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Open Space Committee

October 19, 2016

Mr. Peter Berry, Chair
Town of Acton Board of Selectmen
Acton Town Hall
472 Main Street
Acton, MA 01720

RE: Review of Town of Concord Nagog Pond Project Proposal

Dear Chairman Berry:

The Open Space Committee has reviewed the Town of Acton *Open Space and Recreation Plan* 2014-2021 (OSRP) as it may relate to the Town of Concord's proposed treatment plant expansion and power generation project at Nagog Pond. Based upon review of the OSRP, the Committee has identified three main areas that relate to Nagog Pond and/or this particular project.

1. Nagog Pond and its watershed lands are a vital natural resource to the communities of Acton, Concord, and Littleton. As such, Nagog Pond and its bordering lands are discussed in the OSRP as a priority parcels for protection. The importance could be for water supply purposes, wildlife, recreational opportunities, or some combination of the three. At a minimum, Nagog Pond and its bordering lands contribute to the scenic quality and natural environment of Acton and Littleton.

The OSC believes an opportunity to further protect the watershed land of Nagog Pond is upon us. The OSRP specifically calls for acquisition of these lands should Concord no longer require them for watershed protection. The project as currently proposed appears to have several elements, including an energy co-generation facility, that do not serve the purpose of watershed protection and could be located elsewhere. As an alternative to outright acquisition, a watershed preservation restriction (WPR) could be placed on any such lands. This could be modeled after a conservation restriction or after the Commonwealth of Massachusetts WPR that is utilized to protect lands surrounding the Wachusett and Quabbin reservoirs. Such a restriction would provide a level of protection to these lands which might otherwise be diminished in future years, while also providing the Towns of Acton, Concord, and Littleton flexibility in utilizing these lands for water supply purposes going forward. This would complement land holdings that both Acton and Littleton have adjacent to Town of Concord land for water supply development purposes. Specifically, bedrock well sites have been discussed as longer term strategies for meeting water needs into the future should water efficiency,

conservation, and supply optimization not be adequate. By recognizing and protecting these lands for water supply development, Nagog Pond and its bordering lands can remain a valuable asset to the region.

2. Wildlife impacts have been identified as a concern with the proposed project, specifically as it relates both to the extensive fencing proposed and the generation of noise from the cogeneration facility. In reviewing the issue of wildlife corridors as outlined in the OSRP, it appears that Nagog Pond and a broad swath of conserved lands to the north and south in Acton, Boxborough, Littleton, and Westford provide important regional corridors for wildlife movement (see OSRP page 13-39, figure included with this letter). These corridors are particularly identified as being important for migratory birds. Terrestrial movement by mammals and amphibians is directed to the woodland areas heading towards Nagog Hill Road.

Recognizing the potential need for some fencing, all efforts should be made to minimize the disruption of wildlife movement. It should be noted that the extensive fencing along Breezy Point does not appear to have been included in the Draft Environmental Impact Report submitted to the EOEEA Massachusetts Environmental Policy Act (MEPA) office. The impact of such a barrier needs to be assessed.

The noise associated with the onsite power generation aspect of the project causes concern relative to impact it may have on wildlife. Migratory birds and some mammals can be impacted by continuous noise sources, thereby negating the benefit of the important wildlife habitat that has been protected in this area. Consideration should be given to the detrimental impacts to the wildlife and aesthetics of the undeveloped land. It is the Committee's understanding that the baseline noise impact assessment presented in the Draft Environmental Impact Report may have included artificial background noise from temporary trailers parked on-site during the impact analysis. If so, this analysis needs to be redone so as to identify the true background noise level. In either case, an assessment of the impact of noise on wildlife should be included in the analysis.

3. Finally, recreational opportunities should be explored for the watershed lands. A discussion of what additional recreation could occur can be found in the OSRP. With improvements to the treatment process being proposed, it would be reasonable to formally open up some of the Town of Concord land for passive recreation. At the same time, some areas may need to have limited access for security, safety, and water quality.

Please consider these aspects of the Acton OSRP as you review the Special Permit request from the Town of Concord.

Thank you,

Town of Acton Open Space Committee

