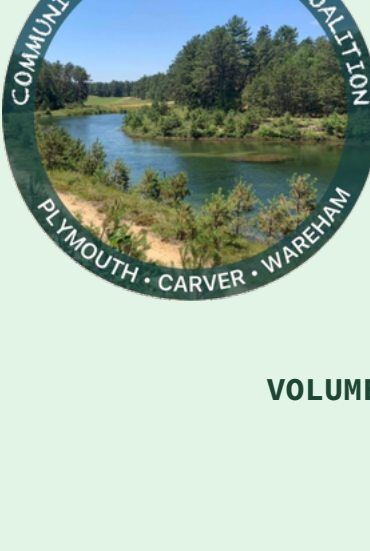


Community Land and Water Coalition



A COMMUNITY UPDATE NEWSLETTER

VOLUME 3



Wareham, MA

Welcome to the **June 21** edition of the Community Land and Water Coalition newsletter. Our focus is Southeastern Massachusetts and we are part of a statewide grassroots network working to protect communities, forests and drinking water. Get in touch to find out more and how to get involved!

We are a coalition of volunteers and activists calling for state-level regulation of sand and gravel mining, protections for the Plymouth-Carver sole-source aquifer that serves 200,000 people and an end to unnecessary environmental destruction and environmental injustice from inappropriate renewable energy projects. We can do better!

Calendar

Our **new calendar** connects you to important hearings and meetings where you can make your voice heard and upcoming educational events. Read about these below, too.

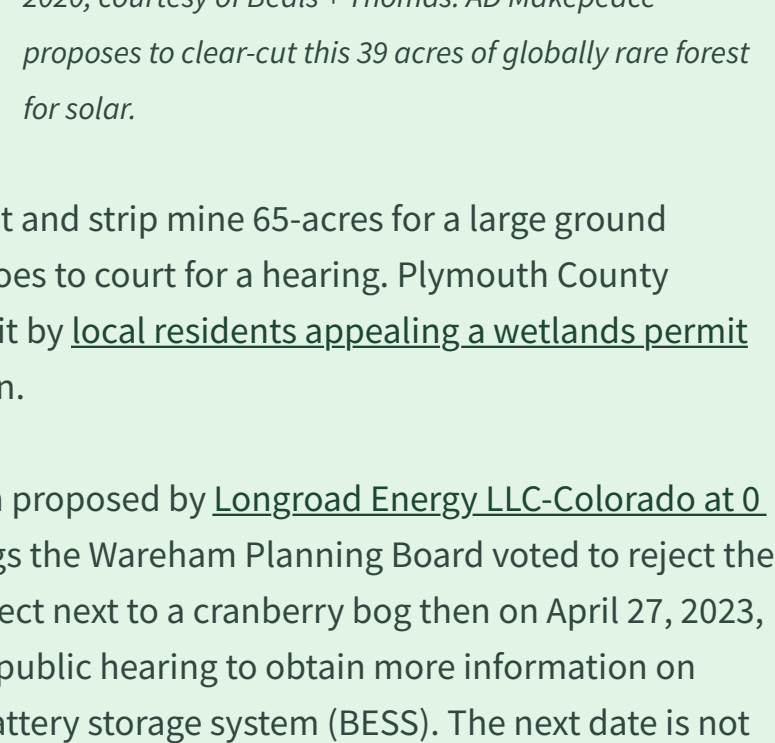
Local Happenings

Upcoming meetings and hearings! Please attend!

Bridgewater - Carver - Halifax - Kingston - Middleboro - Plymouth - Plympton - Wareham

Wareham

June 26: 105 acres of pristine Pine Barrens forest 27 Charge Pond Road and 150 Tihonet Road A.D. Makepeace Cranberry Co. proposal to clear-cut pristine Pine Barrens forest for large ground mounted solar installation. Permits expired, Planning Board to decide on extension. Attend the Wareham Planning Board, 6 p.m. live and on Zoom: public meeting, no public comment. The solar developer, New Leaf Energy plans to submit new information.



Pine Barrens forest at 27 Charge Pond Road, February 14, 2023, courtesy of Bealls + Thomas. AD Makepeace proposes to clear-cut this 20 acres of globally rare forest for solar.

