



**US Army Corps
of Engineers®**
New England District
696 Virginia Road
Concord, MA 01742-2751

PUBLIC NOTICE

Comment Period Begins: March 3, 2020
Comment Period Ends: April 2, 2020
File Number: NAE-2007-02926
In Reply Refer To: Katelyn Rainville
Phone: (978) 318-8677
E-mail: Katelyn.M.Rainville@usace.army.mil

SUBJECT: This notice announces a request to modify the Commonwealth of Massachusetts In-lieu Fee ("ILF") Program Instrument for the addition of six individual projects.

ILF PROGRAM SPONSOR: Department of Fish and Game
251 Causeway Street, Suite 400
Boston, Massachusetts 02114

BACKGROUND: The Department of Fish and Game is the sponsor of the Massachusetts ILF Program which serves as an alternative form of compensatory mitigation for aquatic resource impacts. The Massachusetts ILF program is authorized by the New England District, Army Corps of Engineers (the "Corps"). A copy of the signed ILF agreement entitled "Commonwealth of Massachusetts Final In-Lieu Fee Program Instrument" dated May 23, 2014, includes details about the ILF Program goals and objectives in general and can be found at the following link:

<https://www.nae.usace.army.mil/Portals/74/docs/regulatory/Mitigation/MA/MAILFInstrument.pdf>

Six projects have been submitted as proposed additions to the ILF Instrument pursuant to 33 CFR 332, Compensatory Mitigation for Losses of Aquatic Resources (Federal Register: April 10, 2008, effective June 9, 2008). Pursuant to 33 CFR 332.8 (d), the District Engineer will provide public notice of the proposed addition of ILF program mitigation sites. As such, we are issuing a public notice to solicit comments for the instrument modification due to the proposed addition of ILF mitigation sites.

The Massachusetts ILF Program accrued funds from Army Corps of Engineers Department of the Army permitted impacts throughout the State of Massachusetts. The funds were made available through a competitive grant process for the preservation, restoration and enhancement of wetland and watercourse resources and associated upland buffers in the State of Massachusetts. The District Engineer has received six proposed projects from various applicants who have applied for 2019 funding under the ILF Program.

PURPOSE: These six proposed projects would provide compensatory wetland and stream mitigation for permitted impacts to three Service Areas.

GENERAL INFORMATION: An ILF program involves the restoration, establishment, re-establishment, enhancement, rehabilitation and/or preservation of aquatic resources through funds paid to a governmental or non-profit natural resources management entity to satisfy compensatory mitigation requirements for

Department of the Army permits. Similar to a mitigation bank, an ILF program sells compensatory mitigation credits to permittees whose obligation to provide compensatory mitigation is then transferred to the ILF program sponsor. The operation and use of an ILF program are governed by an ILF program instrument. A group of federal and state regulatory and resource agency representatives known as the Interagency Review Team (IRT) oversee the establishment and management of the program. The IRT is chaired by the U.S. Army Corps of Engineers (Corps). The primary role of the IRT is to facilitate the establishment of the ILF program through the development of an ILF Instrument. The IRT also reviews ILF mitigation proposals and provides comments to the Corps. The approval of the use of the ILF program for specific projects is the decision of the Corps pursuant to Section 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act (CWA). The Corps provides no guarantee that any particular individual or general permit proposing to use the ILF program for compensation mitigation would be authorized.

PROJECT DESCRIPTION: Each project has a map showing the location of the project with their respective prospectus. Additionally, the draft mitigation plans are available to be reviewed upon request.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). Essential Fish Habitat describes waters and substrate necessary for fish for spawning, breeding, feeding or growth to maturity.

The District Engineer has made a preliminary determination that the site-specific adverse effect will not be substantial. Further consultation with the National Marine Fisheries Service regarding EFH recommendations is being conducted and will be concluded prior to the final decision.

