



MASSACHUSETTS ASSOCIATION of  
CONSERVATION COMMISSIONS, Inc.

# MACC Newsletter

Vol. XVI, No. 1

January/February 1987

INSIDE THIS ISSUE - SPECIAL PULL OUT SECTION

## MACC 1987 ANNUAL MEETING

"WATER, WATER EVERYWHERE, BUT . . .":

THE ROLE OF CONSERVATION COMMISSIONS IN PROTECTING WATER RESOURCES

SEE PAGES 5 - 9 FOR AGENDA AND REGISTRATION FORM

\*\*\*SPACE IS LIMITED\*\*\*REGISTER EARLY\*\*\*DEADLINE IS FEBRUARY 27, 1987\*\*\*

### COMMISSIONS WIN ON RAILROAD RIGHTS-OF-WAY HERBICIDE SPRAYING

Conservation commission jurisdiction over railroad rights-of-way (ROW) spraying in buffer zones has been upheld by DEQE. In an adjudicatory decision on two appeals involving the Leverett, Clinton, and Sunderland Conservation Commissions, MACC and the Mass. Railroad Association (MRA), DEQE found that Notices of Intent were appropriately required and that significant wetland alterations can be caused by herbicides migrating from railroad ballast areas.

DEQE's ruling culminates three years of regulatory proceedings through which the MRA sought to strike down town-by-town regulation of annual maintenance spraying. Many commissions became aware of ROW herbicide spraying when they began receiving notices required by a 1981 amendment to the Mass. Pesticide Control Act. In the spring of 1983, about 20 commissions received Requests for Determinations of Applicability from the MRA in an effort to test their legal jurisdiction over herbicide spraying. Subsequently, Positive Determinations (continued on page 3)

### HELP! HELP! HELP!

Originally this was to be a request for a typewriter or tape recorder in good condition. We still need those pieces of equipment, but another need takes precedence. The reason that our Newsletter is so late is that we had not one but two different kinds of computer malfunctioning. Our printer self-destructed just before Christmas. We spent the two weeks around the holidays trying to find a quick solution. In addition, we have been unable to retrieve our files with all of the addresses of our members from the Tufts mainframe! This seemed like the ideal time to give serious thought to our overall needs. We are planning to purchase new equipment.

Our budget really does not have any grand cushion, and we would deeply appreciate it if you could send us a contribution toward this purchase. If each of those on our mailing list sent at least a dollar or two, we could really solve this problem adequately. Who knows, our added efficiency might enable us to meet all your requests.

LINCOLN FILENE CENTER

TUFTS UNIVERSITY

MEDFORD, MASSACHUSETTS 02155

(617) 381-3457

**PRESIDENT'S MESSAGE**

**MEPA AND THE WETLANDS ACT\***

Many moons ago I described proposed changes in the MEPA regulations which I thought were then imminent. Pursuant to Murphy's law, the new regulations are just now ready for promulgation. And the big winners are conservation commissions!

The Mass. Environmental Policy Act (MEPA - G.L. ch. 30, ss. 61-62) requires an "Environmental Impact Report" (EIR) for any state action significantly affecting the natural environment. The law includes acts of private parties where a state permit is involved, although the impact report is limited to the subject matter of the state permit. The program is administered by the MEPA Unit, reporting directly to the Secretary of Environmental Affairs. As the only review involving a broad look at the environment and the public interest, MEPA is an under-used tool for protecting our wetlands and open space.

The MEPA regulations (301 CMR s. 11.00) set out three levels of review. At the bottom are activities so minor or so beneficial that they are exempt from review. At the top are activities so likely to impact the environment that MEPA automatically requires a full-scale EIR (these activities are "categorically included"). The middle area, including most permit activities, involves discretionary review by the Unit to determine whether or not an EIR will be required, and, if one is, what its scope will be. This is of course where most of the action is for environmentalists.

