowned Land Brook. Savoy State Forest encompasses a large portion of the town and the majority of Center Brook providing many scenic vistas.

Geologic Resources

Windsor Jambs Brook, located in Windsor State Forest, provides a spectacular 25-foot-wide gorge, with 80-foot-high perpendicular granite walls. The brook flows through a series of cascading falls, the highest drop being about 50 feet.

Historic Resources

Many significant historic structures remain in the town of Savoy. The Savoy State Forest includes remnants of cellar holes, stone walls, family graveyards and sawmill sites. In addition, evidence of several mills along the Westfield River and Drowned Land Brook still remain. The First Baptist Church, built in 1804, stands in the Savoy Town Center adjacent to the Westfield River. The foundation stones of Bowker Tavern, built in 1790, can still be found at the original site. In addition, when the original Bowker General Store burned down in 1894, a new general store was built in the same location in 1905. The same general store is still in operation today.

Sawmills, woodworking mills, a tannery, a scythe stone factory and a wagon shop once thrived in the town of Windsor. Remnants of the old industries can be found throughout Windsor State Forest and The Trustees of Reservations' Notchview Reservation.

Miscellaneous stone walls, cellar holes and sluiceway are evidence of the small village of Babbittville, which formed around an axe factory that began operation in 1852. A historic 1790 farmhouse and outbuildings are located on Windigo Farm. In 1990, the Coleman Bridge, an iron pipe highway bridge, was recorded in the Historic Engineering Record, MA-119.

Biological Resources

The East Branch and headwater streams provide excellent wildlife habitat with an extensive wetland area bordering Drowned Land Brook.

Within the town of Savoy, the Massachusetts Department of Fisheries, Wildlife, and Environmental Law Enforcement Natural Heritage and Endangered Species Program identified eighteen species that are endangered or threatened. Within the town of Windsor, the Massachusetts Department of Fisheries, Wildlife, and Environmental Law Enforcement Natural Heritage and Endangered Species Program identified nineteen species that are endangered, threatened or species of special concern.

In 1982, the Massachusetts Natural Heritage Program prepared a "Rare Species Preservation Plan" for Notchview Reservations focusing on rare populations of White Mandarin, Red Currant and Bristly Black Currant.

Adult Atlantic Salmon have been tracked as far upstream as Westfield Brook in Windsor but could also move into other headwater streams from the East Branch in West Cummington as no other fish passage impediments exist north of West Cummington.

Recreational Resources

Savoy and Windsor State Forests provide many recreational opportunities including fishing, hunting, hiking, picnicking, camping, swimming, mountain biking, cross-county skiing, snowshoeing and snowmobiling. Sportsmen have found the Westfield River in Savoy an excellent fly-fishing river.

Adjacent to Windsor State Forest, The Trustees of Reservations maintain and manage 3100 acres in the Notchview Reservation. Notchview has been noted as one of the premiere cross-country skiing facilities in the region.

The Savoy Town Field, a 43-acre parcel of land adjacent to the Westfield River, is used for various town functions and activities. The town of Savoy's Master Plan includes plans for a botanical garden, outdoor stage/natural amphitheater, trails, community area/pavilion, birding stations, platforms, boardwalks, and interpretive signs.

Proposed Classification: **Scenic** – these sections of river are free of impoundments with shorelines still largely primitive but accessible in some places by road.

Headwater Tributaries of the West Branch: Shaker Mill Brook; Depot Brook; Savery Brook; Watson Brook; Center Pond Brook (*Towns of Becket and Washington*)

Free-Flowing Condition

The headwater streams of the West Branch, which include Shaker Mill Brook, Depot Brook, Savery Brook, Watson Brook, and Center Pond Brook, are without dams and impoundments. Channel alterations are minimal. Thus these streams meet the free-flowing eligibility criterion of the Wild & Scenic Rivers Act.

Outstanding Resources

Scenic Resources

The pristine headwater streams of the West Branch offer remarkable wildlife habitat, scenic views and recreational opportunities. The confluence of Depot Brook and Shaker Mill Brook marks the beginning of the West Branch of the Westfield River. Portions of Watson Brook, Shaker Mill Brook, and Savery Brook flow through October Mountain State Forest. Nearly 1000 acres of undeveloped lands surrounds the upper Shaker Mill Brook.