NATIONAL HISTORIC PRESERVATION ACT: Based on his initial review, the District Engineer has determined that none of the six projects may affect properties in, or eligible for listing in, the National Register of Historic Places. Additional review and consultation to fulfil requirements under Section 106 of the National Historic Preservation Act of 1966, as amended, will be ongoing as part of the proposal review process and the permit review process for those requiring Corps authorization.

ENDANGERED SPECIES CONSULTATION: The New England District, Army Corps of Engineers, has reviewed the list of species protected under the Endangered Species Act of 1973, as amended, that might occur at the project sites. It is our preliminary determination that the proposed projects, situated or will be operated/used in such a manner that it is not likely to adversely affect any federally listed endangered or threatened species or their designated critical habitat. By this Public Notice, we are requesting that the appropriate federal agency concur with our determination.

EVALUATION: After the end of the comment period, the district engineer will review all comments received and make an initial determination as to the potential of the proposed project to provide compensatory mitigation for activities authorized by DA permits. That determination will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. Factors relevant to the proposal will be considered including conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and

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fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; American Indian Tribes; and other interested parties in order to consider and evaluate the proposed activity. All comments received will be considered by the Corps during the formulation of the initial determination of potential for the proposed activity.

COMMENTS: In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. Comments should be submitted in writing by the above date. If you have any questions, please contact Ms. Katelyn Rainville at (978) 318-8677, (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.



Tammy R. Turley
Chief, Regulatory Division

If you would prefer not to continue receiving Public Notices by email, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at bettina.m.chaisson@usace.army.mil. You may also check here () and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

NAME: _____
ADDRESS: _____
PHONE: _____

Brickstone Development-Rattlesnake Hill Preservation, Sharon MA
In-Lieu Fee Project Prospectus

(i) The objectives of the proposed ILF project:

The intent of the project is to protect a 330-acre undeveloped parcel of land in southeastern Massachusetts that has been a conservation priority for both the Town of Sharon and the Massachusetts Department of Conservation and Recreation (DCR) for decades. The parcel will link 225 acres of existing conservation land owned by the Town of Sharon to DCR's 1,843-acre Borderland State Park. Conservation of the proposed 330-acre parcel would provide the link to connect a total of 2,398 contiguous acres of protected land in an area that has some of the highest development pressure in Massachusetts. The entire property is designated as Priority Habitat, Core Habitat –Species of Conservation Concern, and Critical Natural Landscape, and half of the property is designated as Vernal Pool Core. The project would protect seven certified vernal pools, nine potential vernal pools, and habitat for two state-listed rare species and two State Wildlife Action Plan species. Preserving the property will allow a large section of Mountain Street to remain unpaved, reducing the impact of runoff on aquatic resources. The site is also highly rated for climate resilience.

(ii) How the ILF project will be established and operated:

Implementation of the project will involve acquisition of fee title to the proposed property. The property will be owned in fee for conservation purposes by the Town of Sharon, and DCR will hold the conservation restriction. The property will be managed as publicly accessible conservation land open to passive recreation activities. Natural resource management will be guided by the Long-Term Management Plan and will include trail maintenance and other activities summarized under item (v) below.

(iii) The proposed ILF service area:

The project site is in the MA ILF Program Coastal Service Area, with portions of the site in both the Coastal-South and Coastal-North Sub-Areas.

(iv) The general need for and technical feasibility of the proposed ILF project:

Rattlesnake Hill is one of the few remaining large, undeveloped parcels of land in the metro Boston area, but it is under imminent threat of development. The Town of Sharon Zoning Board of Appeals approved a 120-unit residential development that would be centrally located within the proposed parcel. This development would sit close to the certified vernal pools, with a wastewater treatment plant located next to the southernmost vernal pool. While the property owner has disputed the approval in court, the owner has signed a "development agreement" to work with the Town to plan a 200-unit residential development with the goal of dismissing the case.