The discretionary review is carried out in the following manner: The proponent state agency, or the private party to whom a permit has been issued, submits to MEPA an "Environmental Notification Form" (ENF). These forms are printed in the Environmental Monitor, which is published twice monthly by the Secretary of Environmental Affairs and sent out free to anyone who wishes to subscribe. Concerned citizens have 20 days to tell MEPA what they know about the proposed activity, and whether an EIR should be required. MEPA makes its decision 10 days later. It takes anywhere from 2 months to 2 years to produce a Draft EIR (DEIR) which is subject to public review, followed by a Final EIR (FEIR) which is the subject of further comment and sometimes legal action. During all this time, the proposed work cannot go forward, although the proponent may do work not connected with the permit which is the subject of review (this is the loophole through which Pyramid Co. is wiggling in Lanesboro). Obviously all this review offers a real chance for conservation commissioners to force adequate studies of environmental impact.

Under the proposed regs, activities in wetlands will receive the following intensive reviews:

- 1) An ENF (discretionary review) will be required for issuance of a superseding order of conditions permitting any alteration of 1000 square feet or more of salt marsh, 5000 square feet or more of bordering vegetated wetlands, 500 feet or more of bank, or one half acre or more of any other area (e.g. 100 year floodplain) subject to the wetlands act. An ENF will also be required for issuance of any variance from the 1983 regulations by Commissioner Sylva; for fill or structures within the regulatory floodway delineated under the flood insurance program; for alteration of a primary dune; for construction in a velocity zone on a barrier beach; for new, expanded, or reconstructed armoring of a coastal bank; and for bridges, roads, and utility lines on barrier beaches.
- 2) At the top end, an EIR will automatically be required for any project resulting in alteration of 2 or more acres of bordering vegetated wetlands or salt marsh; for 10 or more acres of any other resource area protected by the 1983 regulations (excluding buffers); for stream channelization or relocation of 2000 feet or more; and for any nonwater dependent use of 2 or more acres of tidelands where a ch. 91 license is required.

Note that these thresholds are only triggered on a state permit, so orders of conditions will not involve MEPA unless they are appealed. On the other hand, practically every local order involving wetlands will now require an ENF (with the risk of a full EIR) if it is appealed by anyone! This is extraordinary leverage. Let's take full advantage of it.

**Alexandra Dawson, Esq.**

(continued from page 1)

## LEGAL BRIEFS

issued in Leverett and Clinton were chosen for appeal to DEQE. Following superseding Determinations issued at the regional level, a consolidated adjudicatory hearing was initiated in which MACC and the Sunderland commission were allowed to intervene. Following three years of hearings and decision making, DEQE hearing officer Patricia Lewis issued a tentative positive decision July 18th which was finalized by DEQE Commissioner Russell Sylva on November 13, 1986.

The adjudicatory hearing focused on the issue of "whether the proposed herbicide spraying will 'alter' any resource area within the meaning of the definition" stated in the DEQE regulations. To arrive at a decision, several legal and factual findings were made which should prove useful to commissions in their ongoing work:

- A reasonable probability, not absolute certainty, of an alteration based on a reasonable worst case analysis is sufficient to make a Positive Determination. The onus would be on the applicant to present such an analysis to support a case for a Negative Determination.

- The "functional test", or an evaluation of a proposed activity's effect on the 7 protected wetland values, should not be applied in the Request for Determination of Applicability process. The depth of review required for a functional test is more appropriate to the Notice of Intent process, which provides a longer review period and greater decision making flexibility through the writing of Orders of Conditions. Furthermore, the DEQE regulations define "alter" as a change in the condition of a resource area, not in its functions.

- The Mass. Pesticide Bureau's Guidelines on ROW spraying do not offer an adequate substitute for the DEQE regulations because they do not deal with all 7 wetland values and are not binding regulations.

In essence, DEQE is saying that Determinations of Applicability should be utilized to identify activities that pose a reasonable likelihood of causing wetland alterations and require a further review through a Notice of Intent.

