



Citizens for Lexington Conservation

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Kate Fricker, Editor

September, 2007

Eileen Entin & Keith Ohmart, Co-Chairs

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Queen Anne's Lace



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Citizens for Lexington Conservation is a non-profit organization that relies on dues paid by members to cover its expenses. Look at your mailing label to check your membership status. If it says "Dues paid 2007," you are up to date. If it says "Dues paid 2006" (or earlier), then it is time to renew your membership for 2007. If it says "Complimentary Copy," you are receiving a complimentary copy of our newsletter because you are a Town Meeting member or other public official in Lexington. We hope that those who receive complimentary copies will find our organization of value and will become dues-paying members. To join CLC or renew your membership, please send \$12.00 for a regular membership or \$15.00 for a sustaining membership to CLC, P.O. Box 292, Lexington, MA 02420-0003.

If you would like to receive your newsletter in color with live links, via an email link, ask kfricker@alum.swarthmore.edu

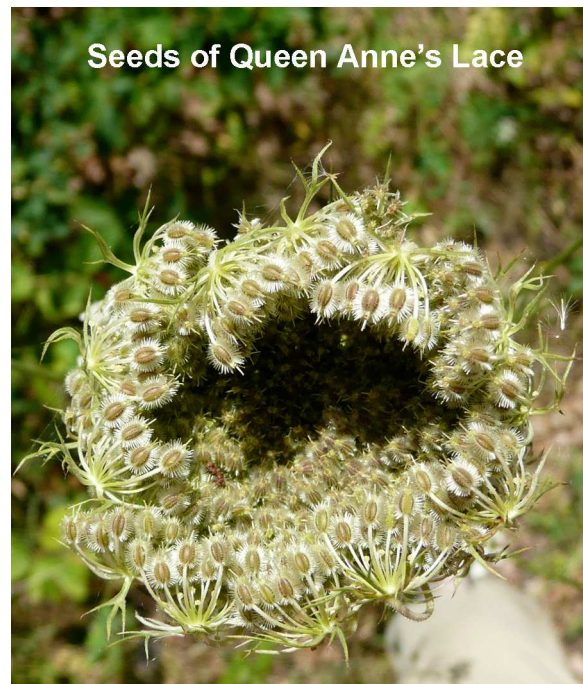
CLC PUBLICATIONS

Over the years CLC has encouraged members to write guides to the open spaces in Lexington. These guides have now been scanned and are available at no charge on our web site, <http://www.lexingtonma.org/clc/HomePage.htm>. You may also use the web site to contact us about conservation-related happenings or sightings of unusual birds and wildlife that we can use on our web site and in our newsletter.

The files are saved as Adobe Acrobat .pdf files, and require the free Acrobat Reader. You can obtain this reader at <http://adobe.com/prodindex/acrobat/readstep.html>.

Available titles are:

A Wildflower Walk at Whipple Hill
A Walk Through Hayden Woods
Birds of Dunback Meadow
Birds of the Great Meadow
Birds of Whipple Hill
Building a Brushpile
Checklist of Lexington Birds
Discovering the Paint Mine
Ferns of Whipple Hill
Flowers and Shrubs of Whipple Hill, 1982
Flowers and Shrubs of Whipple Hill, 2000
Geological History of Lexington
Guide to the Great Meadows: A Walking Tour
Gypsy Moth
Insect Pests of Shade Trees
Introduction to Hayden Woods
The Red Fox in Lexington
Wildflower List for Lexington
Winter Feeder Checklist



Thank you, Spring Walk Leaders

Our thanks to Winslow Green, Keith Ohmart, Fran Ludwig and Bobbie Hodson for their leadership and inspiration on CLC's Spring Walks.

Citizens for Lexington Conservation Fall Walks, 2007

Bird Walk at Dunback Meadows

Saturday, September 22, 2007 7:30 a.m. - 9:30 a.m.

September brings back the spring warblers who are now migrating south. We have a chance to view not only the adults but also the first year birds. A variety of migrants is possible, including bobolinks, sparrows, and hawks. Perhaps we'll see some of Dunback Meadow's mammals as well. Bring a pair of binoculars, and a field guide book, if you have one. All levels of ages and birding knowledge are welcome, including children and beginners. Meet at the Allen St. entrance to Dunback Meadow Conservation land in Lexington.

Walk Leader: Bobbie Hodson (781-861-9421)

Nooks and Crannies

Sunday, Sept. 23, 2007 1 p.m. - 3 p.m.

