



## Northern Middlesex Council of Governments

A Multi-Disciplinary Regional Planning Agency Serving:  
Billerica – Chelmsford – Dracut – Dunstable – Lowell – Pepperell – Tewksbury – Tyngsborough – Westford

March 25, 2024

Rebecca Tepper, Secretary  
Executive Office of Energy and Environmental Affairs  
Attention: MEPA Office  
Nicholas Moreno: EOEEA #16731  
100 Cambridge Street, Suite 900  
Boston, MA 02114-2509

Re: EOEEA MEPA #16731 Talbot Mills Dam Removal/ Concord River Restoration – Billerica, Single Environmental Notification Form (SEIR)

Dear Secretary Tepper:

The Northern Middlesex Council of Governments, (NMCOG), regularly evaluates MEPA proposal notifications to determine those that may have a regional impact. Our role is to review projects for alignment with the Regional Strategic Plan for Greater Lowell, Northern Middlesex's regional policy plan, the Commonwealth's Sustainable Development Principles, Complete Streets policies, Massachusetts Global Warming Solutions Act, and local master plans. As a regional planning agency, NMCOG fosters sustainable development and environmental stewardship.

MEPA notification #16731 proposes the removal of an historic mill dam in the Concord River within the Town of Billerica. The proponent's SEIR submission requires a MEPA review as it will utilize funding from MassDOT, which requires a Water Quality Certification from MassDEP for work in wetland resource areas, project exceeds the ENF review thresholds at 310 CMR 11.03(b)1.d and f. The project site is within one mile of communities that meet Environmental Justice (EJ) criteria.

The Talbot Mills Dam spans approximately 127 feet in length and 10 feet in height above the Concord River, situated around 4.76 miles upstream of its confluence with the Merrimack River. The removal initiative is pursued as the optimal solution to reinstate migratory fish passage and connectivity for resident aquatic species, decommission aging infrastructure, alleviate ongoing maintenance and repair responsibilities, mitigate flood hazards, enhance resilience, and promote improvements in water quality, habitat, and natural river functions. Notably, the project aligns with a recommendation in the Regional Strategic Plan for Greater Lowell, focusing on enhancing water quality and resource areas, including critical habitats that sustain biodiversity.

The project broadly conforms to the Regional Strategic Plan and the Billerica Master Plan, enhancing water quality, bolstering river functions, and increasing flood resilience. However, the decommissioning of the dam raises concerns about its impact on water quality, both during and after, primarily because Billerica has an independent water supply. NMCOG strongly recommends that the project proponents furnish the community with clear information and visual representations regarding the hydrologic

aspects of the project. This is especially crucial in relation to the depth of the town's drinking water supply pump, located half a mile upstream from the project site. Furthermore, NMCOG strongly advises the proponents to adhere to or surpass state-mandated Best Management Practices (BMPs) to prevent, minimize, and mitigate environmental effects during construction, which includes controlling pollution, reducing the release of sediment and invasive water chestnut downstream, ensuring continuous flow during the removal process to protect fisheries, implement erosion, sedimentation, and water control and restore disturbed areas post-construction to preserve the town's water supply.

Conversely, Talbot Mills Dam is a beloved historical site and integral to Billerica's Mills Historic District. The Billerica Master Plan envisions a community known for its work to preserve and enhance its historic resources. The Billerica Master Plan and the Regional Strategic Plan also underline the importance of preserving historic resources. To abate the loss of the Talbot Mills Dam, NMCOG reaffirms the request for continued discussions with consulting parties on ways to avoid and minimize the loss of this critical historical resource.

Moreover, we strongly recommend that the project team continue its efforts in outreach and engagement, with a particular focus on EJ communities. This includes creating translated Spanish, Portuguese, and Khmer materials to ensure accessibility. We recommend that the project team organize project tours and incorporate translated interruptive signage, especially during decommissioning and construction phases, to enhance transparency and provide broad educational opportunities regarding the historical significance of the dam and river restoration efforts.

To underscore the critical importance of transparent communication, we reiterate the necessity of maintaining open channels. The concerns voiced by the Town of Billerica regarding project communications, related explicitly to remote consultations, site visits, and deadlines, are notable. It is highly recommended that the project proponents diligently keep their contact lists up-to-date and accurate. When contact information for Town committees and officials may not be readily accessible, we suggest utilizing NMCOG as a valuable resource to ensure effective and reliable communication channels.

In closing, NMCOG acknowledges the objectives of the Talbot Mills Dam Removal and the potential benefits it holds for both the environment and the community. Nevertheless, we emphasize the importance of the project team's unwavering commitment to safeguarding Billerica's water quality and preserving the region's historical assets. Maintaining open and continuous communication with local stakeholders is crucial to ensure that the project aligns with the specific needs and perspectives of the community. This approach contributes to environmental enhancement and safeguards the invaluable historical heritage of the town and the region. NMCOG respectfully requests the Secretary to incorporate our feedback into any final communications or certificates issued for this project. We appreciate the opportunity to provide input on this project.

Sincerely,  
  
Jennifer Raitt  
Executive Director

cc: Andrew Deslaurier, Secretary, Billerica Select Board and NMCOG Chair  
John Curran, Billerica Town Manager