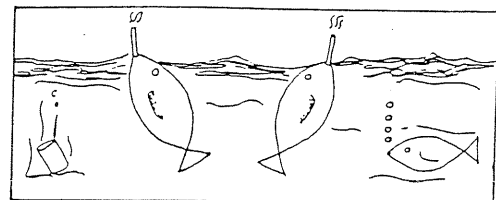
(continued on page 11)

At a recent conference on growth controls, several attorneys discussed some of the important cases on building moratoria and "inclusionary zoning," and some of the recent zoning decisions. For those of you interested in checking, the top moratorium decision in Massachusetts is still *Collura v. Arlington*, 367 Mass. 881 (1975), upholding a limited and temporary moratorium on certain types of building, pending revision of the comprehensive plan. The Mass. court has twice approved "growth scheduling" bylaws which limited the amount of building which could occur on a site in a year: *Sturgis v. Chilmark*, 380 Mass. 246 (1980) and *Giuliano v. Edgartown*, 531 F.Supp. 1076 (1982).

The top Massachusetts court has thrice avoided deciding whether a community can legally require a certain percent of any development to be devoted to low income housing (linkage) or require a payment of money in lieu of the units (an exaction). See *Iodice v. City of Newton*, 397 Mass. 329 (1986) and *Bonan v. City of Boston*, 398 Mass. 315 (1986); plaintiffs in both cases were kicked out on technical grounds. The smart money is on the legality of such programs, if properly authorized by bylaw or ordinance. Newton, Lexington, Reading, and Boston are trying.

Probably the most interesting, if infuriating, recent zoning cases are:

- 1) *SCIT Inc. v. Planning Bd. of Braintree*, 19 Mass. App. Ct. 101 (1985), in which the appeals court decided that a town cannot have a zoning district in which absolutely every use requires a special permit (Moral: always allow very low density housing and agriculture as a fallback?);
- 2) *Building Inspector of Mansfield v. Curvin*, 22 Mass. App. Ct. 401 (1986), in which the same court decided that G.L. ch. 40A, s. 3, prohibits a town from banning a piggery on land over 5 acres in size. That law was put in a few years ago out of warm regard for farming; however, piggeries have been declared nuisances for centuries, and we may yet see some modification of the statute.



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## FROM THE COMMISSIONS

### IN MEMORIAM

Harold B. Clark a charter member of the Foxboro Conservation Commission (1961) died in late November. He was instrumental in the purchase of a major portion of the 1300 acres owned by the Commission in the Town of Foxboro.

### WATERTOWN ARSENAL PARK

December 4th, one of eleven merit awards was presented to Watertown by the Boston Society of Landscape Architects for Arsenal Park. This 14 acre urban park was dedicated in 1980 after years of hard work by conservation commission members and others who had a vision of what this area could provide to enhance the beauty of Watertown.

### MSMCP TRAINING GRANT

The Massachusetts Society of Municipal Conservation Professionals (MSMCP) has been awarded a grant by EOCED to conduct a statewide training project for Conservation staff. Due to the increase in Conservation Commission workload, many towns have recently hired or are considering hiring professional conservation employees. The grant provides an opportunity for developing resources and sharing expertise.

MSMCP has started work on a guidebook for conservation staff covering the full range of substantive and administrative responsibilities. A series of outreach and training workshops will then be offered throughout the state.

Commissions interested in scheduling a workshop to discuss strategies for funding and defining a staff position should contact the Project Manager, Pam Harvey at 73 Old South Street, Northampton, MA 01060. Suggestions for the content of the guidebook and training sessions are also encouraged.

In addition, a comprehensive inventory of conservation land is being compiled, highlighting the many examples of successful land acquisition and management programs across the Commonwealth. Your commission has recently been sent a questionnaire regarding conservation land, please complete and return it promptly.

For further information contact Peter Westover at (413) 256-0413 or call the MACC office.

**MACC Newsletter**

## UPCOMING EVENTS

### SAVING THE WETLANDS OF MASSACHUSETTS

The New England Wildflower Society is sponsoring a work shop to familiarize participants with the Wetlands Protection Act, how does it work, and how can it be used to protect unique floral communities and habitats? What can we do as private citizens to make sure the law is enforced? Specific cases will be used to illustrate the problems and possibilities.