Let's go for a peek at some lesser known nooks and crannies on conservation lands: the Tree Farm in the Lower Vinebrook, the Kent Meadow off of East St. and the Govan Bird Sanctuary. We will look into how these special places came to be, and what changes are likely in the future. Meet at the new Fiske school front entrance off Adams St.

Walk Leader: Nell Walker (781-862-6943)

West Lexington Greenway Hike

Saturday, October 13, 2007 8:30 a.m. - 2 p.m.

Why go to New Hampshire for fall color when you can spend a Saturday hiking the length (5 miles +/-) of the West Lexington Greenway corridor from Paint Mine to Cranberry Hill? Explore the setting for the proposed connector trail between the Minuteman Bikeway and the Minuteman National Historical Park. Bring sturdy shoes, lunch and plenty of water. Meet at the Minuteman National Historical Park parking lot that is off Old Mass Ave, near Wood Street.

Walk leader: Keith Ohmart (781-862-6216)

Mushroom Walk

Sunday, October 14, 2007 1 p.m. - 3 p.m.

Harvard mycologist, Dr. Donald Pfister, will lead a walk to teach about fungi. This walk is for adults and older teens, not for children. Dr. Pfister says that October is the best month to look at fungi and that one can tell a lot about a piece of land by the fungi that are present. Meet in the rear of the parking lot of the Golden Living Center nursing home, formerly East Village Rehab & Nursing Center. (off Maple St. onto Emerson Gardens Road), Sponsored by Friends of Arlington's Great Meadow.

Walk Leader: Dr. Donald Pfister, donaldbmiller@comcast.net

Arlington's Great Meadow

Saturday, October 20, 2007 9 am. -11 a.m.

Naturalist Boot Boutwell will lead a walk to see the nature of Arlington's Great Meadow in autumn. Adults and accompanied children are welcome. Meet in the rear of the parking lot of the Golden Living Center nursing home, formerly East Village Rehab & Nursing Center. (off Maple St. onto Emerson Gardens Road). Sponsored by Friends of Arlington's Great Meadow.

Walk Leader: Boot Boutwell. For information contact donaldbmiller@comcast.net

Folksmarch

Sunday, October 28, 2007 12 noon – 2:30 p.m.

Join us in a walking event for folks of all ages and abilities. The goal is to leave your car behind, get some exercise and fresh air, meet new friends, and reduce your carbon footprint. Meet at the Walgreen parking lot on Bedford Street. Walk Leader Nancy Nolan, nan.lex@verizon.net

Important CLC Meeting on Tuesday, Nov. 6

During a thorough review of our files conducted by the CLC Board of Directors, we have determined that our original Letter of Determination from the IRS confirming our status as a nonprofit 501c(3) corporation is missing. In order for the IRS to issue a replacement letter, we must submit a revised application to the IRS including copies of our current By-Laws and Articles of Organization.

In consultation with legal counsel, we have determined that several amendments to our By-Laws are required in order to bring them into line with current practices. To do this, the membership must approve the amendments at a Special Meeting at which there must be a quorum of at least 30 members.

We have scheduled a Special Meeting of the organization to take place on Tuesday, November 6, 2007 at 7 pm in the large meeting room of the Cary Library to vote on the proposed amendments to the By-Laws. The Board urges all members to attend the meeting. We cannot initiate the process to reinstate our 501c(3) status until the By-Laws are approved, and we cannot vote on the proposed amendments unless at least 30 members attend the meeting. Please mark your calendars and join us on November 6.

If you have been receiving a complementary copy of the CLC Newsletter, please consider joining CLC for this year, and help us update our organizational structure.

The World Without US, by Alan Weisman

Reviewed by Elaine Turano



Invasive Japanese Knotweed

Suppose that every human being suddenly vanished from the face of the earth. Weisman researched the demise of everything from power plants to our homes as they fall apart without human care. The subway system of New York City would flood within days. Fires would rage unabated. Simultaneously, animals and plants would start to rebound while domesticated animals would struggle for their lives. He gives examples of the uninhabited areas such as the DMZ in Korea and the area around Chernobyl. An astonishing array of animals has taken over there in the absence of humans.

It is wonderful to imagine Mother Nature's resilience as the planet is restored. We know that the reality of today is quite different. It is fun and interesting to speculate, however. Weisman does a very good job of entertaining and informing us.

