



May 3, 2023

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The Honorable Maura Healey  
Governor of the Commonwealth of Massachusetts  
State House, Room 360  
Boston, MA 02133

Dear Governor Healey:

On behalf of the Association to Preserve Cape Cod (APCC), I respectfully urge you to support the Environmental Protection Agency Region 1 draft finding that the multipurpose machine gun range proposed by the Massachusetts National Guard on the Upper Cape Water Supply Reserve at Joint Base Cape Cod has the potential to contaminate the sole source aquifer and “create a significant public health hazard.” In doing so, we ask that you make a commitment that no state funds will be used in support of the machine gun range project if federal financial assistance is withdrawn from the project due to a final ruling by the EPA.

Established in 1968, APCC is Cape Cod’s region-wide nonprofit environmental advocacy and education organization, working for the adoption of laws, policies and programs to protect and enhance Cape Cod’s natural resources and quality of life. APCC was a leading voice in the 1980s and 1990s calling for cleanup of toxic plumes originating from the military base that contaminated groundwater in the four Upper Cape towns. APCC spearheaded advocacy efforts that led to the designation of the Upper Cape Water Supply Reserve on the northern 15,000 acres of the base.

The EPA’s draft finding effectively corroborates the concerns expressed by many organizations and concerned citizens: that the machine gun range project is inconsistent with the designated uses of the Upper Cape Water Supply Reserve under Chapter 47 of the Acts of 2002, which stipulates that only military training compatible with the protection of the water supply and wildlife habitat on the reserve be allowed.

From the beginning, when the Guard’s internally prepared Environmental Assessment declared that the project would have no adverse effects on land use, water resources, significant habitats or ability to mitigate climate change, it has been apparent that the Guard’s self-analysis of this project was woefully inadequate and



failed to provide the necessary depth of scrutiny required of a project of this nature. It glossed over likely impacts of regional significance that would occur if this project were built.

These concerns about project impacts were reinforced when documents obtained by APCC through the state's public records law revealed statements by JBCC Executive Director General Christopher Faux that the machine gun range could not survive an independent environmental analysis, saying if such a review were required, the Guard "will most likely lose the project and its funding." It is clear from Gen. Faux's comments that the Massachusetts National Guard and JBCC leadership were fully aware that the machine gun range project could not stand up to independent, rigorous environmental study, and the JBCC leadership was doing everything in its power to prevent that from happening.

These admissions by the Guard, including its efforts to quash further environmental review, underscore the concerns raised by APCC and many others about project threats to the Upper Cape's drinking water supply, as well as to rare species habitat, the significant loss of climate change-mitigating carbon sequestration benefits from the proposed clearcutting of 170 acres of forest, and, fundamentally, the project's unsuitability for the proposed location and its inconsistency with the purposes behind the establishment of the Upper Cape Water Supply Reserve.

Now, the EPA Region 1 draft findings have validated those concerns.

According to the EPA, its findings have *"provisionally determined under SDWA Section 1424(e) that the proposed project may contaminate the sole source aquifer so as to create a significant public health hazard. The Region arrived at this conclusion after evaluating the following categories of information: sensitivity of the aquifer, existing environmental conditions (including cumulative impacts), scope of the proposed construction and operations, and projected long-term use and associated contaminant loading. Should this determination become final, following public review and comment on this provisional determination, **no commitment of federal financial assistance (through a grant, contract, loan guarantee, or otherwise) may be allowed**, except where such assistance is for the plan or design of the project to assure it will not contaminate the aquifer."* (Emphasis added.)

On behalf of the millions of Massachusetts residents and visitors who rely on the integrity of the Cape's drinking water, we respectfully ask that you support the EPA's conclusions and make the same determination as Governor Cellucci did in 1998 when he canceled the original multipurpose machine gun range proposal due to concerns about its impacts on water quality. We further ask that your administration deny any potential request by the Guard for financial



assistance from the Commonwealth to replace the loss of federal funding for the project.

Thank you for your careful consideration of this important issue. Please do not hesitate to contact me if you or your staff have any questions.

Sincerely,



Andrew Gottlieb  
Executive Director

cc: Lt. Governor Kim Driscoll

Rebecca Tepper, Secretary, EEA

Bonnie Heiple, Commissioner, DEP

Brian Arrigo, Commissioner, DCR

Tom O'Shea, Commissioner, DFG

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