

MEANDERINGS

by Patrick Garner

No Good Deed

During the last decade I have been the troubleshooter on several problem projects. Invariably, the developer fails to install proper mitigation, or to maintain it, or to anticipate major storms when acres of land are stripped bare. Adjoining wetlands and streams are then impacted by siltation. We have all seen these sad projects. They tend to be more common than not.

I am usually called in after a Stop Order has been issued. At that point, I analyze the extent of impacts and walk the violators through a remediation and restoration process with the Conservation Commission. Mitigation and/or restoration are almost always successful. Nevertheless, despite my white hat, I have found in the last year that “no good deed goes unpunished.”

A disgruntled owner of a small on-line town newspaper recently turned all of my rescues and restorations inside out. She is unhappy with a proposed 40B project I represent in her town. Local residents doggedly oppose the project. To discredit the project team, she “researched” my background, and published a lengthy article decrying the “long trail of woe” that followed my projects. She cited the very projects I had saved.

In a reasoned reply, I challenged each misinterpretation with a complete explanation of the project, the circumstances, and the results. Without belaboring the effort and the time this exercise cost me, suffice to say that she never accepted my invitation to meet, nor apologized for her accusations. Following my letter, she dropped her written crusade . . . for a few months. Then, during a ConCom meeting, she repeated the same empty accusations, trying to discredit the project.

While public forums are intended to give the public voice, they are not intended to serve as opportunities for mischaracterization and untruths. Separating truth from fiction is difficult, and without savvy Boards to see the difference, these contests, unfortunately, too often end up in litigation.

Canoeing on the Nashua River

Late in September, my younger son persuaded my wife and me to canoe part of the Nashua River. The weather was marvelous, and vast cumulous clouds drifted across a deep blue sky. We launched our 15-foot canoe at the small landing on Route 117 in Lancaster and headed northerly toward our pickup car, 5 miles downstream in Harvard.

We paddled steadily down the center channel of the river for about a mile before the machine gun fire began. Then, as we threaded our way between fallen trees and occasionally muddy shoals, the rat-a-tat-tat of M-16s and heavy weapons became louder and louder. The irony was quintessentially American: here we were, deep in a stunningly beautiful nature preserve, an area set aside by the Commonwealth as an Area of Critical Environmental Concern (ACEC), and gunfire coming from the adjacent military

reservation at Devens was so loud that we grew increasingly concerned about being hit by shrapnel and stray ammunition.

By the time we pulled up to the Harvard landing in Still River, the gunfire was constant. We might have been smarter wearing flak jackets instead of our life preservers. We survived, but I tried to imagine the effect of the constant gunfire on wildlife, including migratory birds.

The Central Nashua River Valley ACEC consists of 12,900 acres of terraced farmlands, undeveloped woods and wetlands. Here is a portion of the description for the ACEC, taken from the ACEC Program web site:

“...the river valley provides significant linkages between important wildlife areas. At least 19 state-listed rare species occur within the ACEC. These figures do not include several federal or state-listed rare bird species that are known to utilize the area, but are not listed on the State's rare species database because they are not known to breed within the area. Rare species habitats cover approximately 4,975 acres, or 39% of the ACEC. The wetlands and tributaries are federally listed as priority wetlands, due to their importance to the Atlantic Flyway for migrating birds.”

Yet, a major Army firing range lies deep in the heart of this pristine preserve. As constant reminders, in addition to the gunfire, military “No Trespassing” signs line the river banks lest some boating party imagine stopping briefly among the giant willows to stretch their legs.

Preservation of this vast sanctuary is laudable. However, the coexistence of sensitive, and often secretive, wildlife with an active military heavy weapons firing range seems impossible. The usual beatific experience of canoeing is destroyed as well. Nowhere in the ACEC description of this preserve is there mention of the firing range, even though it dominates and defines the core of the natural area.

I recommend that the ACEC staff rewrite their web site to emphasize the realities of the military presence, and to describe the assets of the “Atlantic Flyway” with extraordinary caution. The rare Blue Grosbeak and guns are not compatible, and we should not pretend otherwise.