Sunday, February 22, 1987  
Garden in the Woods, Framingham, MA  
2:30 - 4:00 p.m.  
Fee: \$7, Limit: 50  
Instructor: Harlan M. Doliner,  
McGregor, Shea & Doliner  
Contact: Frances Clark, (617) 877-7630



### SEDIMENT AND EROSION CONTROL CONFERENCE

In an effort to promote sound management of land and water resources, the Southern New England Chapter of the Soil Conservation Society of America is sponsoring a sediment and erosion control, and stormwater management conference.

Monday & Tuesday, March 16 and 17, 1987  
Yankee Drummer Inn, Auburn, MA  
Contact: Pat Leavenworth, (203) 345-3219



### NEW ENGLAND ENVIRONMENTAL CONFERENCE

Senator Edward M. Kennedy will give the keynote address at the Ninth Annual Conference. Workshops on a wide range of environmental issues will stimulate the interests of concerned environmentalists and citizens from across New England. Approximately 1,000 participants attend the conference each year to learn the most up-to-date information and to share experiences in dealing with the critical issues that face us today.

MACC is cosponsoring the conference.

Saturday and Sunday, March 21 & 22, 1987  
Lincoln Filene Center, Tufts University  
Medford, MA  
Contact: Nancy Anderson, (617) 381-3291

**"WATER, WATER EVERYWHERE, BUT . . ."**  
**THE ROLE OF CONSERVATION COMMISSIONS IN PROTECTING WATER RESOURCES**

MACC 1987 ANNUAL MEETING  
SATURDAY, MARCH 7, 1987  
8:00 a.m. - 4:00 p.m.  
HOGAN CAMPUS CENTER, HOLY CROSS COLLEGE  
WORCESTER, MASSACHUSETTS

AGENDA

8:00 - 8:45 REGISTRATION, COFFEE, AND VIEWING OF EXHIBITS

9:00 - 10:30 WORKSHOP SERIES A (pick one of seven)

(1) Basics for Conservation Commissioners

Panelists: Tania Assaykeen, MACC First Vice-President  
Sally Sweitzer Sheperdson, Worthington Commission  
Moderator: Maureen Oates, Environmental Education

(2) Water Management and Water Conservation

Panelists: Elizabeth Kline, EOE, Assistant Secretary  
To be announced.  
Moderator: Nancy Anderson, MACC Board of Directors

(3) Coastal Plant Identification and Boundary Delineation

Panelists: Ralph Tiner, US Fish and Wildlife Service  
To be announced.  
Moderator: Diane Boretos, MACC Board of Directors, Nominee

(4) The Clean Water Act: Federal and State Antidegradation Designation

Panelists: Alexandra Dawson, Esq. MACC President  
Willard R. Pope, Esq., DEQE General Counsel  
Moderator: Robert Gray, MACC Second Vice-President

(5) Enforcement Tactics and Strategies

Panelists: James Howard, Esq., Middlesex Cty. Ass't. Dist. Attorney  
Elizabeth Lane, Esq., Kopelman and Paige, P.C.  
Moderator: Judith Pickett, Esq., MACC Board of Directors

(6) Lakes and Ponds; Safe Weed Control: drawdown, harvesting, poisons  
or preventative maintenance?

Panelists: Gary Gonyea, DEQE Lakes Management Program  
Robert Spencer, Berkshire RPC  
Moderator: Ruth Kaminski, Past MACC Director

(7) Community Control of Hazardous Waste

Panelists: Anita Flanagan, Clean Harbors  
Scott Horsely, IEP  
Moderator: Robert Clark, MACC Secretary

10:45 - 12:15 WORKSHOP SERIES B (pick one of seven)

(1) 10.53, What does it Mean? Exemptions and Limited Projects

Panelists: Christy Foote-Smith, DEQE  
Robert Gray, MACC Second Vice-President  
Moderator: Miriam Cooper, MACC Board of Directors