Plympton

SLT has applied for a "SW 46 Permit for Recycling, Composting, and Conversion (RCC)" to be located at the 0 Spring Street sand and gravel mining site, on the Plympton side. SLT withdrew its application to Plympton for this project in 2023 after the Selectboard indicated it was going to request a hydrology study to protect drinking water and raised other concerns about the proposal. Now, even though it withdrew the application from Plympton, the state DEP is moving ahead with approving SLT's application. DEP issued a draft permit that is now out for public comment by July 5.

Take action with this easy Letter Campaign to tell Mass DEP to deny SLT's permit application.



Location of proposed sand and gravel mining and processing operation, courtesy of MassMapper.

Carver

Long time member and chair Robert Ieronimo resigned from the Earth Removal Committee in late May. This brings to 4 the number of long-time committee members who have quit as grassroots activists pull back the curtain on the closed-door dealings of this committee that gives out permits for industrial mining. Now there are only 4 of the required 7 members. The cranberry industry is referred to locally as the "Cranberry Cosa Nostra" because of the way it controls local and state politicians and runs its business. Two of the ERC members have ties to the cranberry industry. Richard Ward has been on the ERC for decades giving out permits and John Mason with ties to AD Makepeace. Who's overseeing the massive mining operations going on in Carver? The Committee is window dressing and needs major reform.

On June 6, 2023, the Selectboard's agenda confirmed that the Office of Inspector General is investigating the Earth Removal Committee. The OIG investigates waste and fraud of taxpayer money and resources. The ERC is supposed to be collecting fees from mining companies who get permits, like Bette Maki-Alex Johnson Cranberry, AD Makepeace Cranberry, Van Johnson/Johnson Cranberry, Franklin Marsh Cranberry (Gary and Craig Weston), North Weston Cranberry (Eric and Elaine Weston), SLT Construction and many others. The ERC is not doing its job and is not accurately counting the volume of earth leaving Carver, or the amount of fees.

Plymouth

AD Makepeace 7+ million cubic yard mining operation on 217 acres of pristine forest in south Plymouth near the Frogfoot Brook is being challenged under the state Wetlands Protection Act. The MassDEP adjudicatory hearing is scheduled for December 2023. In 2012, AD Makepeace's engineers told the state MEPA office the company would apply for wetlands permits for the mining operation but they never did, and claim other work in wetlands is exempt from permits as "agriculture."

Transparency and accountability for town boards and officials: Open Meeting Law appeals involving the Zoning Board of Appeals and Selectboard are still pending at the Office of Open Government, Attorney General's Office. Please contact us to find out more about how to push for more accountability and transparency in Plymouth town government. Many Town boards and committees blatantly violate the Open Meeting Law and have been doing so for years.

Weekly Feature:

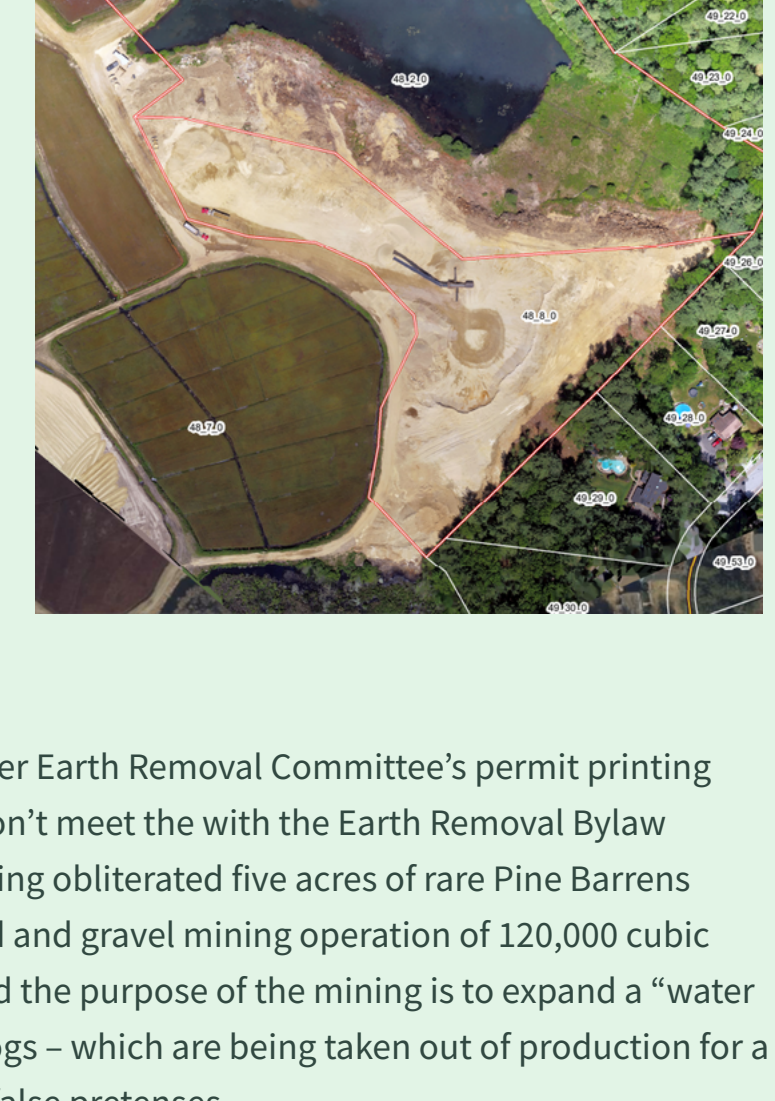
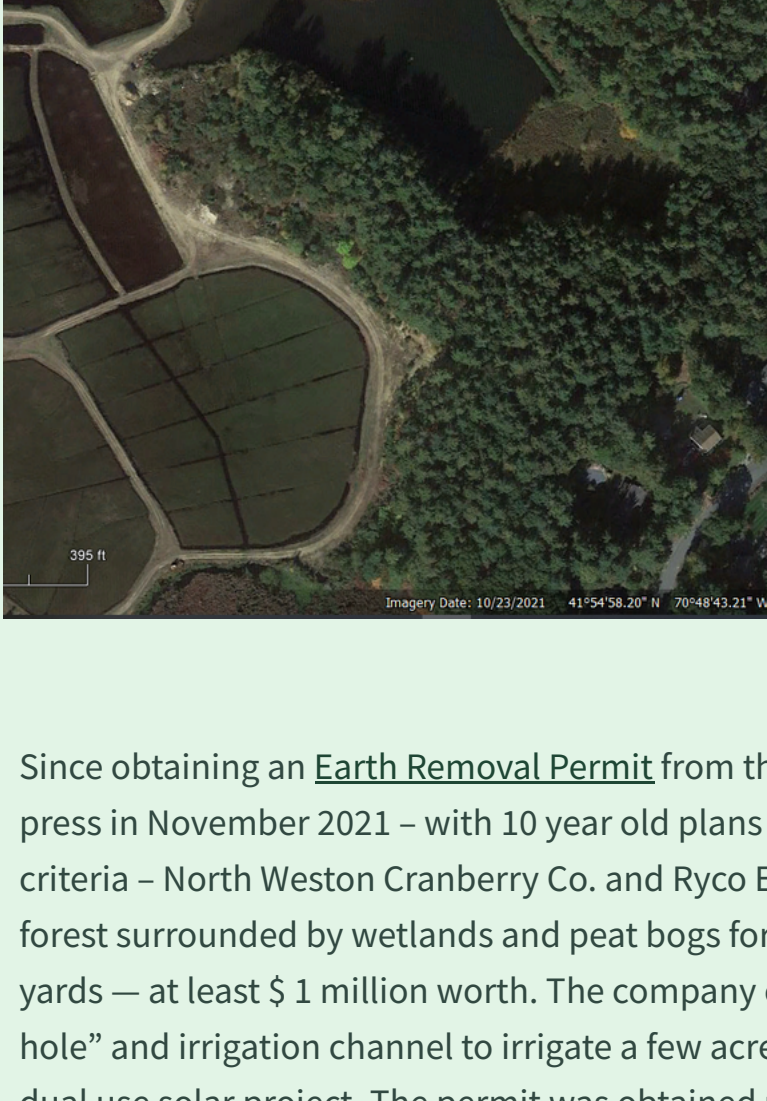
What does sand and gravel mining look like in Southeastern MA?

