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### Secretary Bowles Designates Upper Housatonic River as Area of Critical Environmental Concern

#### New status adds extra measure of protection to over 12,000 acres in Lee, Lenox, Pittsfield and Washington

BOSTON – The Upper Housatonic River and its surrounding area – a region of the Berkshires comprising 12,276 acres in Lee, Lenox, Pittsfield, and Washington - was today approved by Energy and Environmental Affairs (EEA) Secretary Ian Bowles as the Commonwealth’s 30th Area of Critical Environmental Concern (ACEC). The new designation promises greater protection for the region’s unique natural and cultural resources.

The new ACEC includes a 13-mile corridor of the Housatonic River, adjacent floodplains, tributary streams, and the western slopes of October Mountain State Forest. It augments more than 2,000 acres within two other ACECs - Kamposoa Bog Drainage Basin and Hinsdale Flats Watershed – in the towns of Lee and Washington.

“During the extensive public process that led up today’s designation, my office heard from hundreds of Berkshire residents, organizations and public officials,” Secretary Bowles said. “The community and regional support for this ACEC was overwhelmingly positive, and this designation will help create an important framework for the long-term preservation and stewardship of these outstanding resources.”

Today’s ACEC designation concludes a public review process that began when Secretary Bowles accepted the ACEC nomination for full public review on September 29, 2008, after 43 citizens submitted the nomination to EEA. Since then, the Secretary’s office has sought public input and advice from natural and cultural resource experts. To inform residents about the ACEC nomination process, EEA held a series of public meetings in October, followed by a Lenox public hearing in January that drew more than 200 people including residents, municipal officials, and representatives of local businesses, environmental and sportsmen’s organizations. Throughout the nomination process and comment period, residents of the four communities and environmental organizations voiced strong and thoughtful support in favor of designation. In total, EEA received 136 written and oral comments, with 114 in support of the ACEC boundary as nominated, six opposed, and two neutral. In addition, Secretary Bowles received petitions signed by over 900 people in support of the designation.

EEA also received 14 comments supporting the ACEC with proposed boundary changes or exemptions, including a letter from the US Environmental Protection Agency (EPA) expressing concern that the designation would present “certain challenges” relating to the remediation of environmental damage associated with PCB contamination from General Electric Company’s Pittsfield plant, pursuant to a consent decree signed by GE, EPA, the Commonwealth and the state of Connecticut. Secretary Bowles did not exempt the area from the new ACEC, stating in his designation letter that the ACEC furthers the goals of remediation and habitat protection activities “by highlighting the important ecological value of this stretch of the river.”

The Secretary also denied a proposed exemption request from Interstate Biofuels, LLC, for 5.5 acres in Lenox where the company intends to build a biofuel production facility, and from the city of Pittsfield proposing to exclude from the ACEC the city-owned wastewater treatment plant and the city’s water supply, Farnham Reservoir, and associated watershed lands in Washington. In keeping the future location of the biofuel facility within the ACEC, Secretary Bowles expressed support for the “creative re-use” of a discontinued paper mill site for a facility that will “help make Massachusetts a center of clean energy technology,” but noted that his decision to keep the

property within the boundaries of the ACEC is consistent with his rejection of proposals to exclude other industrial properties. On the city of Pittsfield's proposed exemptions, he noted that the reservoir and watershed "are important resources worthy of protection under the ACEC regulations," and the location of the wastewater plant "is also vital to the integrity of the ACEC."

Nominators of the Upper Housatonic River ACEC included U.S. Representative John Olver; state Senator Ben Downing; state Representatives Dennis Guyer, Smitty Pignatelli, and Christopher N. Speranzo; and some members of the Pittsfield City Council, Lenox Board of Selectmen, and Washington Select Board. The Berkshire County League of Sportsmen, Berkshire Natural Resources Council, Green Berkshires, and Massachusetts Audubon Society comprised the nominating steering committee.

"As a nominator for this designation, I am very encouraged by Secretary Bowles' decision to approve the Upper Housatonic River as an Area of Critical Environmental Concern," said Congressman John Olver. "This designation will serve to further protect one of Berkshire County's most scenic resources, and will help ensure the integrity of the PCB cleanup process."

Established in 1975, the Massachusetts ACEC Program is administered by the Department of Conservation and Recreation (DCR). Across the Commonwealth, ACECs include over 260,000 acres within parts of 76 communities. ACEC designation serves as an educational and planning tool to encourage citizens, communities, organizations and governmental agencies to work together as stewards of each area's critical natural and cultural resources. While ACEC designation does not supersede local jurisdiction or affect the routine activities of most homeowners and businesses, proposed development projects that require state agency actions, state permits, or state funding are subject to higher environmental reviews to minimize potential adverse impacts to the resources within ACECs.

In addition to the 13-mile section of the Housatonic River, the new ACEC includes a complex ecosystem from the valley floodplains to the heights of October Mountain. Many coldwater tributary streams support more than 30 fish species, while large expanses of wildlife habitat support over 30 rare species, and the forested slopes of October Mountain State Forest provide scenic beauty and recreational opportunities. DCR and the Department of Fish and Game's Division of Fisheries and Wildlife own over 6,000 acres of open space within the ACEC. Combined with land held by state and regional land trusts and municipal open space, conservation land comprises 63 percent of the ACEC. The area also includes historical and archaeological resources and important farmland.

"I appreciate the Secretary's designation, the Administration's commitment to conservation and their recognition that preservation and cleanup of the Housatonic River Valley are not inconsistent with sustainable economic development," said state Senator Benjamin B. Downing.

State Representative Smitty Pignatelli added, "After hearing from hundreds of sportsmen, recreation, and environmental groups as well as from many constituents I know how important this designation was to them. I am thrilled that Secretary Bowles agrees and I am confident that this will ensure the best possible clean-up and restoration of the river."

"The acceptance of the Housatonic River ACEC will provide a greater degree of environmental protection for this important natural resource and ensure that it will be protected for generations to come," said state Representative Christopher Speranzo.

"I know that I speak for many environmentalists and sportsmen in my community," added state Representative Denis E. Guyer, "when I say that I am pleased that EOEEA has insured that this designation is put forth."

Copies of the designation and maps of the ACEC boundary will be distributed to the boards and commissions in the four communities and to the ACEC Program distribution list. [The map is also available here.](#) [Secretary Bowles' letter to the ACEC Nominating Steering Committee is here,](#) and [the designation document is here.](#) A public meeting to answer questions about the new designation and discuss the formation of a volunteer stewardship committee will be held this spring. For further information, please visit the ACEC Program website at [www.mass.gov/dcr/stewardship/acec/index.htm](http://www.mass.gov/dcr/stewardship/acec/index.htm) or contact ACEC Program Director Elizabeth Sorenson at 617-626-1394 or [elizabeth.sorenson@state.ma.us](mailto:elizabeth.sorenson@state.ma.us).