

## Public Meeting

### Draft Round 4 Restoration Plan & Supplemental Environmental Assessment

Massachusetts Housatonic River Watershed Restoration Program

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Date/Time: May 1, 2019 / 5:30 PM  
Place: Lenox Library, Welles Gallery, Massachusetts  
Attendees: Thomas Potter (MassDEP), MA SubCouncil, State Trustee Representative;  
Molly Sperduto (US Fish and Wildlife Service), MA SubCouncil, Federal Trustee Representative;  
Robin MacEwan (Stantec); and  
Attendees (see Attendance Sheet, attached)  
Distribution: Program Website ([www.ma-housatonicrestoration.org](http://www.ma-housatonicrestoration.org))

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*These meeting notes summarize the proceedings, including the responses provided during the question-and-answer period, of the Draft Round 4 Restoration Plan and Supplemental Environmental Assessment (RP/SEA) Public Meeting hosted by the Massachusetts SubCouncil of the Housatonic River Natural Resource Trustees (MA SubCouncil).*

## Introductions

The meeting formally commenced at 5:40 PM. Thomas Potter (MassDEP) welcomed attendees and introduced the purpose of the meeting, following which meeting attendees introduced themselves.

## Presentation

The MA SubCouncil gave a presentation that provided an overview of the Massachusetts Housatonic River Watershed Restoration Program (Restoration Program) and introduced the MA SubCouncil's preferred alternative for Round 4 of the Restoration Program.

The meeting agenda and PowerPoint presentation slides from the MA SubCouncil's presentation are available on the program website at: <http://www.ma-housatonicrestoration.org/library>. Additional resources referenced during the meeting, including the Draft Round 4 RP/SEA and the Restoration Project Selection Procedure (RPSP) are also available on the program website.

## Open Forum<sup>1</sup>

Following the MA SubCouncil's presentation, the MA SubCouncil hosted Open Forum / Q&A portion of the meeting. Questions and comments posed by the audience, and answers provided by the MA SubCouncil, are summarized below.

**Question 1: Why is funding being proposed to be allocated for culvert replacement projects if there are state programs that provide funding for these types of projects and is there a way that these funding programs could work together and that culvert replacement initiatives could be coordinated?**

**MA SubCouncil Response:** *There are programs at the state level that provide support for culvert-replacement projects, including the Massachusetts Department of Transportation*

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<sup>1</sup> Questions and responses presented in these meeting notes are paraphrased and summarized; they do not represent direct quotes. Additional information has been added to certain responses presented here for the purpose of further clarification.

*(MassDOT) for state roads as well as the Massachusetts Department of Fish and Game, Division of Ecological Restoration (DER), which typically supports municipal DPW projects. While there are state resources to support culvert replacement projects, requests for funding have generally exceed available grant monies. As a part of Round 4 of the Restoration Program, the MA SubCouncil selected for funding a culvert replacement project that will provide significant restoration benefits through restoring connectivity along what has been identified as an exemplary cold-water fishery in the Housatonic River watershed. This type of project has a strong nexus to the objectives of this Restoration Program. In response to the second half of the question, the MA SubCouncil also noted that state agencies are working together to strengthen culvert replacement support initiatives results in, among other things, improvement to culvert replacement design standards.*

**Question 2: With regards to land acquisition projects funded through the Restoration Program, why is the information currently confidential, who owns the land at the end of the project, and what is the level of protection that is provided?**

**MA SubCouncil Response:** *As described in the Draft Round 4 RP/SEA, due to the unique sensitivities of land acquisition projects, parcel-specific and project-identifying information will not be made available for public review before land acquisition transactions have closed. This more confidential process for land acquisition projects is intended to accommodate land transaction negotiations that could be adversely affected by the public disclosure of certain information. The specific process for reviewing and selecting land acquisition projects in Round 4 of the Restoration Program is based on the process that was developed, with public input, based on feedback received after Round 1 of the Restoration Program and subsequently used for review and selection of land acquisition projects for Round 3 of the Restoration Program.*

*Land that have been acquired through previous Rounds of the Restoration Program are typically owned by a land trust, municipality, or a state agency. It is a requirement that land acquired as a part of the Restoration Program be protected in perpetuity. In addition to the restrictions associated with the conservation mechanism provided through the owner (e.g., deed restriction, conservation easement), land also has Article 97 protection status and the owner of the parcel and/or conservation restriction is responsible to comply with the protection status of the land.*

**Question 3: Is it possible to reveal the total acreage of the proposed land acquisition projects?**

**MA SubCouncil Response:** *The total acreage of land acquisition projects included in the preferred alternative for Round 4 was not included in the Draft Round 4 RP/SEA, but the MA SubCouncil noted at the meeting that this composite information can be provided prior to closing of the proposed land acquisition transactions without jeopardizing these potential transactions. While this information was not readily available to the MA SubCouncil at the time the question was posed at the meeting, it is provided in these meeting notes as a follow-up: A total of 84.75 acres is included in the land acquisition projects selected by the MA SubCouncil as a part of the preferred alternative for Round 4 as presented in the Draft Round 4 RP/SEA.*

**Question 4: How will PCBs and other contaminants affect the restoration projects; for example, how could the Calcareous Fen Restoration Project be considered a successful restoration project if PCBs aren't remediated at the project site?**

**MA SubCouncil Response:** Restoration projects selected by the MA SubCouncil as a part of the preferred alternative for Round 4 of the Restoration Program were not located in areas directly impacted by PCBs and other hazardous materials released by GE. Proposed restoration projects included in the preferred alternative are located within the greater watershed, outside of the areas of direct impact, and are intended to compensate for injuries to natural resources and services resulting from the direct impacts of release of PCBs and other hazardous substances.