(2) Understanding the Functions of a Wetland

Panelists: Dr. Betsy Colburn, MA Audubon Society  
David Foster, Harvard Forest  
Michael Simpson, Wetlands Consultant  
Moderator: Sally Zielinski, MACC Board of Directors, Nominee

(3) Identifying and Mapping Groundwater Resources and a Local Case Study

Panelists: Walter Mullica, IEP  
Savos Danos, Littleton Water Department  
Moderator: Tania Assaykeen, MACC First Vice-President

(4) Contamination Threats to Water Quality

Panelists: Larry Feldman, GZA  
Michael Frimpter, USGS  
Moderator: John Powell, MACC Board of Directors

(5) Chapter 91 Regulations: Tidelands, Great Ponds, and Riverbanks

Panelists: Carl Dierker, Esq., DEQE Legal Counsel  
Gary Clayton, DEQE, Director, Wetlands and Waterways  
Moderator: Judith Skinner, MACC Board of Directors

(6) Pesticides and Herbicides

Panelists: Judith Pickett, Esq., MACC Board of Directors  
Cynthia Thomas, Massachusetts Audubon Society  
Moderator: Richard Emmet, Esq., MACC Board of Directors

*Round-up.*

(7) 404; Getting the Corps Involved

Panelists: Representative, Army Corps of Engineers  
Matthew Schweisberg, EPA  
Moderator: Alexandra D. Dawson, Esq., MACC President

12:20 - 2:00 LUNCH, BUSINESS MEETING, AND AWARDS

**SPEAKER: MICHAEL DELAND, EPA NORTHEAST REGIONAL DIRECTOR**

2:00 - 2:45 VIEWING OF VIDEOS, FILMS, AND EXHIBITS  
(Complete listing available at registration)

MINI-WORKSHOPS

- a) Ask the Experts: Workshop Speakers and Others
- b) Community Experts on Local Water Protection
- c) Swampbusters Program
- d) MAS Questionnaire Results

Coordinator: Diana Proctor, MACC Board of Directors

2:45 - 4:15 WORKSHOP SERIES C (pick one of seven)

✓ (1) Wetland Replication: Science, Policy, and Myth.

Panelists: Joseph Larsen, Professor, U. Mass. Amherst  
Garret Hollands, IEP  
Michael Bartlett, US Fish and Wildlife Service  
Moderator: Arleen O'Donnell, MACC Board of Directors

✓ (2) Drainage Calculations: Methods to be used to determine impacts; Retention, Detention and other structures.

Panelists: Fay Baird, P.E. IEP  
To be announced.  
Moderator: Judy Eiseman, MACC Board of Directors, Nominee

(3) Local Wetland Bylaws and Regulations: A working session

Panelists: William Henchy, Esq., Brewster Commission  
Sally Newbury, Esq., CLF Legal Services  
Moderator: Marcel Kistin, Esq., MACC Treasurer

(4) Administrative Penalties

Panelists: Tom Powers, Esq., DEQE Counsel  
Greg McGregor, Esq., MACC Board of Directors  
Moderator: Pat Loring, MACC Past Director

(5) Harbor Pollution Control

Panelists: Rich Quateman, Massachusetts Audubon Society  
Peter Shelley, Esq., CLF  
Moderator: Frederick Fawcett, MACC Treasurer Elect

(6) How to Protect Water Quality

Panelists: William Rizzo, Esq., Rizzo Associates  
Steven Anderson, Esq.  
Moderator: Sally Schnitzer, MACC Third Vice-President

MACC  
✓ (7) Landfills

Panelists: Chris Tilden, DEQE Southeast Region  
Frank Wright, Esq., Wright and Moehrke  
Moderator: Gregor S. McGregor, Esq., MACC Board of Directors

**DIRECTIONS TO ANNUAL MEETING**

**HOGAN CAMPUS CENTER  
HOLY CROSS COLLEGE, WORCESTER**

Take Route 290 to Worcester; leave Route 290 at Exit 11 (College Square Exit). Take first right after Howard Johnson's and before set of lights (College Ave.). Proceed up long hill to Gate 7. Enter and go to parking lot in front of second building, Hogan Campus Center.



