

**ACTON CONSERVATION COMMISSION
MINUTES
February 3, 2016
7:15 PM
TOWN HALL - 472 MAIN STREET
ROOM 204**

COMMISSIONERS PRESENT: Terry Maitland, Amy Green, Jim Colman, Paula Goodwin

NATURAL RESOURCES DIRECTOR & RECORDING SECRETARY: Tom Tidman

VISITORS: Joe Will, Jim Snyder-Grant, Bob Guba, David Armstrong (USGS), Chris Bruet (USGS), Bettina Abe

7:15 Notice of Intent: 34 Robbins Street: Applicant requested that the hearing be continued to March 2. Time of hearing will be 7:15 PM.

7:30 Request for Determination of Applicability: 2 Taylor Road, Arboretum
Town of Acton Natural Resources Department filing for a project at 2 Taylor Road, Acton Arboretum (plate no. F3.A, parcel 76). The project entails the removal of non-native invasives and 13 young black walnut trees to prepare the area for a native wildflower and native shrub planting to be overseen by the Friends of the Acton Arboretum.

Tom Tidman presented plans to have a contractor remove invasive honeysuckle and multiflora rose from a section of the Arboretum. Work will occur within 100 feet of wetlands. Work will be done during winter months on frozen surfaces. In addition, black walnut trees will be removed in the work area, and the area will be replanted with native shrubs and wildflowers..

Decision: Ms. Green moved to issue a negative 3 determination, that is, work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent. Mr. Colman seconded the motion and it passed unanimously.

7:45 Emergency Certification: Nashoba Brook Conservation Area
Beaver Dam removal downstream of USGS gauging station

Dave Armstrong from the United States Geological Survey (USGS) described the emergency situation to the Commission. There are 120 gages set up along riverways throughout Massachusetts. They collect data, real time, every 20 minutes. The stream station on Nashoba Brook Stream is one of the few naturally flowing gage locations in Eastern Mass. This is the first time there have been beaver problems at this location. The Acton Water District had sent a letter supporting the removal of the beaver emphasizing the importance of this particular site. (see attachment a.) Gages are used to predict flooding, map floodplains, and design culverts.

Mr. Armstrong also said the USGS would install an information panel at Nashoba Brook for public education. The gage records are being impacted by the elevated water level caused by the beaver dam. A Beaver Deceiver could be installed, but the dam would have

to be removed first. Removal of the dam is very important since its presence impacts flow under high water conditions. Built in 2015, the beaver colony is fairly small and the dam is approximately 2 feet high.

They have met with the Board of Health (BoH) who has requested a letter of approval from the Conservation Commission (ConsCom) since this is town property. There are two requests, to trap the beaver and to completely breach the dam. They would like to remove 2/3 of the beavers. The BoH would permit the trapping, and ConsCom would permit the dam removal. The 10 day permit requested of the BoH would allow for beaver removal followed by dam removal. Long term, it's hoped this is not repeated. Immediately, they are asking for a letter from ConsCom to the BoH to allow the work to proceed.

Mr. Colman asked, since this wasn't really an emergency under the WPA, how long was USGS aware of this situation. Mr. Armstrong replied they knew about it since the October/November timeframe. Ms. Green asked if the breaching was a one day job and Mr. Armstrong responded that it would be done over several days. Ms. Goodwin asked if the dam could be breached and the deceiver installed without trapping the beaver. Mr. Armstrong said the beaver would start rebuilding the next night. Jim Snyder-Grant asked, given the importance of the gaging station, if there was a management approach, such as tree removal with the dam removal, and creating a riffle upstream. Mr. Guba pointed out that there was already a barrier upstream, the dam for the pond. He suggested getting a professional to design the deceiver and extend it far enough upstream to be effective.

Mr. Colman expressed his support for removing the dam, given the importance of the gage. Ms. Green agreed with the proposal. Ms. Goodwin again expressed the desire to breach the dam but not trap the beavers. Mr. Colman suggested a long-term plan should include monitoring and removal of downed trees.

Decision: Ms. Green moved to issue the emergency certificate, Mr. Colman seconded and the motion passed unanimously.

Mr. Maitland drafted the permission letter to the BoH.

Certificate of Compliance: 95 Newtown Road, DEP #85-1167: awaiting letter from engineering firm

Minutes: January 6, 2016 Reviewed by AM, AG, TM;
Ms. Green asked to review the minutes again.

January 20, 2016 Reviewed by TM, AM, AG
Ms. Goodwin moved to accept the minutes, Ms. Green seconded, vote was unanimous.

Meeting adjourned: 9:10 PM



Terry Maitland
Chairperson

Attachment a.

From: Matt Mostoller [Matt@actonwater.com]

Sent: Wednesday, February 03, 2016 1:53 PM
To: Conservation Commission; Board of Health
Cc: Chris Allen; Armstrong, David; marielle.stone@state.ma.us; susan.connors@state.ma.us;
duane.levangie@state.ma.us; Jennifer Pederson
Subject: 2/3 Conservation Committee and 2/22 BOH Meetings

Good Afternoon,

It has recently come to our attention that the Nashoba Brook Stream Gauge is being impacted by beaver activity. In case you were not aware, the Acton Water District's (AWD) 2009 Water Management (WMA) Permit is tied to the stream flow at this gauge. Given this regulatory requirement on our system, it is our hope that the best information can be provided by this gauge. If the existing conditions continue, or an interim fix is not adequate, it could create data with questionable validity, which may not be realized for years. Since our WMA permit is in a renewal process, we do not know how the use of this gauge may impact us going forward.

In the interim, we want to make it known that the AWD and therefore Acton, has a direct interest in what USGS has requested.

If either Board has questions related to this email, do not hesitate to contact me.

Thank you for your respective roles in protecting the water resources of Acton,

Matt

Matthew Mostoller
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P 978-263-9107 F 978-264-0148

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AGENDA
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Signatures for 198 Central Street Order of Conditions

Minutes: January 6, 2016 Reviewed by AM, AG

January 20, 2016 Reviewed by TM, AM, AG

My Background Jobs (17)

Location: Home » Public Meetings » Conservation Commission » 2016 Meetings » 02-03-2016 Listing

02-03-2016 Properties Add to Favorites

Edit Selected... Go Add... Go Refresh

Type	Title	Owner	Edited	Size	Actions
<input type="checkbox"/>	001 - Agenda 02-03-2016	naturalres	01/28/16	8 KB	
<input type="checkbox"/>	010 - 34 Robbins St NOI 85-1184	naturalres	01/28/16	10 MB	
<input type="checkbox"/>	011 - 34 Robbins Street NOI 85-1184 Plan	naturalres	01/28/16	602 KB	
<input type="checkbox"/>	020 - 2 Taylor Rd Arbo RDA Invasives Removal	naturalres	01/28/16	2 MB	
<input type="checkbox"/>	031 - beaver-water-flow-devices	naturalres	01/28/16	391 KB	
<input type="checkbox"/>	032 - Emails related to WPA Emergency Certification filing	naturalres	01/28/16	623 KB	
<input type="checkbox"/>	035 - Pete Shanahan Letter to Acton BOH 2016-02-01	naturalres	02/04/16	516 KB	
<input type="checkbox"/>	Draft plan for Nashoba Brook USGS beaver trapping and dam removal.pdf	naturalres	02/04/16	879 KB	
<input type="checkbox"/>	nashoba.brook_USGS.PDF	naturalres	02/03/16	8 MB	
<input type="checkbox"/>	USGS_2016TrapperInfo_ConsCom.pdf	naturalres	02/03/16	294 KB	