Environmental Law Swept Aside to Aid Northpoint Project

By John Andrews

In recent actions on Beacon Hill, the state's real estate industry flexed its muscle and swept aside an environmental law protecting the public interest in filled tidelands. The case in question involved permit requirements for the massive Northpoint real estate project in Cambridge/Somerville. Citizens in Cambridge had sued the Department of Environmental Protection, claiming that the DEP had failed to ask for permits required by law. The State Supreme Judicial Court agreed and ordered the DEP to follow the law.

In Massachusetts, tidelands are considered to be public trust lands in which public rights must be respected. Under the Public Waterfront Act (Chapter 91) a developer seeking to build in tidelands must demonstrate that the project is water-related and that public benefits will be produced that justify his presence in the tideland area. As written, the permitting process applies to filled tidelands as well as tidelands with active flows. But soon after Chapter 91 was enacted, the DEP decided not to apply the permit requirements to filled tidelands. The ruling of the Supreme Judicial Court said that a state agency does not have the right to ignore public protections written into law.

The response of the real estate industry was swift. They asked the Patrick administration to file legislation to nullify the law with regard to filled tidelands. A bill was quickly written and introduced by administration officials. Many attributed the quick response to the fact that two high-ranking appointees in the Patrick administration are former Northpoint developers. Gregory Bialecki, who was appointed to head the Massachusetts Permit Regulatory Office, was a real estate lawyer who led the developer's fight against the citizen's lawsuit. In 2001, while working as an attorney to the Fan Pier development, he had written an article in Commonwealth Magazine attacking the Public Waterfront Act as an impediment to megaprojects on the Boston waterfront. Daniel O'Connell, Patrick's appointment for Executive Secretary of Housing and Development, was formerly a principal at Spaulding & Slye and was responsible for their role in the Northpoint development.

As often happens with such bills, the final text was kept secret until hours before it was scheduled for a vote. Provisions were drastically rewritten in closed-door negotiations. The bill was rushed through committee within hours and a series of complex amendments were negotiated in the backrooms of the Legislature, and adopted on the House floor. Observing this choreographed show, the State House News noted that the bill underwent "heavy alterations with little explanation."

The State Senate passed their version of the bill on July 31, using similar secretive maneuvers. Now a conference committee is working to reconcile the two versions. As a final affront to the public, the legislature voted to conduct the deliberations of the conference committee behind closed doors, giving the excuse that a hearing conducted on an earlier version of the bill had given the public all the access they needed to the legislative process. Since the Legislature has exempted themselves from the open meeting law, such secret negotiations are perfectly legal.

The striking thing about the Northpoint episode is the chilling effect it will have upon citizens who feel that a state agency is failing to enforce environmental statutes. Expensive and prolonged legal actions are often required to get an agency to enforce the law against powerful and well-connected developers. The Northpoint case suggests that if the courts finally rule that you are entitled to protection, your victory can be snatched away from you by the Governor and the Legislature simply nullifying the law.

In a related move, the Patrick Administration proposed to eliminate the right of 10 citizens to appeal DEP wetlands rulings. Clean Water Action noted that “This proposal has the potential to impact critical wildlife habitat, water quality in streams and ponds, drinking water supplies and much more. It would also set a harmful precedent by moving things in the wrong direction - reducing the role for concerned citizens in protecting our environment.” After being flooded with such protests from the environmental community, the Administration agreed to retain the right of appeal. Environmentalists remain concerned about other weakening provisions that may appear in the final regulations.

For more information on tidelands issues, see <http://www.masschc.org>.

For information on the 10-citizen appeal, see

<http://www.cleanwateraction.org/ma/protectwaters.html> .

West Lexington Greenway Corridor Update

By Keith Ohmart

By the time you read this report, a design-consulting firm will probably have been hired to begin work on developing a Master Plan for coordinating the town’s several conservation areas on the west side of Route 128. To refresh people’s memories, Town Meeting this spring approved the plan, funded by the Community Preservation Act, to create a Master Plan for this exciting project. The long-term goal of this project is to create a network of pedestrian and bicycle trails connecting these conservation areas.

The creation of the Master Plan is the first step in the project. It will conduct a thorough assessment of the natural resources present and identify all planning aspects involved in such a venture. This will include trail design considerations, accessibility issues, safety concerns, and a host of additional details.

The centerpiece of this project is the eventual construction of a universally accessible trail connecting the Minuteman Bikeway with the Battle Road Trail in the Minuteman National Park. Constructing this trail will require applying to federal and state funding programs once the Master Plan is completed.



Photo Quiz: Where in Lexington do Jerusalem Artichokes grow?

