

PUBLIC NOTICE

Massachusetts Secretary of Energy and Environmental Affairs Ian A. Bowles will hold a public hearing on November 8, 2007 for a proposal to amend the designations of the Squannassit and Petapawag Areas of Critical Environmental Concern (ACECs) for the purpose of extending the effective dates of designation regarding Great Ponds and navigable rivers and streams within the ACEC boundaries for two more years from the originally prescribed dates until December 11, 2009. The Secretary accepted the proposal to amend these two ACECs for public review on September 28, 2007. The Squannassit ACEC is located within portions of the municipalities of Ashby, Ayer, Groton, Harvard, Lancaster, Lunenburg, Pepperell, Shirley, and Townsend and the Petapawag ACEC is located within portions of the municipalities of Ayer, Dunstable, Groton, Pepperell, and Tyngsboro. The proposal to amend the ACECs was submitted by the Commissioner of the Department of Conservation and Recreation (DCR), Richard K. Sullivan, on September 26, 2007 pursuant to 301 CMR 12.05.

A public information meeting will be held on Tuesday, October 23, 2007, from 7:00 – 9:00 PM at the Groton-Dunstable Middle School Auditorium located at 344 Main Street in Groton.

The Secretary of Energy and Environmental Affairs will hold a public hearing on:

November 8, 2007 7:00 – 9:00 PM

Groton-Dunstable Middle School Auditorium, 344 Main Street (Route 111/119), Groton

The purpose of this hearing is to receive public testimony to determine whether to amend the Squannassit and Petapawag ACECs, as specifically proposed, pursuant to Section 2(7) of Chapter 21A of the Massachusetts General Laws. Written and/or oral testimony will be accepted at the time of the hearing regarding the proposal to amend the Squannassit and Petapawag ACECs as specifically relates to the two-year extension of the effective dates of designation for Great Ponds and navigable rivers and streams within the ACEC boundaries. Additional written comments may be submitted to the Secretary of Energy and Environmental Affairs within ten days of the public hearing, to:

**Ian A. Bowles, Secretary of Energy and Environmental Affairs
Attn: ACEC Program, Department of Conservation and Recreation
251 Causeway Street, Suite 700
Boston, MA 02114**

The Squannassit and Petapawag ACECs include nine ponds in six towns that are classified as Great Ponds according to the Department of Environmental Protection (MassDEP). These include: Sandy or Sand Pond in Ayer; Long Pond in Ayer and Groton; Massapoag Pond in Dunstable, Groton, and Tyngsborough; Knops Pond/Lost Lake in Groton; Whitney or Cow Pond in Groton; Martins Pond in Groton; Baddacook Pond in Groton; Heald or Blood Pond in Pepperell; and Vinton Pond in Townsend. Great Ponds and navigable rivers and streams are subject to the provisions of the Waterways (Chapter 91) Regulations (301 CMR 9.00). The original designation documents (December 11, 2002) for the Squannassit and Petapawag ACECs included a five-year extension of effective ACEC dates for these water bodies. The proposal to amend the ACECs will extend this effective date by two more years. This extension will allow time for municipalities and landowners potentially affected by the Waterways Regulations to prepare resource management plans and/or to comply with the provisions of c91 regarding the licensing of private structures such as private docks and piers on the Great Ponds within these ACECs.

Copies of the amendment proposal have been distributed to the town halls and public libraries in all of the affected communities, as well as to other interested agencies and individuals. The amendment proposal may be examined at the town halls and public libraries, at the offices of the Massachusetts Department of Conservation and Recreation (DCR), 251 Causeway Street, Suite 700, Boston, MA 02114, or on the ACEC Program website at http://www.mass.gov/dcr/stewardship/acec/acec_fpl.html. Copies of the amendment proposal are also available from Elizabeth Sorenson, ACEC Program, at the above DCR address or by contacting Ms. Sorenson at (617) 626-1394, or at elizabeth.sorenson@state.ma.us. Further information regarding the ACEC Program is also available at <http://www.mass.gov/dcr/stewardship/acec/>.