Each week this section will feature one of the active mining sites. Learn more about how this is happening. This week's feature: at least 5 acre mining operation under the ruse of "cranberry agriculture" by North Weston Cranberries and Ryco Excavating

0 Plymouth St, Carver, MA

BEFORE - OCTOBER 2021

AFTER - JUNE 2023



Since obtaining an Earth Removal Permit from the Carver Earth Removal Committee's permit printing press in November 2021 - with 10 year old plans that don't meet with the Earth Removal Bylaw criteria - North Weston Cranberry Co. and Ryco Excavating obliterated five acres of rare Pine Barrens forest surrounded by wetlands and peat bogs for a sand and gravel mining operation of 120,000 cubic yards - at least \$ 1 million worth. The company claimed the purpose of the mining is to expand a "water hole" and irrigation channel to irrigate a few acres of bogs - which are being taken out of production for a dual use solar project. The permit was obtained under false pretenses.

The state's Climate Chief, Melissa Hoffer recently announced a new initiative for the Healy Administration, Forests as Climate Solutions. This initiative seeks to increase permanent forest land conservation and reduce forested land conversion rate by 50% by 2030. The Healy Administration recognizes the dire need to conserve our forests for water retention, shade, carbon sequestration, biodiversity enhancement, and a host of other ecosystem services. The wetlands and peat bogs as well as the forests and soils of southeastern Massachusetts play a critical role in carbon sequestration and climate resilience. The state needs to step up with oversight over the Carver Earth Removal Committee and stop the cranberry industry's sand and gravel mining under the ruse of agriculture and protect our forests, soils, peatlands and drinking water.

Take Action!

Help out local residents in the Town of Shutesbury MA: Solar Company AMP and land owner Cows Lumber are suing the Town: Local residents need your help!

AMP Energy, a solar company, and Cows Lumber, which claims to be the state's largest landowner - the same claim made by AD Makepeace - are suing the town of Shutesbury challenging the Town's solar bylaw that was voted into law by Town Meeting. The bylaw protects forests, streams and wetlands. AMP and Cows want to clear-cut hundreds of acres of ecologically important forest and threaten drinking water for the large ground mounted solar installation. This lawsuit is an aggressive attempt to bypass the law passed by the voters of Shutesbury to protect forests and wetlands or contaminate critical water supplies. Two very important actions you can take right now.

- 1) [Donate](#) to support the town's legal defense.
- 2) [Register to attend the local forum](#) on June 26 at 7:00 p.m., where Smart Solar Shutesbury will provide a thorough explanation about the current situation, what it means for their town and others, and what needs to happen next.

STATE LEGISLATION: EMPOWER MUNICIPALITIES TO REGULATE LARGE SOLAR

June 20 and 21: two legislative hearings by the Massachusetts Joint Committee on Telecommunications and Utilities Committee on an important solar bill: House bill H.3230 and Senate bill S.2166. "An Act allowing Municipalities to Reasonably Regulate Solar Siting." Submit written testimony by Friday, June 23. The House hearing is on Tuesday June 20 at 10 a.m., and the Senate hearing is on Wednesday June 21 at 9:30. These links tell you how to submit written comments.

November 14, 2023: Joint Committee on Municipalities and Regional Government to hold hearing on Senate 1318/House 2082. An Act regarding municipal zoning powers, a bill to empower municipal zoning for solar siting. This bill updates our state's laws to address today's challenges with siting large industrial solar and battery storage.

News Roundup

Plymouth County Observer: "Halifax Residents Allege Illegal Sand Mining of Glacial Ridge The Whaleback; Seek Injunctive Relief"

On Friday, June 9, Judge Glennly in the Plymouth County Superior Court heard from residents of Halifax seeking an injunction to stop illegal sand-mining on the shores of West Monponsett Pond. The Morse Brothers Cranberry, Oiva Hannuala Cranberry and Ryco Construction have mined in the aquifer and propose to expand the operation. They have leveled part of the Whaleback esker, among the most prominent hills in Halifax which contains exemplary Indigenous cultural history, and lies in an aquifer protection zone overlay district, a DIV II Wellhead Protection Area & A Class A Public Water Supply. The residents want to stop the mining and protect their drinking water. The judge took the case under advisement. Thanks to independent journalist Dr. Ben Cronin for the Plymouth County Observer article!



