



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

IAN A. BOWLES
SECRETARY

Tel: (617) 626-1000
Fax: (617) 626-1181
<http://www.mass.gov/envir>

November 7, 2008

George Wislocki
Save The Housatonic
P.O. Box 501
Great Barrington, MA 01230

Re: Nomination of the Upper Housatonic River, located in portions of the Towns of Lee, Lenox, Washington, and the City of Pittsfield, as an Area of Critical Environmental Concern (ACEC)

Dear Mr. Wislocki:

George -

Following the public information meetings that were held in October in each of the four municipalities located within the nominated area, I am writing to you, in your capacity as principal contact for the Upper Housatonic River ACEC Nomination Steering Committee, to notify you of the scheduling of the public hearing that will be held for the review of the nomination of the Upper Housatonic River as an Area of Critical Environmental Concern (ACEC).

Enclosed is a copy of the public notice that will be published in the November 10, 2008 issue of The Environmental Monitor (published by the Massachusetts Executive Office of Energy and Environmental Affairs) and in the Berkshire Eagle, the Advocate, and the Pittsfield Gazette newspapers. Copies of the notice are also being sent to state legislators, state and regional agencies, community and environmental organizations, and interested citizens on our distribution list. I would appreciate any additional efforts by you to further publicize the hearing.

The public hearing is scheduled for:

Thursday, December 11, 2008 7:00 – 9:00 PM
Lenox Town Hall Auditorium, 6 Walker Street, Lenox

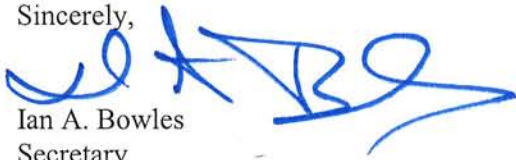
The purpose of the public hearing is to receive oral and written testimony regarding the resources of the nominated area, the proposed boundaries, and the appropriateness of ACEC designation. There will be an additional ten-day written comment period following the December 11 hearing, until December 22, 2008.

Within 60 days of the public hearing, I will make a decision regarding ACEC designation and the final boundary. This decision will be based upon the information contained in the nomination, information gathered in the course of the public review, testimony presented at the hearing and comment letters received, an environmental analysis of the nominated area by EOEEA staff, and the criteria listed in the ACEC Regulations at 301 CMR 12.09.

I would like to thank you and your fellow nominators for your cooperation and participation in the public information meetings that were held in October. I would also like to thank you for your help and coordination in working with ACEC Program staff and in providing additional information as requested.

If you have any questions, comments or additional information to provide please contact Elizabeth Sorenson, ACEC Program Director, at 617-626-1394; 251 Causeway St, Boston, MA 02114; or elizabeth.sorenson@state.ma.us.

Sincerely,



Ian A. Bowles
Secretary

Enclosure: Public Hearing Notice
Cc: ACEC Program Distribution List

PUBLIC NOTICE

Massachusetts Secretary of Energy and Environmental Affairs Ian A. Bowles will hold a public hearing on Thursday, December 11, 2008 for a proposal to designate the **Upper Housatonic River Area of Critical Environmental Concern (ACEC)** located within the municipalities of Lee, Lenox, Pittsfield, and Washington. The Secretary accepted the ACEC nomination for full public review on September 29, 2008 after it was submitted on September 2, 2008 by 43 citizens, including state Senator Ben Downing; state Representatives Dennis Guyer, Smitty Pignatelli, and Christopher N. Speranzo pursuant to 301 CMR 12.05. The Berkshire County League of Sportsmen, Berkshire Natural Resources Council, Green Berkshires, and Massachusetts Audubon Society comprise the nominating steering committee.

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

Thursday, December 11, 2008 7:00 – 9:00 PM
Lenox Town Hall Auditorium, 6 Walker Street, Lenox

The purpose of this hearing is to receive public testimony to determine whether to designate the proposed Upper Housatonic River ACEC pursuant to Section 2(7) of Chapter 21A of the Massachusetts General Laws. Written and/or oral testimony will be accepted at the hearing regarding the resources of the nominated area, the proposed boundary, and the appropriateness of such a designation. Additional written comments may be submitted to the Secretary of Energy and Environmental Affairs within ten days of the public hearing, by December 22, 2008, to:

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

or via email to Secretary Bowles c/o the ACEC Program at the email address: elizabeth.sorenson@state.ma.us

Covering approximately 12,280 acres in Lee (1,610 acres, 13% of the nominated area), Lenox (3,545 acres, 29%), Pittsfield (3,155 acres, 25%), and Washington (3,970 acres, 32%), the nominated area includes the 13-mile corridor of the Upper Housatonic River, adjacent floodplains, tributary streams, and the steep slopes of October Mountain. The nomination describes all 9 of the inland resource categories listed in the ACEC Regulations: fishery habitat; inland wetlands; inland surface waters; water supply areas; natural hazard areas; agricultural areas; historical/archaeological; habitat resources; and special use areas, and further cites the presence of all 9 factors listed under 301 CMR 12.09 as reasons for ACEC designation: threat to public health through inappropriate use; quality of the natural characteristics; productivity; uniqueness of the area; irreversibility of impact; imminence of threat to the resource; magnitude of impact; economic benefits; and supporting factors. Four public meetings were held in October, one in each of the four communities in the nominated area.

Copies of the nomination and maps showing the proposed boundary have been distributed to local officials in the four communities, and are available to view at city and town halls, public libraries, and offices of Berkshire Regional Planning Commission in Pittsfield, Mass Audubon's Pleasant Valley Wildlife Sanctuary in Lenox, Berkshire Natural Resources Council in Pittsfield, and Green Berkshires in Great Barrington. A review copy is also available at the offices of the DCR Bureau of Planning and Resource Protection, 251 Causeway Street, 7th Floor, Boston. The nomination and a map of the proposed ACEC boundary are posted at the nominator's website, <http://savethehousatonic.org>.

Further information regarding the ACEC Program is available at <http://www.mass.gov/dcr/stewardship/acec/> or by contacting Elizabeth Sorenson, ACEC Program, at (617) 626-1394, or at the above DCR address or email.