Geological Resources

Shaker Mill Brook includes Shaker Mill Falls where the brook drops into beautiful ravine formed by steep ledge near Becket Village Center. A number of waterfalls are located along Center Pond Brook, including a 20-foot high falls.

Historic Resources

Shaker Mill Brook and Depot Brook meet in the historic town center area of Becket. Significant features in Washington include several former mill sites and an abandoned settlement located within October Mountain State Forest. In addition, several unique historic structures can be found in Washington including St. Andrews Chapel and the Manor House at Bucksteep Manor which highlights gothic architecture and a curious “Mystery Monument,” a seven-foot-high structure topped with white quartz likened to a field stone fireplace without a flue.

Biological Resources

Within the town of Becket, the Massachusetts Department of Fisheries, Wildlife, and Environmental Law Enforcement Natural Heritage and Endangered Species Program identified four species that are endangered or threatened.

Within the town of Washington, the Massachusetts Department of Fisheries, Wildlife, and Environmental Law Enforcement Natural Heritage and Endangered Species Program identified four species that are considered Species of Special Concern.

Portions of Shaker Mill Brook and the surrounding area are within the state’s BioMap Core Habitat and Supporting Natural Landscape category. No invasive or non-native species have been noted along Shaker Mill Brook.

Recreational Resources

October Mountain State Forest in Becket is the largest contiguous state forest (16,127 acres) in Massachusetts, and several nominated Westfield River headwater streams traverse this forest. October Mountain offers year-round recreational activities. The Appalachian Trail traverses through the state forest.

Proposed Classification:– **Wild section** -Upper Shaker Mill Brook from Brooker Hill Rd. up to its origin in October Mountain State Forest. This segment of river is free of impoundments, generally inaccessible except by trail , with a watershed and shorelines that are primitive and unpolluted. **Scenic sections** – The Depot Brook, Savery Brook, Watson Brook, and Center Pond Brook segments are largely undeveloped, accessible in some areas by road or by trail.

Lower Middle Branch, East Branch and Main Stem (*Town of Huntington*)

Free-Flowing Condition

Main Stem

The Main Stem from Huntington Center to the Huntington/Russell/Montgomery town line is without dams or impoundments. Channel alterations are minimal. Thus it meets the free-flowing eligibility criterion of the Wild & Scenic Rivers Act.

Middle Branch

The Middle Branch from the Goss Hill Road Bridge downstream to the confluence with the East Branch is without dams and impoundments. Channel alterations are minimal. Thus it meets the free-flowing eligibility criterion of the Wild & Scenic Rivers Act.

East Branch

The East Branch from Sykes Brook in Huntington to the confluence with the West Branch is without dams and impoundments. Channel alterations are minimal. Thus it meets the free-flowing eligibility criterion of the Wild & Scenic Rivers Act.

West Branch

The West Branch from the Chester/Huntington town line downstream to the confluence with the Main Stem is without dams and impoundments. Channel alterations are minimal. Thus it meets the free-flowing eligibility criterion of the Wild & Scenic Rivers Act.

Outstanding Resources

Scenic Resources

The Westfield River's scenic qualities are exemplary in the region. Jacob's Ladder Scenic Byway, a state designated scenic byway, follows the Main Stem through Huntington. The road provides travelers with dramatic views of the beautiful river corridor and connects communities known for their rural character, historic homes, and natural and scenic features. In 1994, Scenic America recognized Jacob's Ladder Scenic Byway to be one of the 10 best scenic byways in America. Scenic outlooks display the town's broad tracts of unbroken wilderness and a tremendous aerial view of the small New England town.

Geological Resources

A unique geologic feature locally known as '40 foot hole' is located within the Gardner State Park where the East Branch of the Westfield River channels through a canyon and dramatically drops 40 vertical feet along a short distance.

Biological Resources

In the town of Huntington, the Massachusetts Department of Fisheries, Wildlife, and Environmental Law Enforcement Natural Heritage Endangered Species Program identified three state listed species that are endangered or threatened. American Bald Eagles (*Haliaeetus leucophalus*), a federally listed threatened and endangered species, have been sighted regularly within the town of Huntington.

The Westfield River segments in Huntington have revealed evidence of Atlantic Salmon pools and nests and are an important element in the Atlantic Salmon Restoration Program.

Historic Resources

Huntington is noted for its exceptional historical characteristics.