Lawyer, activist and mom Meg Sheehan joined Herring Pond Wampanoag Tribal member Jeannine Hunt @ ORCTV Studios to discuss her decades of work as an activist and environmental attorney on The Jeannine Hunt Experience - Environmental Activism with Meg Sheehan.

Greenfield Recorder: Letter to the Editor "Trying to muscle big solar into Shutesbury forestland"

Excellent guest column by Jill Buchanan in the Greenfield (MA) Recorder. In it she argues that the current pace of exploitative practices of placing solar in forests could set us back or even reverse the current progress we have made towards combating climate change. Our forests are central to any climate change solution; outdated laws allow solar companies to sue municipalities for trying to control where solar panels go.

Rochester Wanderer: "Ground Solar Cannot Top 6 Feet"

In a 4 - 1 decision, the Marion Zoning Board of Appeals voted to uphold the Town's 6-foot maximum height restriction for solar arrays, in a recent case that came before the Board. According to an article in the Wanderer, many solar developers have sought variances from the height restriction, but so far, the ZBA has not granted one. According to ZBA member Will Tiff, "I don't think it's our place, the Zoning Board of Appeals, to overturn what the town has voted on and what the advisory of the laws are there to do, particularly if this looks like the first of what is going to be an onslaught..."

Berkshire Eagle "A solar farm in a Lenox neighborhood? Not so fast, zoning board says"

The Lenox, MA, ZBA has not yet granted a variance that would allow a solar array in a residential neighborhood. The ZBA is not convinced that putting sheep underneath panels makes it a "farm." Other ZBA members expressed concern over spot-zoning and the clearing of 200 acres of trees in a residential neighborhood. There will be a hearing on June 26th that allows public comment.

BBC "Solar Panels, an eco-disaster waiting to happen?"

This BBC article provides more evidence that we as a society have not addressed the solid waste crisis that will occur in about thirty years from all of the decommissioned solar panels we are currently installing.

NPR: "In some fights over solar, it's environmentalist vs. environmentalist." 6/18/2023 This story portrays the discussion in Amherst MA about what to do about large solar.

PV Magazine "Three ways states can fix interconnection of distributed solar and storage"

A report by Applied Economics Clinic states that interconnection authorizations in Massachusetts have not kept pace with new solar capacity, but the state could use its regulatory authority to focus on system-wide capacity planning, rather than evaluate projects on a case-by-case basis. This study has implications for current solar projects before the Planning Board in Wareham.

Upcoming Events

The Plymouth MVP Partners Present: Connecting Climate, Water, and Community

Saturday, June 24th 2023
Spirer Center for Performing Arts
25 1/2 Court Street, Plymouth, MA

9:30 a.m. Coffee and snacks
10 a.m. "Conversation About Connecting Climate, Water Community" hosted by Southeastern Massachusetts Pine Barrens Alliance (SEMBA): results from the 2 year state-funded Municipal Vulnerability Program (MVP) project
Afternoon: Hikes and films

Guests:

- UMass Amherst Professor David Boutt;
- data derived from his new hydrogeological study of Plymouth's coastal areas.
- David Abel, Boston Globe environmental reporter a journalist's perspective on climate change
- Melissa Hoffer, Massachusetts Climate Chief