Surrounding land use is generally suburban except for DCR's Borderland State Park immediately to the west. There are no buildings or structures on the property except for a small foundation near Mountain Street. A woods road and trail system exist on the property; no easements or encroachments have been observed.

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fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; American Indian Tribes; and other interested parties in order to consider and evaluate the proposed activity. All comments received will be considered by the Corps during the formulation of the initial determination of potential for the proposed activity.

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The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.



Frank J. Delgiudice
Chief, Permits and Enforcement Branch
Regulatory Division

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**Brickstone Development-Rattlesnake Hill Preservation, Sharon MA
In-Lieu Fee Project Prospectus**

(i) The objectives of the proposed ILF project:

The intent of the project is to protect a 330-acre undeveloped parcel of land in southeastern Massachusetts that has been a conservation priority for both the Town of Sharon and the Massachusetts Department of Conservation and Recreation (DCR) for decades. The parcel will link 225 acres of existing conservation land owned by the Town of Sharon to DCR's 1,843-acre Borderland State Park. Conservation of the proposed 330-acre parcel would provide the link to connect a total of 2,398 contiguous acres of protected land in an area that has some of the highest development pressure in Massachusetts. The entire property is designated as Priority Habitat, Core Habitat –Species of Conservation Concern, and Critical Natural Landscape, and half of the property is designated as Vernal Pool Core. The project would protect seven certified vernal pools, nine potential vernal pools, and habitat for two state-listed rare species and two State Wildlife Action Plan species. Preserving the property will allow a large section of Mountain Street to remain unpaved, reducing the impact of runoff on aquatic resources. The site is also highly rated for climate resilience.

(ii) How the ILF project will be established and operated:

Implementation of the project will involve acquisition of fee title to the proposed property. The property will be owned in fee for conservation purposes by the Town of Sharon, and DCR will hold the conservation restriction. The property will be managed as publicly accessible conservation land open to passive recreation activities. Natural resource management will be guided by the Long-Term Management Plan and will include trail maintenance and other activities summarized under item (v) below.

(iii) The proposed ILF service area:

The project site is in the MA ILF Program Coastal Service Area, with portions of the site in both the Coastal-South and Coastal-North Sub-Areas.

(iv) The general need for and technical feasibility of the proposed ILF project:

Rattlesnake Hill is one of the few remaining large, undeveloped parcels of land in the metro Boston area, but it is under imminent threat of development. The Town of Sharon Zoning Board of Appeals approved a 120-unit residential development that would be centrally located within the proposed parcel. This development would sit close to the certified vernal pools, with a wastewater treatment plant located next to the southernmost vernal pool. While the property owner has disputed the approval in court, the owner has signed a "development agreement" to work with the Town to plan a 200-unit residential development with the goal of dismissing the case.

Surrounding land use is generally suburban except for DCR's Borderland State Park immediately to the west. There are no buildings or structures on the property except for a small foundation near Mountain Street. A woods road and trail system exist on the property; no easements or encroachments have been observed.

- (v) The proposed ownership arrangements and long-term management strategy for the in-lieu fee project site(s):

The property will be owned in fee as conservation land by the Town of Sharon, and DCR will hold the conservation restriction. Use of the property will be limited to non-motorized, passive recreation. As described in the draft long-term management plan for this site, DCR's stewardship program will mark the property boundaries, and the Town will maintain trails and manage vegetation under DCR's supervision. Up to two unpaved parking areas that would accommodate no more than five cars each may be constructed along Mountain Street. Machinery may be used for timber harvesting or habitat maintenance. Due to the presence of rare species habitat on the site, any site clearing activity would require review by Massachusetts' Natural Heritage and Endangered Species Program prior to implementation. Hunting would be allowed on the property in accordance with Massachusetts' policies for state conservation lands to manage the deer population, which is negatively impacting the property's habitat quality.