It is anticipated that the creation of the Master Plan will take approximately nine months, with work to commence this fall. A series of public meetings will be held throughout this process as each stage of the Master Plan is completed. These meetings will provide an opportunity for the public to review the ongoing work as it progresses and provide feedback at regular intervals.

The Lexington Tree Inventory

By Anne Senning

The Lexington Tree Inventory is a collaborative effort of the Lexington Tree Committee, Urban Ecology Institute (UEI) of Boston College and Tufts University, Lexington's Divisions of Public Grounds (DPW) and Engineering (part of the DPW), and the town's Management Information Systems Department.

It began in the fall of 2004 in the center of town using paper data sheets. Over the winter of 2004-05 data was transferred to a laptop computer.

By the summer of 2005 the first handheld computer was introduced, enabling an analysis of 27 attributes of each tree. The Inventory expanded from the Town Center south to Park Drive, including street trees and trees on the grounds of municipal offices, and trees on the Minuteman Bikeway from Woburn to Hancock Streets.

In the winter of 2005-2006 data began to reveal a dominance of Norway maples both in the street tree population and on the Minuteman Bikeway. Norway maples were planted extensively in the 1940's and 50's to replace the dying American elm, and have since become an invasive species.

During the summer of 2006 the Tree Committee focused on an inventory of Belfry Hill — a 2.4-acre park in the Town Center. Analysis of the data during the winter of 2006-07 revealed that the woods on top of the hill (to the right of the Belfry tower) are dominated by an infestation of Norway maples that have taken over and shaded out most other species.

In consultation with the Urban Ecology Institute and Lexington Department of Public Works, the Tree Committee decided to apply to the Massachusetts Department of Conservation and Recreation for a grant for interns to work on the Inventory during the summer of 2007. A grant was awarded to hire two interns. Lexington Tree Committee members John Frey, Chairman, Karen Longeteig, Anne Senning and Nell Walker mentored the interns, David Hattis, a junior at Clarke University majoring in Environmental Studies and Geographic Information Systems, and Max Horn, a senior at Brandeis University majoring in Environmental Studies. During their internship they focused on the area north of the center of town between Bedford Street, Route 128, the Burlington town line and Woburn Street. This effort of interns and the Tree Committee volunteers added 1,306 trees to the 1,411 trees that had been inventoried before the summer of 2007. To date 2,717 of some 10,000 of Lexington's trees have been inventoried. The inventory process is ongoing. Anyone interested in participating should contact a member of the tree committee. Training is provided for those who are willing to help.





Photo Quiz: Where in Lexington is this stone bench?

Farmers' Market Update

By Sonia DeMarta

The Lexington Farmers' Market, the organization that brings farmers selling their produce to Lexington every Tuesday at the corner of Mass. Ave. and Fletcher Street, reports that so far, they have had another great year, thanks to the wonderful Lexington community. Participating farmers report that this is their best market, and the numbers keep growing.

In addition to selling produce, the Farmers' Market has two educational programs, Eat In Act Out, and a coupon program for families in need. There will be a fundraising dinner to gain financial support for these programs on September 24 at 6:30 PM at Bistro 5, 5 Playstead Road, Medford.

The Farmers' Market organization would also like to inform customers and others about the upcoming 2007 Farm Bill, that will govern the direction of American farmers for years to come. Because the big-business corn, soybean and cotton farmers have so much influence in Congress, they get most of the subsidies, while the fruit and vegetable farmers get very little. In addition, the organization would like to see more money for school meal programs, nutrition education and encouraging locally produced food.

To get more information about both of these topics and to find out more about the Farmers' Market, go to their website, <http://www.lexingtonfarmersmarket.org>.

Lexington Global Warming Action Committee Hosts Two Talks

Sunday, September 23, 7:30 PM at Cary Hall, 1605 Massachusetts Ave.

Prof. William Moomaw of the Fletcher School at Tufts and Senior Director of the Tufts Institute of the Environment will talk about "LIFE ON A CARBON DIET: Improving Our Lifestyles While Fighting Climate Change".

Sunday, October 21, 7:00 PM at Cary Hall, 1605 Massachusetts Ave.

Steven Strong, President of Solar Design Associates, will give a highly visual overview of solar- and wind-powered buildings.

For more information about each of these presentations, see the GWAC web site, <http://www.lexgwac.org>.

Photo Credits:

Kate Fricker, p. 1,2,4,8
Mike Tabaczinsky, p. 6
Charlotte Hewson, p. 7

Answers to Photo Quizzes:

p. 6, Lower Vine Brook, near new town tree farm
p. 8 Juniper Hill, at top