The Massachusetts Historical Commission has nominated a 62-acre district within the Huntington town center for the National Register of Historic Places. The proposed district

includes 118 structures that exemplify the Federal, Greek Revival, Italianate, Early Republic, and mid 19th century architectural styles.

Several structures related to the Westfield River were noted on the National Register Nomination Form. In particular, the Main Street Bridge Abutments (circa 1800, 1868, 1872) indicate where the bridge crossed the Westfield River, connecting the Main Street and East Main Street. The Lt. Robert Parker Cross Memorial Bridge was constructed between 1938-1941 and replaced the Main Street Bridge as the West Branch crossing. The Upper Russell Street Mill-Site Canal, constructed 1830-70, provided water power from the West Branch to textile mills, tool factory and furniture shop.

Recreational Resources

The town of Huntington annually hosts the Westfield River Whitewater Races. The segments of the river in Huntington provide whitewater opportunities for both novice and advanced paddlers. In 1993, the Whitewater Open Canoe Downriver National competition was held in Huntington and drew spectators and whitewater enthusiasts from all over the region. Gardner State Park and the Knightville Dam recreation area provide additional recreational opportunities for hiking, swimming, canoeing, fishing and picnicking.

Proposed Classification: Recreational – These sections are readily accessible by road and have some development along the shorelines.

Conclusion

In summary, we find that the nominated segments of the Westfield River and its headwater tributaries meet eligibility requirements as described in the Wild and Scenic Rivers Act. Not only are the river segments all free-flowing, but taken in total, they host outstanding scenic, recreational, historic and biological resources, as well as significant geological resources. In combination, this high concentration of outstanding values on the proposed segments builds on and supports the existing Wild and Scenic designation of the Westfield River.

Summary of Eligibility and Classification Findings

(see separate chart)

STATE DESIGNATION AND MANAGEMENT REQUIREMENTS

As described in the Introduction, to be considered for the national Wild and Scenic Rivers System, proposed rivers must be designated a state wild, scenic or recreational river by or pursuant to an act of the state legislature. The proposed river must also be administered by an agency or political subdivision of the state. This section describes how the proposed segments of the Westfield River have met these requirements.

State Scenic River Designation

Forty-three miles of the Westfield River received “Local Scenic River” designation under the Massachusetts Scenic and Recreational Rivers Act (M.G.L. Chapter 21 s. 17 B. of 1973) in 1990. On December 5, 2001, the Board of the Massachusetts Department of Environmental Management unanimously approved the addition of the currently proposed segments of the Westfield River to the river’s Local Scenic designation.

State and Local River Management

Management and administration of the proposed new Westfield River Wild and Scenic River segments would be accomplished through expansion of the existing Westfield Wild and Scenic River management framework authorized by the Memorandum of Agreement described below. Local zoning bylaws and the Massachusetts Rivers Protection Act are the major regulations that protect the river corridor. The Westfield River Wild and Scenic Advisory Committee’s Action Plan, the Westfield River Greenway Plan and the Governor’s Executive Order #380 serve as non-regulatory management strategies. All of these mechanisms are described below.

Memorandum of Agreement and the Westfield River Wild and Scenic Advisory Committee

The “Memorandum of Agreement for Protection of the Westfield River” was approved and implemented by all signatories in 1990. This intergovernmental compact identifies the role each municipality, regional, state or federal agency and non-profit organization which is a signatory to the MOA should play in managing the Westfield River as a “state-administered” National Wild and Scenic River. It also identifies actions that will not be taken, such as federal land acquisition or establishment of new federal regulations to protect the river. The MOA has been implemented by the towns of Becket, Chester, Chesterfield, Cummington, Middlefield and Worthington, the Pioneer Valley Planning Commission, the Westfield River Watershed Association, Massachusetts Executive Office of Environmental Affairs, Massachusetts Department of Environmental Management, Massachusetts Department of Fisheries, Wildlife and Environmental Law Enforcement, and National Park Service. The MOA provides that a Westfield River Advisory Committee be formed with one representative from each signatory having advisory powers to monitor compliance with the MOA.