## REPORT OF THE NOMINATING COMMITTEE

The 1987 MACC Nominating Committee would like to recommend the following slate of Officers and Directors for election to the MACC Board of Directors at Annual Meeting on March 7, 1987.

President - Alexandra D. Dawson, Hadley

First Vice-President - Tania Assaykeen, Hopkinton

Second Vice-President - Robert Gray, Bourne

Third Vice-President - Sara (Sally) Schnitzer, Concord

Treasurer - Frederick Fawcett, Essex

Secretary - Robert Clark, Petersham

Directors to serve until Annual Meeting 1988 - Judith Pickett, Littleton; Judith Skinner, Marblehead; \*Judith Eiseman, Pelham; \*Diane Boretos, Falmouth.

Directors to serve until Annual Meeting 1989 - Nancy Anderson, Medford; Richard Emmet, Westford; Gregor McGregor, Wellesley; John Powell, Holliston.

Directors to serve until Annual Meeting 1990 - Miriam Cooper, Danvers; Arleen O'Donnell, Medford; Diana Proctor, Watertown; \*Sally Zielinski, Carlisle.

\*First-time nominees; see below for profiles.

### PROFILES OF FIRST-TIME BOARD MEMBER NOMINEES

Sally Zielinski, Ph.D.; Member, Carlisle Conservation Commission. Sally received her Ph.D. in Biology from Boston University in 1986. Sally contributes a great deal to her Commission with her expertise in biology. As a teacher, lecturer and writer, Sally shares her knowledge willingly and effectively and we look forward to having her on the Board.

C. Diane Boretos; Administrator, Barnstable Conservation Commission. Diane served four years on the Falmouth Conservation Commission. Majoring in Biology, Diane has continued to work in marine and wetland biology and brings to the Board a variety of skills and knowledge and a sincere concern for the environment, conservation and ecology. Welcome to the Board, Diane!

Judith Eiseman; Member, Pelham Conservation Commission. Judy has served on the commission for ten years. She also served on the Planning Board for four of those years. She is on the Pioneer Valley Planning Commission and the recently formed Hampshire County Charter Study Commission. Judy's knowledge of local government and conservation issues, as well as her skills in organization will be very welcome on the Board.



SECOND ANNUAL STATE OF THE ENVIRONMENT ADDRESS

THE HONORABLE MICHAEL S. DUKAKIS

FRIDAY, MARCH 27, 1987, 6:30

WESTBOROUGH MARRIOTT HOTEL

MACC, Massachusetts Audubon Society, Sierra Club and The Trustees of Reservations are planning a dinner with Governor Dukakis as the featured speaker. Last year as the keynote speaker at our Annual Meeting, the Governor spoke of his goals for the environmental health of the Commonwealth. Tickets will be \$25.00 and will be sold at the MACC Annual Meeting. Further details will be in the next Newsletter.

RIGHTS OF WAY (continued from page 3)

DEQE evaluated technical evidence on the migration of atrazine, one of the four herbicides the MRA proposed to apply, to decide whether spraying could reach resource areas and cause destruction of vegetation or a change in the physical, biological, or chemical characteristics of the receiving waters. After studying the testimony of several environmental scientists and some environmental fate models, DEQE concluded that atrazine could migrate through runoff and leaching to wetlands in sufficient concentrations to be toxic to wetland plants. The testimony of Dr. David Correll, MACC's technical consultant, has given considerable weight. He cited his studies which found that the application of atrazine at a rate of less than one pound per acre on cropland more than 300 feet from receiving waters resulted in significant concentrations in the water. Cropland is able to attenuate herbicides much more than railroad ballast.

This adjudicatory decision provides significant support and guidance to commissions as they assess future railroad ROW herbicide applications. Commissions should be aware that the Mass. Pesticide Board is currently considering a comprehensive set of regulations for railroad, utility, and roadside right-of-way maintenance programs employing herbicides. Public hearings have already been held; MACC is continuing to monitor and comment on the regulations which are nearing completion. In order for a uniform statewide regulatory system to be established, DEQE will have to amend the wetland regulations to conform to the proposed Pesticide Board regulations. This process should be monitored closely to ensure adequate protection of wetlands.