- (vi) The qualifications of the Project Sponsor and any contractor/third-party to successfully complete the type of mitigation project proposed, including information describing any past such activities by the Project Sponsor and contractor/third-party:

DCR is steward of one of the largest state parks systems in the country. Its 450,000 acres is made up of forests, parks, greenways, historic sites and landscapes, seashores, lakes, ponds, reservoirs and watersheds. DCR manages more than 150 state parks across the Commonwealth.

Sharon Friends of Conservation (SFOC) is a registered 501(c) (3) organization founded in 1986. The organization's mission is to support the Conservation Commission and promote the preservation, care and maintenance of all public lands, waters and wildlife in the Town of Sharon. SFOC has a standard trail stewardship guide and has already hosted hikes and produced a video about Rattlesnake Hill. SFOC also maintains relationships with conservation entities including The Trustees of Reservations, the Massachusetts Audubon Society, and Borderland State Park and advises and assists regional organizations such as the Bay Circuit Trail Alliance.

Rattlesnake Hill (Brickstone) Sharon, MA



0 375 750 1,500
Feet

Note: Wetlands are more expansive on the ground.

Legend

- Rattlesnake Hill
- NHESP Certified Vernal Pools
- Potential Vernal Pools

**Cuttyhunk Island Preservation, Gosnold MA
In-Lieu Fee Project Prospectus**

- (i) The objectives of the proposed ILF project:

The objective of this project is to permanently protect approximately 300 acres of coastal habitat on Cuttyhunk Island in Gosnold, Massachusetts including three barrier beach and dune systems, salt marsh, rocky intertidal, tidal flats, associated freshwater wetlands and buffering uplands comprised of maritime shrubland, maritime forest and coastal grassland.

- (ii) How the ILF project will be established and operated:

Implementation of the project will involve acquisition of fee title to four properties and recording of conservation restrictions on two additional properties. The fee properties will be owned and managed by a qualified land trust organization (Buzzards Bay Coalition) as publicly accessible conservation land open to passive recreation activities. Conservation restrictions will be held, monitored and stewarded by Buzzards Bay Coalition. Natural resource management will be guided by the Long-Term Management Plan and will include vegetation management and management of breeding shorebirds/coastal waterbirds.

- (iii) The proposed ILF service area:

The project site is located within the MA ILF Program Coastal Service Area, in the Coastal-South Sub-Area

- (iv) The general need for and technical feasibility of the proposed ILF project:

The project is needed because aquatic resources, including wetlands, coastal water quality and shoreline habitat are highly threatened by impacts from land use conversion and development along the coast of Southern New England.

The project is feasible. The subject properties are secured under purchase and sale contracts and most of the funds needed have already been secured with the remaining funding expected to be secured by this spring. ILF funding is needed to fill the funding gap and move toward closings.

- (v) The proposed ownership arrangements and long-term management strategy for the in-lieu fee project site(s):