In preparation for Wild and Scenic River expansion, the towns of Huntington, Savoy, Washington, Windsor and The Trustees of Reservations (TTOR – a regional land trust with significant land holdings along the Westfield River) - have all approved and have begun implementation of the

“Memorandum of Agreement for Protection of the Westfield River.” Huntington, Savoy, Washington, Windsor and TTOR also appointed representatives to participate in the (WRWSAC).

Local River Protection Bylaws and the Massachusetts Rivers Protection Act

The Massachusetts Rivers Protection Act establishes a restricted 200-foot resource area along both banks of all of the proposed and already-designated river segments. Local conservation commissions must review proposed projects and enforce the state Rivers Act.

The town of Huntington has adopted a local river protection zoning bylaw. The other towns that host proposed segments are considering whether such bylaws would strengthen the state’s restrictions.

The WRWSAC Action Plan and the Westfield River Greenway Plan

The WRWSAC developed a Mission Statement and an Action Plan to support the intergovernmental compact by which it was formed. The Action Plan is updated on a biannual basis to address river management and set the Committee’s objectives.

The Westfield River Greenway Plan of 1993 sets up management strategies for the majority of the Westfield River. The Plan suggests techniques including promoting voluntary conservation restrictions and the development of local open space plans focusing on river protection. The Greenway Plan will be updated in the near future.

Governor’s Executive Order

As part of the Commonwealth of Massachusetts’ commitment to protecting and managing the Westfield River, a Governor’s Executive Order was issued in 1995, which directs state agencies to consider the river’s scenic values when proposing works, projects or activities in the area. It also directs agencies to give the river priority for land protection and state grant monies. The governor is being asked to extend this Executive Order to the proposed sections which are designated state local scenic rivers as well.

EVALUATION OF RESOURCE PROTECTION AND MANAGEMENT

This section describes a set of criteria used by the National Park Service to determine whether this river and associated outstandingly remarkable values are adequately protected through private, local, and/or state level actions to warrant designation as a state-administered Wild and Scenic River under Section 2(a) (ii) of the national Wild and Scenic Rivers Act.

Methodology

In order for a river to be appropriate for designation as a national Wild and Scenic River under Section 2(a) (ii), there must be long-term protection of the river’s outstanding resources, and a workable management framework that does not rely on active federal management.

This section will evaluate the following protection mechanisms:

- 1) **Laws and regulations;**
- 2) **Public and private land ownership for conservation purposes; and**
- 3) **Physical limitations to development.**

Laws and Regulations

Local Ordinances: All of the communities adjacent to existing and proposed Wild and Scenic River segments have comprehensive local zoning ordinances to guide and regulate development. The following table depicts the current local zoning that affects the riverfront areas. In addition to these general statutes, communities in Massachusetts implement and enforce two key state statutes that provide substantial protection for the riverfront area: the Rivers Protection Act and Wetlands Protection Act – these are described in the next section.

Town	Total River Frontage (miles)	River Protection District*	Wetland Bylaw	Add'l Septic Setback Req.	Floodplain Regulations	Min. Lot Size (sq. ft.)	Special Permit Req.	Special Lang.	Physical Limits to developmt.
Becket	7.8	No	No	No	Yes	43,560	yes	Cluster zoning, earth removal, restoration	Some wetlands, floodplains, some steep slopes
Huntington	16.4	Yes	No	No	Yes	variable by use	yes	earth removal, restoration	Some wetlands, floodplains, steep slopes
Savoy	10.2	No	No	No	No	130,680	yes	earth removal, restoration	Large amount of wetlands, some steep slopes, floodplains
Washington	20.4	No	No	No	Yes	174,240 single fam. res., 348,480 two fam. res., 130,680 non-res.	yes	earth removal, restoration	Extensive wetlands, steep slopes
Windsor	13	No	No	No	No	130,680	For other than single family res.	Junkyards, heavy indust., radioactive waste prohib.	Extensive wetlands, steep slopes

State Laws, Regulations, and Programs: There are several state laws, regulations, and programs that offer some form of protection for open space, water quality, in-stream flows, and habitat along the Westfield River. The more significant state level controls include:

- The Rivers Protection Act, Chapter 258 of the Acts of 1996, creates a 200-foot riverfront area that extends on both sides of rivers and streams. All rivers in Massachusetts are now protected under this locally administered and enforced Act that protects the eight interests of the Wetlands Protection Act (see below in bold). The law also establishes a state policy to protect the natural integrity of rivers and to encourage open space along rivers. While most of the towns in the original Wild and Scenic area had adopted local river protection ordinances prior to 1996, the Rivers Protection Act serves similar purposes for each of the communities in the proposed expansion area.
- Wetlands Protection Act - The Wetlands Protection Act [Massachusetts General Laws (MGL) Chapter 131, Section 40] protects wetlands and the public interests they serve, **including flood control, prevention of pollution and storm damage, and protection of public and private water supplies, groundwater supply, fisheries, land containing shellfish, and wildlife habitat**. These public interests are protected by requiring a careful review of proposed work that may alter wetlands. The law protects not only wetlands, but other resource areas, such as land subject to flooding (100-year floodplains), the riverfront area (see above), and land under water bodies, waterways, salt ponds, fish runs, and the ocean.
- MA Environmental Policy Act - The purpose of MEPA and 301 CMR 11.00 is to provide meaningful opportunities for public review of the potential environmental impacts of projects for which state environmental agency action is required, and to assist each agency in using (in addition to applying any other applicable statutory and regulatory standards and requirements) all feasible means to avoid damage to the environment or, to the extent damage to the environment cannot be avoided, to minimize and mitigate damage to the environment to the maximum extent practicable.
- MA Scenic and Recreational Rivers Act - and the state's policy for implementing this act, provides increased MEPA scrutiny for state-assisted projects on designated local scenic rivers such as the Westfield.
- Forest Cutting Practices Act - M.G.L. Chapter 132 regulates timber harvesting and related forest management activities in Massachusetts. Its regulations were revised recently to update recommended "Best Management Practices" to the latest standards for environmental protection. Massachusetts' forest cutting regulations are among the top 3-4 most strict state regulations in the country, in the company of Oregon, California, and Maryland.
- MA Clean Water Act – sets water quality standards and anti-degradation policy. The Westfield River's proposed sections have been classified as Class B cold water/high quality water. The MA Clean Water Act prohibits major new point source discharges on these Class B cold water/high quality waters effectively protecting the water quality of these proposed sections.

- MA Environmental Code (Title V) - regulates the placement of individual septic systems and “package” systems to protect wetlands and surface water quality. Municipalities can increase Title V minimum setbacks where local conditions warrant increased protection.
- General Laws Chapter 91 Waterways licensing program - protects the river from projects that could impede navigation or public access.
- Water Management Act (M.G.L. c.21G) - authorizes the Massachusetts Department of Environmental Protection (DEP) to regulate the quantity of water withdrawn from both surface and groundwater supplies. The purpose of the regulations (310 CMR 36.00) is to ensure adequate water supplies for current and future water needs.

Federal Laws, Regulations, and Programs: Federal statutes provide substantial protection for the Westfield River’s water quality, but less protection for in-stream flows and for resources associated with adjacent lands. The most significant federal statutes and programs with respect to river protection needs are listed below:

- The federal Clean Water Act
- The National Flood Insurance Program
- The National Environmental Policy Act

Publicly-Owned and Protected Lands

Thousands of acres that abut the river segments are owned by a public entity or non-profit conservation group and are listed in the Open Land and Recreational Resources table.

Many more acres of frontage are privately-owned and are being maintained as open space under the Massachusetts Farmland, Forestry, and Recreation Lands Preferential Tax Acts (MGL 61, 61A, and 61B).

