

2014 Conservation Commission Annual Report

Much of 2014 was spent learning about, and consequently opposing the proposed Kinder Morgan's Tennessee Gas Pipeline Northeast Direct (NED) project. Tennessee Gas proposed a high-pressure natural gas pipeline that would be 30" or 36" in diameter across northern Massachusetts from Wright, New York, to Dracut, Mass. A swath more than 100 ft. wide would be cleared from west to east through private property and conservation lands. The plan also included a new compressor station that would include 4 Titan 250 turbines, for a total of 120,000 horsepower, and would be located in an undisclosed location along the path between Old Battery Road and Old Meetinghouse Park n Townsend. The pipeline would dissect Old Meetinghouse Park, a 280-acre parcel purchased by the town with the generous help of the Commonwealth. The Park would no longer have the interior forest that is so desperately needed for the survival of wildlife species in densely developed Massachusetts. It would cross Willard Brook State Forest and Pearl Hill State Park, Townsend Conservation Land Trust properties and more than 60 private properties. It would cross the Squannacook and other rivers, streams, wetlands and sensitive endangered species habitat. This area received special recognition when it was designated the Squannassit Area of Critical Environmental Concern by the Commonwealth in 2003. The area's quality, uniqueness and significance of our natural and cultural resources are of state-wide importance. The pipeline would also potentially endanger our private and public water supply.

In this effort to inform residents of the process involved in the construction of a new pipeline, and to get the message out that the Commission strongly opposed the pipeline, the Commission was extremely fortunate to have the assistance of resident Emily Norton, who coordinated community informational meetings that were held at the Townsend Meeting Hall. She also coordinated Townsend's participation in the state wide Yard Sale to raise funds to help fight the pipeline.

The Commission organized Townsend's participation in the rolling rally, in which a symbolic pipeline was passed by protesters from town to town along the pipeline. We picked it up at Trap Falls in Ashby, and turned it over to Pepperell the next day in the North Middlesex Regional High School parking lot. We held a Special Town Meeting in July, when the town voted unanimously to support a resolution opposing the pipeline. Thanks to Susan Gerken for coordinating refreshments! We sponsored the "Climate Summer" young adults who were biking across the pipeline route and staying in affected communities to bring attention to climate change and the effects this and other pipelines have on the atmosphere. Thanks to Karen Shanley for helping with the town potluck picnic on the Town Common welcoming the riders! We all enjoyed it so much that we hope to have more town potluck picnics next summer!

The assistance of Veronica Kell, President of the Townsend Conservation Land Trust (TCLT), in opposing the proposed pipeline, was also greatly appreciated. TCLT paid for a town wide mailing about the Board of Selectmen's meeting with Kinder Morgan at the high school. It was standing room only. TCLT and others joined together in organizing several informational meeting presentations with Emily Norton, Carolyn Sellars and numerous other citizens.

The number of citizens who joined together in this grassroots effort to fight this pipeline was gratifying. The countless hours that they gave, and continue to give, to protect this community from a pipeline that will primarily supply gas to overseas markets could never be quantified. They willingly sacrificed their own time for the greater good, and the Conservation Commission appreciates each and every one of them.

In September Kinder Morgan officially filed a request to pre-file with the Federal Energy Regulatory Commission. The Commission wrote in opposition to the request; however, FERC approved the pre-filing. In December, Kinder Morgan revised their proposed preferred pipeline route, which now goes north to New Hampshire through Northfield, Mass, and follows existing utility easements through southern New Hampshire before going south to connect to Dracut. Townsend is now the proposed site of a 12" lateral pipeline that travels from Mason, NH to Lunenburg. It now crosses the headwaters of the Squannacook River, crossing multiple streams, endangered species habitat, protected conservation land and still over 60 private property parcels. We will continue to oppose this pipeline in every way possible.

Land conservation on a number of fronts was the other primary focus of the Commission in 2014. We asked for town support at the Annual Town Meeting in the spring for 3 warrant articles. We asked for \$5,000 to be deposited in the Conservation Land Fund, which passed unanimously. The Fund now totals approximately \$32,000, which is not enough to purchase a parcel that needs protection, but we are working on annually increasing the amount in the fund without impacting the town budget. We also asked for approval to sell a landlocked tax title parcel to the MA Division of Fisheries and Wildlife. It is a beautiful 32-acre parcel that is adjacent to existing F&W land. Town Meeting approved it, the town received approximately \$44,000 for it, and the parcel is now open for the public to enjoy. Finally, we asked to transfer our 36 acres of conservation land on Haynes Road to the F&W. It would remain protected in perpetuity, while increasing the acreage of the new Townsend Hill Wildlife Management Area, and provide additional frontage under their control. In turn, the Conservation Land Fund would receive approximately \$21,000. It passed Town Meeting unanimously, so we now must seek 2/3 approval in both chambers of the Massachusetts legislature and the governor's signature to complete the transfer.

The Commission is extremely grateful for the support of the Board of Selectmen, not only supporting our request to exercise its right of first refusal on an exceptional Chapter 61 property on Barker Hill Road, but also in supporting our request to transfer their right to the MA Department of Conservation and Recreation (DCR). This 19 acre parcel not only provides additional access to trails and hunting in the Townsend State Forest, but it is a beautiful piece in its own right. There are exceptional stone walls, views of the distance at the top, and views of open fields at the lower end.

We voted to accept the Witmer property, which was donated by the estate of John Witmer, and approved at the 2013 town meeting. Located on Main St, it includes the stream that feeds into Walker Pond.