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
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Boston, MA 02114

Deval L. Patrick
GOVERNOR

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Ian A. Bowles
SECRETARY

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September 28, 2007

Richard K. Sullivan, Commissioner
Department of Conservation and Recreation
251 Causeway Street, Suite 900
Boston, MA 02114

Re: Proposal to amend Squannassit and Petapawag Areas of Critical Environmental Concern (ACECs), located in portions of the Towns of Ashby, Ayer, Dunstable, Groton, Harvard, Lancaster, Lunenburg, Pepperell, Shirley, Townsend, and Tyngsboro

Dear Commissioner Sullivan:

I am writing to you to acknowledge receipt on September 26, 2007 of the proposal to amend the designations of both the Squannassit and Petapawag Areas of Critical Environmental Concern (ACECs) in the above-referenced towns for the purpose of extending the effective dates of designation regarding Great Ponds and navigable rivers and streams within the ACEC boundaries for two more years from the originally prescribed dates until December 11, 2009.

I am also writing to inform you and the eleven communities included in the ACEC areas, that following an initial review and pursuant to the ACEC Regulations at 301 CMR 12.07, **I am accepting the proposal to amend both ACECs, for the specific purpose stated, for full review.** As stated in the ACEC Regulations, "at any time after an ACEC has been designated for one year, the Secretary or any of the nominating parties listed in 301 CMR 12.05 may seek to amend" the designation.

The Department of Conservation and Recreation (DCR) administers the ACEC Program on behalf of my office. Over the next two months ACEC Program staff will conduct the review of the amendment proposal for both ACECs. The review will consist of:

- conducting a **public information meeting in a centrally located venue to the 11 communities** included in the two designated ACECs to inform the public about the amendment proposals and the effects of the proposals, on
Tuesday, October 23, 2007 from 7:00 – 9:00 p.m. at
Groton-Dunstable Middle School Auditorium
344 Main St.
Groton, MA
- **gathering and evaluating additional information** about the proposal, and

- holding a **formal public hearing for the proposal to amend these two ACECs on Thursday, November 8, 2007 from 7:00 – 9:00 p.m. at Groton- Dunstable Middle School Auditorium 344 Main St. Groton, MA**

Public comment will be accepted as oral testimony at the hearing or in writing at any time up to ten days following the hearing. Comments should refer specifically to the proposal to extend the effective dates of the ACEC designations regarding Great Ponds and navigable rivers and streams in these two ACECs. Comments should be addressed to me at

Ian A. Bowles, Secretary of Energy and Environmental Affairs
Attn: ACEC Program, Department of Conservation and Recreation
251 Causeway Street, Suite 700
Boston, MA 02114

I will make a decision within 60 days of the public hearing, as required by regulation, in order to inform the ACEC communities regarding the proposed amendment of each ACEC. I plan to announce this decision **before** the date of December 11, 2007, the date that the two ACEC designations become effective for Great Ponds and waterways as described in the original designations on December 11, 2002. My decision will be based upon the information included in the amendment proposal, additional information provided in the course of the review, public comment received in the course of the review and at the public hearing, and an evaluation of this information by ACEC Program and other Executive Office of Energy and Environmental Affairs (EOEEA) agency staff.

This letter and the 7-page proposal will be circulated to approximately 200 individual citizens, municipal boards and commissions, organizations, and agencies on our amendment review mailing lists. Copies may be requested from the ACEC Program (see below). It will also be posted on the ACEC Program web site at <http://www.mass.gov/dcr/stewardship/acec/acecUpdates.htm> . Public notice is provided to the communities with this letter and with publication of the public notice in the EOEEA *Environmental Monitor* and area newspapers regarding the hearing.

For any questions and additional information, the principal contact person for the amendment review is ACEC Program Director Elizabeth Sorenson. Ms. Sorenson may be reached at (617) 626-1394, by email at elizabeth.sorenson@state.ma.us, or by mail at the address above.

Sincerely,



Ian A. Bowles
Secretary