OPEN LANDS AND RECREATIONAL RESOURCES

AREA	LOCATION	OWNER	ACREAGE	BRANCH	ACTIVITY	ACCESS POINT
Gardner State Park	Huntington	Mass. Dept. of Environmental Mgmt.	29	East	Picnicking, fishing, swimming, hunting	Route 112
Town Land	Huntington	Huntington Conservation Commission	5.4	East	Fishing, picnicking	Mill St, off Route 112
Littleville Lake	Huntington/Chester	Army Corps of Engineers	1,579	Middle	Fishing, boating, hunting, hiking, snowmobiling	Kinney Brook Road, Goss Hill Road, North Chester Road
Knightville Dam	Huntington/Chesterfield	Army Corps of Engineers	2,430	East	Hiking, horseback riding, fishing, snowmobiling, mt. biking, hunting, picnicking	Route 112
Hiram Fox Wildlife Management Area	Huntington/Chesterfield/Chester/Worthington	Mass. Dept. of Fisheries, Wildlife	2,951	East	Hunting, hiking	Goss Hill Road
Windsor State Forest	Windsor	Mass. Dept. of Environmental Mgmt.	2,540	East	Camping, hiking, swimming, fishing, hunting	River Road, Lower Road, Windsor Jambs Road
October Mountain State Forest	Washington, Becket	Mass. Dept. of Environmental Mgmt.	16,127	West	Camping, hiking, x-country skiing, snow-mobiling, horseback riding	West Branch Road, Felton Pond Road
Savoy Mountain State Forest	Savoy	Mass. Dept. of Environmental Mgmt.	11,400	East	Camping, hiking, boating, fishing, cross-country skiing, snowmobiling, hunting, horseback riding	Center Road, off Route 116
Kenneth M. Dubuque Memorial State Forest	Savoy	Mass. Dept. of Environmental Mgmt.	7,882	East	Camping, hiking, fishing, cross-country skiing, hunting, bicycling, horseback riding	Route 8a north of Route 116
Walnut Hill Wildlife Management Area	Becket	Mass. Dept. of Fisheries, Wildlife	89	West	Hunting, fishing	Town Hill Road
Notchview Reservation	Windsor	The Trustees of Reservations	3,108	East	Nature trails, fishing, picnicking, cross-country skiing	Route 9
University of Mass Trust Lands	Windsor	Univ. of Mass Trust	126	East		River Road
TOTAL			48,266.4			

Physical Limitations to Development

The areas being proposed for designation host significant physical limitations to additional development that could degrade the Westfield River's outstanding resources. These include steep slopes, unsuitable soils, wetlands, and physical barriers such as railroads. While no comprehensive analysis of these factors is included in this evaluation, it is clear from site visits to the proposed areas that physical limitations to development are significant and will continue to play an important factor in the long-term protection of the existing and proposed Wild and Scenic River areas.

Memorandum of Agreement

As described earlier, an intergovernmental compact known as the "Memorandum of Agreement for Protection of the Westfield River" (MOA) has been in existence now for over ten years. The towns that host the proposed segments of river have signed onto the MOA in the last year. The MOA includes the ten communities that host either designated or proposed sections of river, state environmental agencies, the Pioneer Valley Planning Commission, the Westfield River Watershed Association, the National Park Service and The Trustees of Reservations. This agreement spells out the roles and responsibilities of each of the parties in support of the long-term management of the Westfield River segments either already designated or proposed.

The MOA also establishes a Westfield River Wild and Scenic Advisory Committee with representatives from each party to the MOA. The committee meets on a monthly basis to discuss and possibly address local projects of concern, plan projects to benefit the river, conduct public outreach activities and assist members with relevant issues. Among other actions, the committee is currently seeking resources to update and expand the Greenway Plan.

Conclusion

In combination, the MOA, the rivers protection act, local bylaws, the Westfield River Greenway Plan with amendments to include the additional sections of river, an extension of the Governor's Executive Order to include the new local scenic sections of river, and a variety of other local actions – including protection of some notable areas – indicate that there is a high likelihood that the river will be protected now and in the future. Therefore, the nominated segments of the Westfield River meet the protection and management requirements for designation under Section 2(a)(ii) of the National Wild and Scenic Rivers Act.

SUPPORT FOR DESIGNATION

For a river surrounded by predominantly privately-owned lands and where protection and management of the river corridor are to be achieved through a partnership among public and private interests rather than through federal ownership, broad-based support for wild and scenic river designation is essential.

The Commonwealth of Massachusetts' application to add 34.8 more miles of river segments to the already-designated Westfield River has strong support from local residents, non-profit organizations, all adjacent towns, state and local legislators, and agencies. The following sections describe the efforts made to extend the designation on the Westfield River and its tributaries.

Local Government

The four new communities that host proposed sections of the Westfield River (Huntington, Savoy, Washington and Windsor) have joined the six already-designated communities in signing the amended version of the MOA to Protect the Westfield River. Each community has provided a representative to the Westfield River Wild and Scenic Advisory Committee and is an active participant in the river's protection. Each community has also sent support letters for designation that are included in the State's application.

State Government

The commitment to the Wild and Scenic Westfield River by the Commonwealth of Massachusetts was made stronger in December 2001 when its Department of Environmental Management added the proposed segments to the Commonwealth's Local Scenic Rivers system. In addition, Governor Swift (who strongly supported the original designation nomination when she was a state senator) provided the petition to the Secretary of Interior.

