

**Board of Selectmen (and others concerned)**  
**Acton Town Hall**  
**472 Main Street,**  
**Acton, MA 01720**

**January 22, 2016**

**RE: Site Approval Public Hearing for Concord's proposed Acton-based Nagog Pond Water Filtration Facility and associated PV Farm, scheduled for Monday evening, 1/25/2016**

**Concord's Public Works Water and Sewer Division's proposed Nagog Pond Water Filtration Facility**

Concord's Public Works Water and Sewer Division's proposed Nagog Pond Filtration Facility (in Acton) with upgrade and expanded development, including expanded facility foot print, enhanced pond water withdrawals, creation of an associated PV Farm, among other changes contribute to expanded impacts and concerns that need to be addressed.

The need for installing water filtration on the current water stream drawn from Nagog Pond for Concord public consumption as potable water is understood and overdue. That is not the issue. There are many other concerns proposed by this project and its expanded magnitude.

**Changes brought about by implementing Nagog Pond Water Filtration:**

Concord has acquired land surrounding Nagog Pond to protect the natural resources therein, in part to enhance water quality for the purpose of supplying drinking water to Concord. Additionally Concord has denied public access to these pond side lands in both Littleton and Acton for the purpose of protecting water quality. Once water filtration is implemented on the water stream from Nagog Pond, there is no need to prohibit public access on these protective surrounding lands (other than in the very immediate vicinity of the treatment facility itself).

1. With the introduction of the new Water Filtration Plant and the protection provided with its implementation, public access for all should now be granted to these surrounding lands. The need is evident by the current well-worn trail systems surrounding the pond and the desire of the Acton and Littleton communities to provide connectivity, including between Littleton's historic Sarah Doublet Forest and Nature Reserve (former Nashoba and Newtown Praying Indian Plantation) and Littleton's Morrison Farm/ Nagog Hill Orchard, with Acton trails, including the Trail Through Time, thereby connecting public areas including those with significant Native American history and artifact. The desire to protect these lands and to provide public access to these lands is expressed in both the Littleton and Acton's Open Space and Recreation Plan Reports.
2. All these surrounding lands in the Nagog Pond watershed need to be permanently protected, as a result of the new treatment process reducing the need for extensive pond side land ownership and mitigation needs to be provided for an expanded water withdrawal operation and overall expanded development, with increased foot print, infrastructure, and accessory development, such as the extensive Photovoltaic (PV) Farm. There are several ways this could be done.
  - a. Concord could gift hosting communities (Littleton and Acton) with these pond side lands, along with protective covenants allowing public access and extinguishing development rights. Lands would be gifted in fee to the corresponding community in which they reside.
  - b. Alternatively, Concord could gift Conservation Restrictions (easements) to these same communities with the above stated public access and extinguishment of development

rights. Grantees could be the corresponding community's municipal Conservation Commissions and/or private non-profit conservation land trusts.

- c. In no case should these lands acquired (often with the use of local and state public funding and consequently most likely protected with various statutes such as the Article 97 Amendment to the Massachusetts Constitution) to protect the natural resources of Nagog Pond, including that of providing a drinking water source for Concord, be discarded and developed directly or indirectly.
3. The Nashoba Praying Indian Village selected its location between two major fresh water bodies – Fort Pond and Nagog Pond, both in Acton and Littleton. (In Algonquin, “Nashoba” translates to “between the waters”). Many Native American artifacts and indications of their presence can be found in this immediate area and surrounding environs. In particular, close to the current water treatment facility is a turtle effigy consisting of an aggregate of rocks with additional rock appendages serving as limbs and head. These and other artifacts need to permanently protected. (See research and works of Dan Boudillion, Peter Waksman, John Hanson Mitchell, Tim Fohl, Linda McElroy, Curt Hoffman and his students, and those discussed at Acton's archaeology programs such as those hosted by its organization, Friends of Pine Hawk.)
  4. The impact of successive water withdrawal upon Nagog Pond and its associated banks and ecosystem should be understood before expansion of water withdrawal and usage is allowed. Nagog Pond is a Great Pond and contains historical value in addition to its substantial ecological significance.
  5. The proposed Concord Water Filtration project is greatly expanded beyond just providing a new level of physical filtration on the current water stream which supplies limited drinking water to residents of Concord. This expansion of this currently nonconforming infrastructure and operation needs to be fully understood and justified. In particular due to:
    - a. Greatly expanded footprint of plant and access;
    - b. Greater water withdrawals from Nagog Pond; and
    - c. Newly proposed large PV Farm and accessory infrastructure, with both its impact on the ground and scenic impact from the Nagog Pond shorelines and environs.

If you have any questions or desire clarification, please do not hesitate to contact me. Thank you for the opportunity to comment on issues of mutual concern.

Respectfully yours,



Donald MacIver, president and trustee  
Littleton Conservation Trust  
(Owners and stewards of Sarah Doublet Forest and Nature Reserve  
along Nagog Hill Rd and Fort Pond Road, Littleton)

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