John Bolduc, Administrator  
Wellesley Cons. Commission

MACC NEEDS YOUR HELP!

MACC has provided more than 25 years of advice, assistance, and environmental leadership to Massachusetts conservation commissioners. For the past 15 years MACC has provided this newsletter to commissioners and other concerned citizens. Please send \$25 or \$15 toward your MACC membership and/or make a contribution. Contributions specified for the computer fund will be used to purchase sorely needed computer equipment. MACC needs your HELP to continue to meet commission needs, increase services, and improve the quality of life in Massachusetts.



Name \_\_\_\_\_ Phone \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Commission \_\_\_\_\_ Dates of membership \_\_\_\_\_

- I have enclosed \$15 for a one year membership.  \$25 for non-commission members.
- I want to do even more! Enclosed is my tax-deductible contribution of \$\_\_\_\_\_.
- I want to HELP! Enclosed is \$\_\_\_\_\_ for the COMPUTER FUND (also tax-deductible).

Return to: MACC, Lincoln Filene Center, Tufts Univ., Medford, MA 02155

**FROM THE MACC RESOURCE CENTER**

All prices include postage unless otherwise specified. Send request for publications with check made payable to MACC.

TEE SHIRTS - JOIN THE CELEBRATION! MACC's special Silver Anniversary Celebration tee shirts designed exclusively for MACC. Available in kelly green, silver gray, and royal blue. Sizes from small through extra-large. Limited quantity. \$7.00.

AND MORE TEE SHIRTS! "Love Thy Wetlands" and "Open Space - Our Common Wealth" designs. Wetland tees available in burgundy, navy, light blue, and silver gray; Open Space tees available in tan and light green. Sizes from small through extra-large. \$7.00.

BUTTONS AND BUMPER STICKERS. "Love Thy Wetlands" and "Open Space - Our Common Wealth" designs. Buy one for each member of your commission - or zoning board - or town DPW - or your son/daughter's sixth grade class! \$1.00 each, \$5.00 for seven, or \$8.00 for a dozen.

MACC DECALS. Featuring the classic MACC logo. The perfect way to display your support! \$.50.

MACC REVISED PACKAGE OF RULES AND REGULATIONS FOR WETLAND BYLAWS. This updated package includes the new rules and regulations passed by Brewster and Weymouth. A must for communities considering writing rules and regs. \$7.00

ADMINISTRATIVE PENALTY REGULATIONS. Contains a copy of the new DEQE Administrative Penalty Regulations along with an explanatory article written by Gregor I. McGregor, Esq. for the MACC Newsletter. \$5.00.

GUIDE TO THE OPEN MEETING LAW. Prepared by the Middlesex County District Attorneys Office, this guide includes: requirements, procedures, executive sessions, enforcement, coordination with other laws, and filing complaints. \$5.00.

LANDBANK PACKAGE. This package includes examples of some of the local bylaws that have been successfully passed (including one that has been written by a Conservation Law Foundation attorney), as well as a model bylaw prepared by Mass. Audubon. \$6.00.

FRESHWATER WETLANDS: A GUIDE TO COMMON INDICATOR PLANTS OF THE NORTHEAST. Clear illustrations and concise descriptions in this guide will help with identification of wetland plants, many of which are listed in the MA Wetlands Protection Act. Dennis Magee, 1981. \$10.00 picked up, \$12.50 mailed.

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MACC is a private non-profit service corporation whose members are the conservation commissions of Massachusetts. Non-voting memberships are also available and include receipt of this newsletter. The MACC Newsletter is published eight times a year.

President.....Alexandra Dawson  
First Vice-President.....Charles Costello  
Second Vice-President....Robert Gray  
Third Vice-President.....Sally Schnitzer  
Secretary.....Robert Clark  
Treasurer.....Marcel Kistin

Executive Director.....Pamela Resor  
Assistant.....Jane Steven

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