The MOA was signed by the MA Department of Environmental Management, MA Department of Fisheries, Wildlife and Environmental Law Enforcement, and the Executive Office of Environmental Affairs and each of these agencies has shown commitment in carrying out its specific role in protecting the wild and scenic river.

A new state entity emerged since the original designation - the Westfield River Watershed Team - under the Executive Office of Environmental Affairs' Watershed Initiative. It is a broad partnership of state and federal agencies, conservation organizations, businesses, municipal officials and individuals. The team and its leader (who is a member of the WRWSAC) have shown support to the river through active participation, funding projects, and cooperative ventures with WRWSAC. The Team heartily supports the designation extension.

Federal Agencies

Over the past several years, the National Park Service has demonstrated its support for protection of the Westfield River by providing technical and financial support on projects undertaken by the WRWSAC or its individual members.

The NPS entered into a cooperative agreement with the Pioneer Valley Planning Commission to work with the WRWSAC in preparation of the current nomination package that was submitted by Governor Swift to Interior Secretary Norton.

The NPS has acted on the river's behalf in cases where the agency's input would help to protect the wild and scenic characteristics of the river.

The Army Corps of Engineers has continued to be a valuable and active partner in efforts to protect the river. The Corps worked cooperatively with the WRWSAC in defining the boundaries of the current nomination and has endorsed the proposed nomination. *It should be noted that this application does not seek designation for any sections of the Westfield River that fall within the Army Corps of Engineers' Littleville Dam and Knightville Dam project or property boundaries.*

Private Organizations

The Pioneer Valley Planning Commission continues to be a major player on the Westfield River and offers technical assistance and support for river protection projects. The agency's work on the current nomination reflects its ever-present devotion to the river and its wild and scenic status.

The Trustees of Reservations, a landowner and land protection organization, showed its commitment to the Westfield River and its wild and scenic status by signing the MOA and also becoming an official member of the WRWSAC. The Trustees had been engaged in river-related projects for years when the WRWSAC invited them to join the group.

The Westfield River Watershed Association also remains a stalwart partner in efforts to protect the river. The organization has continued to be actively involved in WRWSAC and is a strong supporter of the designation extension.

Other non-profit supporters of the designation extension include: American Rivers, Inc., the Appalachian Mountain Club, the Nature Conservancy, and the Pioneer Valley Chapter of Trout Unlimited, Inc.

Federal and State Legislators

The entire Westfield River watershed lies within the 1st Massachusetts Congressional District. Congressman John Olver provided his endorsement for the first effort to designate the Westfield River. He continues to be a strong supporter of the proposed extension of the wild and scenic designation.

United States Senators Edward Kennedy and John Kerry have both formally endorsed the nomination to extend the wild and scenic designation.

State Senators Michael Knapik, Andrea Nuciforo and Stanley Rosenberg have all provided significant support for the extension of the designation. The proposed segments of river are not in Senator Knapik's district but he sent a letter of support given his regard for the entire watershed.

State Representatives Kelly, Kulik, and Bosley also provided their endorsement of the designation extension.

Conclusion

The Westfield River application has tremendous support at all levels. People have seen the benefits of the existing designation and clearly believe the extension into the headwaters and to the confluence will be a positive step. The involvement of all of the partners to put forward this nomination and to continue efforts to protect the outstanding characteristics of the river is impressive.

CONSIDERATION OF ALTERNATIVES/ENVIRONMENTAL ASSESSMENT

Alternatives Evaluated

Only two alternatives are considered in this evaluation: No Action/No Designation; and Designation of all Proposed Segments.

Evaluation of the Alternatives

Alternative A: No Action/No Designation.

This alternative is rejected since the State of Massachusetts' application has been found to meet all technical requirements for designation, has demonstrated support from all key interests and affected parties, and serves to enhance the established purposes of the existing Wild and Scenic River designation on the Westfield River. There are no known water resource development projects planned or contemplated that would be precluded by this designation.

Alternative B: Designation of all Proposed Segments.

This alternative is selected as the recommended alternative based on the findings of the evaluation which conclude that: the application has met all technical requirements; is supported by all key interests and affected parties; serves to enhance the established purposes of the existing Wild and Scenic River designation of the Westfield River.