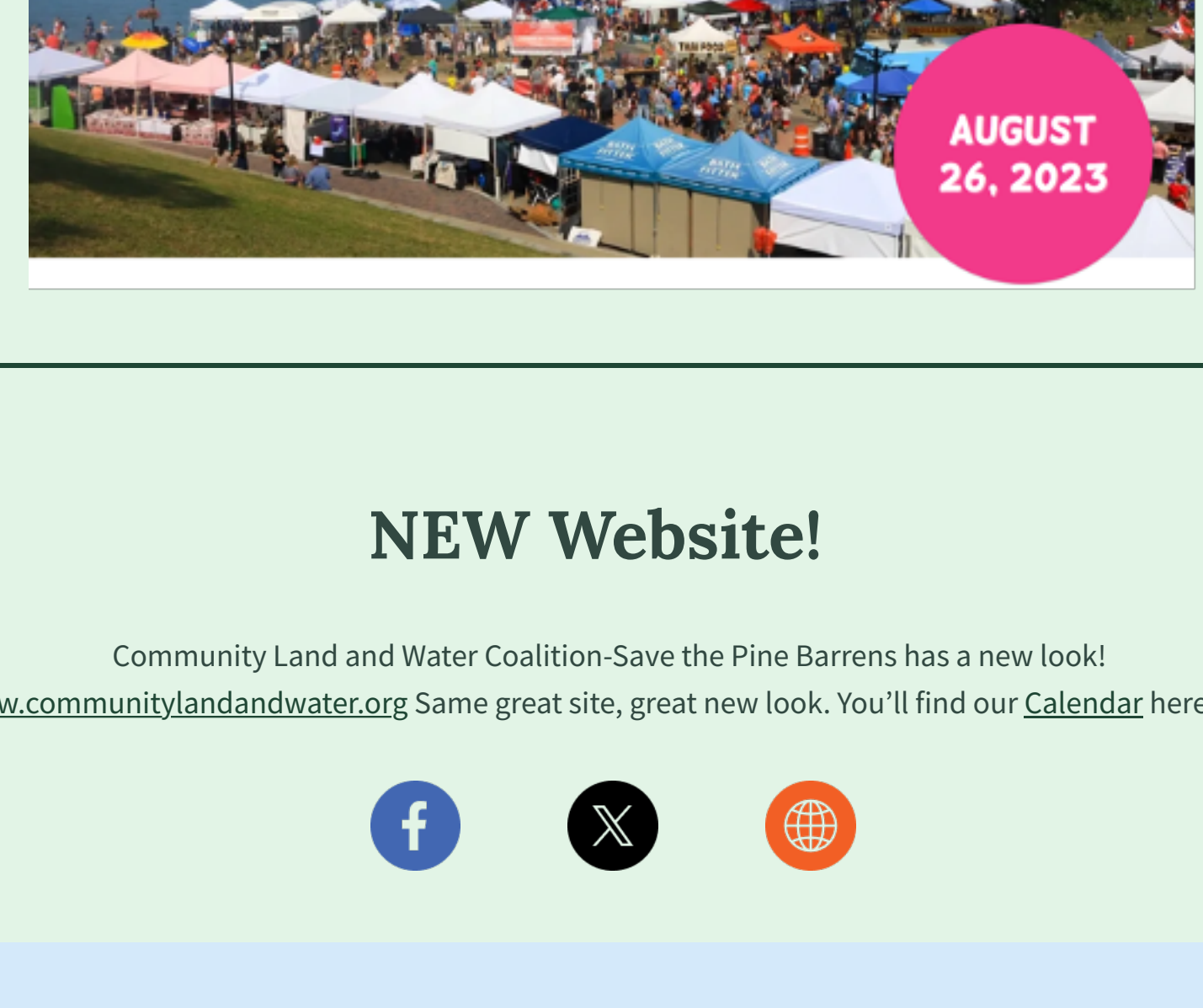
Free and Open to the Public. Registration requested [EventBrite](#)



Waterfront Festival
A fun, family-friendly and educational event! Come by and say hi!

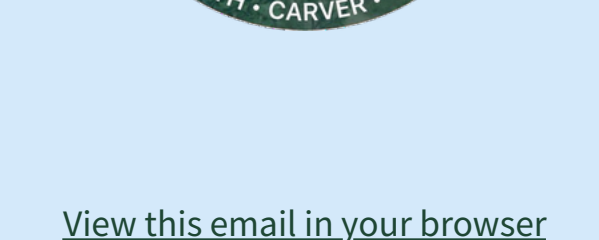
Saturday, August 26, 2023
0 Water Street - Plymouth Waterfront
All Day

Please join Community Land and Water Coalition at this year's **Waterfront Festival!** The festival includes an annual duck race, two stages of live entertainment, arts & crafts show featuring over 200 exhibitors, local non-profits. Community Land and Water Coalition will have a table showcasing an educational, interactive model of the aquifer, and the effects of a changing landscape. Please stop by or come hang out! Sure to be a fun event for all.



NEW Website!

Community Land and Water Coalition-Save the Pine Barrens has a new look! www.communitylandandwater.org Same great site, great new look. You'll find our [Calendar](#) here too!



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