The Commission also petitioned Richard Sullivan, Secretary of Energy and Environmental Affairs, to fill the position of Circuit Rider for the DEP Central Region Office. Unlike the other DEP regional offices, the Central Office position had gone unfilled since January 2010. We contacted all of the Conservation Commissions in the region and asked that they contact Secretary Sullivan. Finally, DEP appointed Judy Schmitz as our new Circuit Rider. We have invited her to Townsend twice to hold workshops for our Commission and the surrounding towns, and both were extremely informative. We will continue to take full advantage of the Circuit Rider program to bring our Commission up to speed as quickly as possible.

This was also a year of unsettling internal and external controversy for the Commission that took its toll on the people who **volunteer** in good conscience to effectuate our state and local laws. These laws

were passed by our Town Meeting and our representatives in state government. The job of a Commissioner is not always easy. Not only do we review and issue permits, but we have the difficult role of an enforcing body as well. Our decisions are not made lightly, but they are made with the laws in mind that we were appointed to protect.

It was a great loss to the Commission when Karen Chapman resigned. She had served on the Commission since January 2002. She moved to Townsend and determined with enthusiasm to try to make a difference and offer her expertise with a B.S. in Environmental Science and years of experience in environmental regulatory compliance. With that experience the Commission snapped her up and recommended her appointment, which was without debate. For many years she stepped forward and served as Chair when others were unable to take on the responsibility. She obtained state recognition for Townsend's award of a 3-year Toxics Use Reduction grant – a demonstration project for municipal use of organic products on the town hall and library lawns. She chaired the Commission through the landmark Land Court decision that upheld Townsend's 35 foot No Disturb buffer zone regulation. We are truly grateful to have enjoyed her presence on the board, wish her all the best in the years to come, and hope that someday she may decide to return.

Fortunately Vice-Chairman Mary Small agreed to step in as Chairman. With her MS in Wildlife Management and extensive experience as a consultant with one of the nation's largest science-based environmental consulting firms is irreplaceable. She also assisted with Dennis Magee's new textbook, - *Grasses of the Northeast*. Her grasp of the regulations has

We are also thankful that Jennifer Pettit agreed to seek another 3 year term on the Commission, and the Board of Selectmen understood her importance on the Commission and reappointed her for that term. A member for 19 years, no one on the Commission has more dedication to Townsend's wetland resources, its wildlife and its wildlife habitat. She puts in countless volunteer hours protecting our wildlife and resources, and provides the Commission with information on both counts that they would otherwise know nothing about. That broad knowledge base has proved to be invaluable in making decisions.

James Deroian, Co-Chair, is going on his 5th year serving on the Commission. His knowledge of agriculture helps the Commission to understand farming needs – why they do what they do. His participation in the town-wide rally with his tractor was a show of support from the agriculture community, and much appreciated. He is always willing to lend a hand or facilitate difficult issues in any way he can.

We gained four new members, so we have a relatively "young" Commission. John Hussey joined to bring an additional agriculture voice to the Commission. Stephen Marshall, who enjoys the outdoors, joined as well. Emily Norton, Co-Chair, brought her 30 years of experience teaching biology and environmental science at the high school level. She was instrumental in obtaining grants from U.S. Fish and Wildlife Service and Wayland Public Schools Foundation to install fencing to protect turtles on a heavily traveled state road in Wayland. She founded the Friends of Willard Brook, and served as its President for nine years, during which time she organized innumerable outdoor events. In this capacity she worked with DCR to obtain a permit to eliminate the Phragmites colony in Dead Swamp. Friends of Willard Brook provided the matching funds for that 3-year grant, which is still ongoing. We have attempted to recruit Emily over the years, and are grateful that she is now at a point where she is able

to apply her many talents to the Commission. True to form, she has already completed the MACC Fundamentals Certification for Conservation Commissioners

Veronica (“Ronnie”) Kell joined the Commission this year as well. She has served on the Townsend Conservation Land Trust since its inception in 1988, with only a brief hiatus. She and other town citizens came forward and created the Trust in response to a call from Townsend’s then recently approved Master Plan. The Plan called for an organization that could receive and protect open space. She served as president or trustee while on the Land Trust board. Again, we had attempted to recruit her for several years in order to add land conservation expertise to our team.

Conservation Agent Leslie Gabriliska is in her 14th year with the Town, with the first five years serving as Administrative Assistant for the Commission and the past eight years as the Agent. She serves as the professional charged with providing technical assistance to the Commission in administering and enforcing the Massachusetts Wetlands Protection Act and the Townsend Wetland Bylaw. Her professionalism and ability to effectively work with applicants, other Town departments, State and Federal agencies, as well as violators, is invaluable. Interfacing with the public on a regular basis, Leslie must strike a balance between property rights and development and the protection of Townsend’s natural resources and she does this with ease and grace. Her dedication and passion to protect Townsend’s wetlands, waterways and all of their functions is an enormous asset to the town and the Commission. Leslie’s depth of knowledge, willingness to learn, and enthusiasm to educate the public is remarkable. In 2014, Leslie, at the request of the Selectmen, took the lead in unifying the opposition to the gas pipeline and spent endless hours rallying people, sending emails, making phone calls, attending meetings and informing the public, among many other tasks. The Town should be grateful for her dedication to protect our natural resources! Leslie is also a Board member on the Townsend Conservation Land Trust, another group that strives to protect and maintain open lands for all residents to enjoy.

The Commission is always seeking citizens who have knowledge and experience with a variety of environmental issues that they can share with the town as a member of the Conservation Commission. This is your town to protect for future generations, but it can only be done if you step forward and do so. There are plenty of professional educational opportunities through the Massachusetts Association of Conservation Commissions, UMass Amherst, New England Wildflower Society, and MA DEP, and the Commission will pay for your training. The more knowledge you have, and the better understanding of the laws and regulations you are entrusted to administer, the better. If you would like more information, please call the Commission office at 597-1700, ext.1739