This alternative best supports the established goals of local, state and federal agencies to protect and enhance the outstanding natural, cultural, and recreational resources of the existing and proposed Wild and Scenic River segments. In addition, there are no known negative consequences of the proposed designation in terms of lost water resource project opportunities that would be precluded by the proposed designation.

Discussion of Recommended Action

Designation

Based on the foregoing findings that 1) the nominated segments of the Westfield River and its tributaries meet the requirements for designation, and 2) the designation would create significant positive environmental impacts and enhance the purposes of the existing Westfield Wild and Scenic River, the National Park Service recommends that the Secretary of Interior designate the nominated segments into the national Wild and Scenic Rivers System pursuant to Section 2(a) (ii) of the Act.

Classification

The National Park Service recommends the following segment classifications:

Westfield River Main Stem (Huntington)

Recreational: 0.8 miles, from the confluence with the East Branch and Middle Branch in Huntington Center, downstream until the Huntington/Russell town line.

Lower West Branch Westfield River (Huntington)

Recreational: 2.0 miles, from the Chester/Huntington town line downstream to the confluence with the Main Stem.

Lower Middle Branch Westfield River: (Huntington)

Recreational: 0.4 miles, from the Goss Hill Road Bridge downstream to the confluence with the East Branch.

Headwaters of the West Branch Westfield River

Shaker Mill Brook: (Becket & Washington)

Wild section: Approximately 2.6 miles, from Brooker Hill Road in Becket to its origins in October Mountain State Forest.

Scenic section: Approximately 1.2 miles, from Brooker Hill Road in Becket down to the confluence with Depot Brook.

Depot Brook: (Becket & Washington)

Scenic: 4.5 miles, from the headwaters near Beach Road in Washington to the confluence with Shaker Mill Brook in Becket.

Savery Brook: (Becket & Washington)

Scenic: 2.9 miles, from the headwaters off Pittsfield Road in Washington to the confluence with Shaker Mill Brook in Becket.

Watson Brook: (Becket & Washington)

Scenic: 1.9 miles, from the headwaters off Stanley Road in Washington to the confluence with Shaker Mill Brook in Becket.

Center Pond Brook: (Becket)

Scenic: 1.6 miles, from Center Pond to the confluence with the West Branch.

Upper East Branch Westfield River: (Savoy & Windsor)

Scenic: 6.6 miles, from the confluence with the Drowned Land Brook in Savoy to the Windsor/Cummington town line.

Recreational: 5.0 miles, from the confluence with Sykes Brook in Huntington to the confluence with the West Branch.

Headwaters of the East Branch Westfield River

Drowned Land Brook: (Savoy & Windsor)

Scenic: 1.5 miles, from the headwaters in Windsor to the confluence with the East Branch in Savoy.

Center Brook: (Savoy)

Scenic: 2.5 miles, from the headwaters below a pond near Savoy Center to its confluence with Drowned Land Brook in Savoy.

Windsor Jambs Brook: (Windsor)

Scenic: 1.3 miles, from the junction of Phelps Brook and Clear Brook headwaters to its confluence with the East Branch in Windsor.

Future River Management

In accordance with both section 2(a) (ii) designation requirements and the stated wishes of the Commonwealth of Massachusetts and towns along the river segments, the National Park Service recommends that the designated segments be administered by the Commonwealth of Massachusetts and local governments under the terms of the Memorandum of Agreement, as described elsewhere in this report. Further, the state and local governments should rely on the Westfield River Wild and Scenic Advisory Committee and its action plans and the Westfield River Greenway Plan as revised in 1993 (with future amendments to include the new segments). The Greenway Plan should be updated as soon as possible to include the new sections of river. Protection of land along the riverfront should be seen as a primary goal in managing the river. The proposed segments should also be re-evaluated to determine if they could be reclassified to Class A waters.

In accordance with provisions of Section 2(a) (ii) of the Wild and Scenic Rivers Act, federal involvement in the administration of the designated segments should be limited to consultation by the National Park Service and other federal agencies regarding permissible activities under Section 7 of the Wild and Scenic Rivers Act. Federal activities that are not directly related to the river's status as a wild and scenic river and that do not cause an adverse impact on the aforementioned outstanding resources should not be affected by this designation.