**Question 5: How does the public receive confirmation that selected land acquisition projects have been successfully implemented using these funds?**

**MA SubCouncil Response:** Project-specific information regarding land acquisition projects will be made public after the real estate transactions are completed. The MA SubCouncil expects that, as in past rounds, this information may be provided in a press release and will also be posted to the project website. Interested parties can review project information previously provided for land acquisition projects completed in Rounds 1 and 3 of the Restoration Program to understand the types of land acquisition projects previously funded and the types of project information that will be made public following completion of land acquisition transactions.

**Question 6: After the due diligence phase is completed for the land acquisition projects, will there be an opportunity for public comment?**

**MA SubCouncil Response:** Project- and parcel-specific information regarding land acquisition project will not be made public until the real estate transactions have been completed. The Draft and Final Round 4 RP/SEA will include information related to the type of habitat in the proposed land acquisition projects but will not include more specific information. The MA SubCouncil recognizes it is difficult to provide public comment for land acquisition projects but noted that this approach was developed based on concerns raised during Round 1 of the Restoration Program when land acquisition projects were made public prior to completion of real estate transactions. The current process for reviewing and selecting land acquisition projects was developed, with public input, based on feedback received following Round 1 of the Restoration Program. The process attempts to accommodate specific identified sensitivities associated with land transactions while addressing the objectives of the Restoration Program. Round 3 of the Restoration Program was focused entirely on land acquisition and utilized this process. For additional information, interested parties can review the Round 3 materials available on the project website, including the Draft and Final Round 3 RP/SEA, application scoring summaries, and land acquisition project applications (made public following close of land acquisition transactions).

**Question 7: What types of information were provided as part of the applications for land acquisition projects?**

**MA SubCouncil Response:** The application requirements, including information required to be submitted, are as described in the Grant Announcement and Application (GAA).

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*Multiple types of information, including location, size, resource areas and habitat types, nexus to the injured resource, and intended use(s) of the parcel(s), were provided in land acquisition project applications and helped inform an understanding of how the proposed projects would meet the the objectives of the Restoration Program.*

**Comment 1: As a land acquisition project applicant, thank you for the sensitivity to the unique considerations associated with the land acquisition process. It can be problematic if the details of proposed land acquisition projects are made public prior to closing of the related land acquisition transaction.**

**Comment 2: I like the projects selected but wish there was more funding available and that the Japanese Knotweed Control Along the Housatonic River project could have been funded.**

**Question 8: Aquatic invasive plant species are a problem in the watershed and across the state. Is there work at the state level that is focused towards improved and coordinated management of aquatic invasive plant species, for example water chestnuts?**

***MA SubCouncil Response:** Separate from the MA SubCouncil's work as a part of the Housatonic River Watershed Restoration Program, there is currently a proposal to create a state-wide coordinator for invasive species management; this would support an identified need to coordinate efforts and identify funding sources. The MA SubCouncil has supported aquatic invasive species management projects in previous rounds of the Restoration Program and acknowledges that the Housatonic River watershed would benefit from additional focus on management of invasive species. The MA SubCouncil noted that watershed-level coordinating groups have helped to make other invasive species management projects successful and agreed that the Housatonic River watershed could benefit from such a coordinating body.*

**Comment 3: NRD funding has been a relatively unique funding source for invasive plant control projects in the Housatonic River Watershed as it can be used to fund projects that span multiple parcels; whereas, other common funding resources require a site-by-site approach.**

**Comment 4: I want to commend you for the clarity and transparency of this process.**

The meeting adjourned at approximately 6:45 PM.

The foregoing is considered to be a true and accurate record of the items discussed. If discrepancies or inconsistencies are noted, please contact Thomas Potter at 617-292-5628.

**Stantec Consulting Services Inc.**

Robin MacEwan  
Principal, Environmental Services  
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Attachment: Attendance Sheet

Massachusetts SubCouncil, Housatonic River Natural Resource Trustees  
General Electric/Housatonic River Natural Resource Restoration

**PUBLIC MEETING**  
***Draft Round 4 Restoration Plan &***  
***Supplemental Environmental Assessment (RP/SEA)***  
Housatonic River Natural Resource Damages Fund

**Wednesday, May 1, 2019, at 5:30 PM**  
Lenox Public Library, Welles Gallery  
18 Main Street, Lenox, Massachusetts

**ATTENDANCE SHEET**

<b>Name</b>	<b>Organization</b>
Libby Herland	(not provided)
Kate Buttolph	Mass Audubon
Gordon Clark	Stantec Consulting Services Inc.
Michael Chelminski	Stantec Consulting Services Inc.
Robin MacEwan	Stantec Consulting Services Inc.
Cathy Kiley	MassDEP
Dale Abrams	Mass Audubon
Jess Toro	Native Habitat Restoration
Bob Sondak	(not provided)
Janet Hiles	(not provided)

<b>Name</b>	<b>Organization</b>
Alison Dixon	Housatonic Valley Association
Becky Cushing	Mass Audubon
Dennis Regan	Formerly Housatonic Valley Association
William Mathews	Lee Historical Commission
Angela Vuagniaux	Heartflow – Honoring the Housatonic River
Nina Ryan	(not provided)
Paul Shelhamer	(not provided)
Karen Pelto	MassDEP
Thomas Potter	MassDEP
Molly Sperduto	USFWS