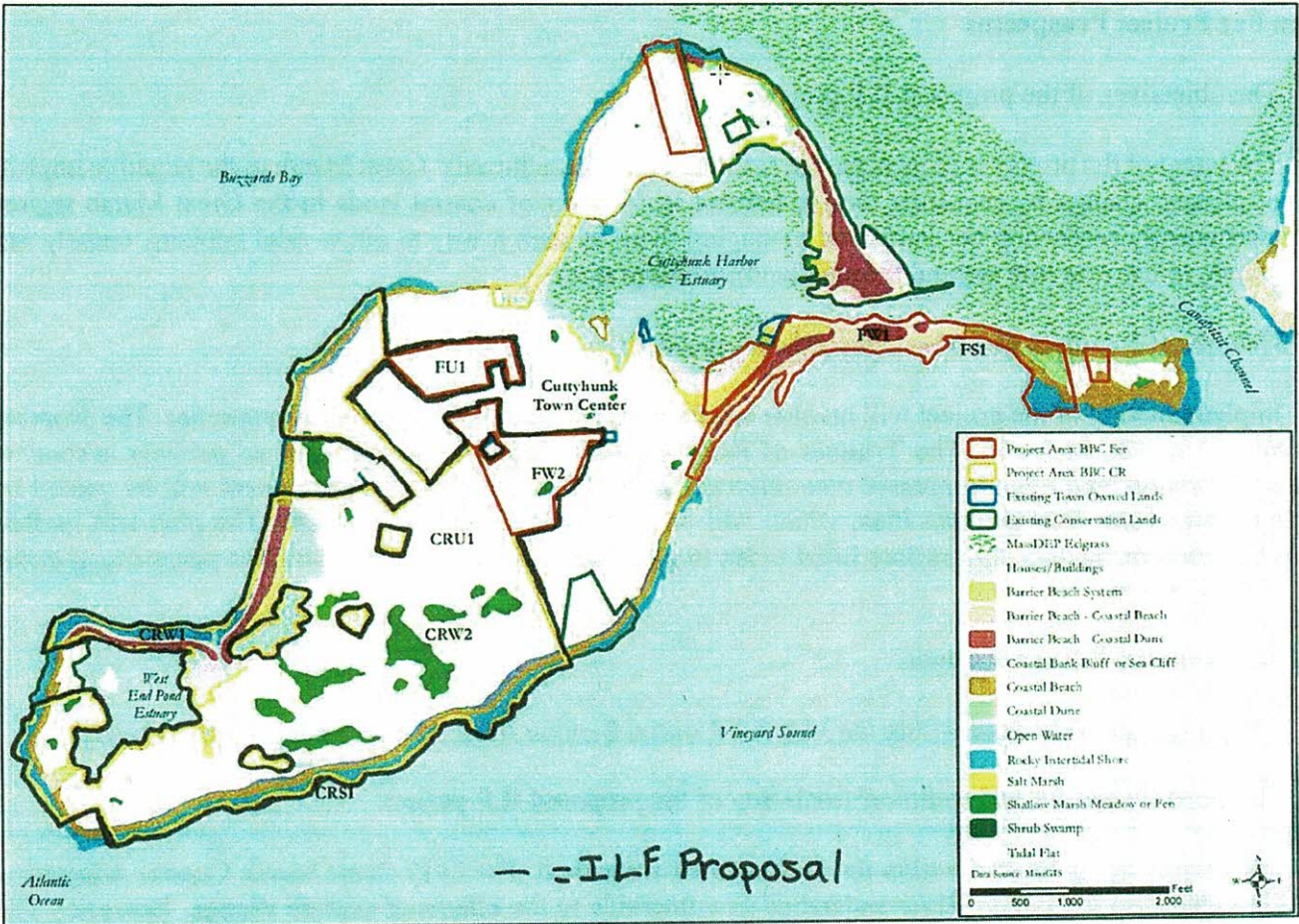
The fee properties will be owned and managed by a qualified land trust organization

(Buzzards Bay Coalition) as publicly accessible conservation land open to passive recreation activities. Conservation restrictions will be held, monitored and stewarded by Buzzards Bay Coalition. Natural resource management will be guided by the Long-Term Management Plan and will include vegetation management and management of breeding shorebirds/coastal waterbirds.

- (vi) The qualifications of the Project Sponsor and any contractor/third-party to successfully complete the type of mitigation project proposed, including information describing any past such activities by the Project Sponsor and contractor/third-party:

Buzzards Bay Coalition (BBC) was founded in 1987 as a membership supported non-profit 501(c) (3) organization dedicated to the protection, restoration and sustainable use and enjoyment of Buzzards Bay in Southeastern Massachusetts and its 432 square mile watershed. BBC has an annual operating budget of \$3.3 million and is supported by over 10,000 individuals, families and businesses throughout the region. BBC pursues its mission through specific programs aimed at protecting and improving Bay health and building public awareness. These programs include a Watershed Protection Program that promotes the conservation and restoration of Bay watershed lands and habitats, and work with the region's Towns and land trusts as partners in land conservation. BBC's Watershed Protection Program has successfully accelerated land protection in the watershed in the face of strong development pressure and has permanently protected more than 8,500 acres of land including management of numerous large and complicated land conservation and stewardship projects. BBC is accredited by the National Land Trust Accreditation Commission and benefits from a Land Stewardship Endowment which supports its long term land conservation responsibilities. For more information please see www.savebuzzardsbay.org. Brendan Annett, BBC Vice President for Watershed Protection and Allen Decker, BBC Director of Land Protection have many years of experience in implementing land conservation. They will play a leadership role in guiding the acquisition and conservation transactions to completion. The project team is also supported by BBC's professional Habitat Ecologist and Land Stewardship Staff.

Cuttyhunk Land Conservation Project - Wetlands/Resource Areas



Map prepared by: Buzzards Bay National Estuary Program, 2870 Cranberry Highway, East Wareham, MA 02538. www.buzzardsbay.org. January 10, 2020.

**Great Marsh Resiliency Project, Newbury MA
In-Lieu Fee Project Prospectus**

(i) The objectives of the proposed ILF project:

The intent of the project is to increase the resiliency of Massachusetts' Great Marsh to the negative impacts of climate change by acquiring the fee interest in 50 acres of coastal lands in the Great Marsh region, permanently protecting the lands and managing them in such a way to allow tidal habitats, namely salt marsh, to increase and expand through landward migration.

(ii) How the ILF project will be established and operated:

Implementation of the project will involve acquisition of fee title to the proposed properties. The property will be owned in fee by The Trustees of Reservations (Trustees) and managed as publicly accessible conservation land open to passive recreation activities. Natural resource management will be guided by the Long-Term Management Plan, which will be implemented by The Trustees. The plan will include vegetation management to restore tilled fields to grassland habitat and other activities summarized under item (v) below.

(iii) The proposed ILF service area:

The project site is located within the MA ILF Coastal Service Area, in the Coastal-North Sub-Area.

(iv) The general need for and technical feasibility of the proposed ILF project:

The project site is located within the Parker River watershed. The 2017 Great Marsh Coastal Adaptation Plan identifies the Parker River watershed as vulnerable to the effects of climate change. However, The Nature Conservancy has mapped the tidal complex within which the project area is located as having above-average adaptation potential, ranking it among the top 10% of tidal complexes in the Northeast River-Dominated region for adaptation potential. The Conservancy's 2017 report, Resilient Coastal Sites for Conservation in the Northeast and Mid-Atlantic US, concludes that, "Conservation of these resilient sites is critical if we are to maintain nature's benefits into the future." The current, primarily agricultural, use of the proposed project area makes it ideally suited for salt marsh migration with minimal negative interaction with current land uses. The geomorphology and topography of the project area appear well-suited to enable up-gradient salt marsh migration. The likelihood of project success is high given the position of the project site in a region that is characterized by extensive protected lands and high-quality habitats at the landscape scale.

(v) The proposed ownership arrangements and long-term management strategy for the in-lieu fee project site(s):

The property will be owned in fee as conservation land by the Trustees. With the exception of continuation of agricultural use of existing fields for a limited time, it is expected that uses of the conservation lands will be limited to non-motorized, passive recreation and typical stewardship and restoration activities (i.e. trail maintenance, restoring tilled fields to grasslands, mowing grasslands, and invasive species

management, as needed). As described in the draft long-term management plan for this site, all other uses would be prohibited in accordance with the Trustees' standard stewardship protocols.

- (vi) The qualifications of the Project Sponsor and any contractor/third-party to successfully complete the type of mitigation project proposed, including information describing any past such activities by the Project Sponsor and contractor/third-party:

The Trustees of Reservations is the nation's first and Massachusetts' largest land preservation and conservation non-profit organization. The Trustees manages 118 reservations state wide, comprising 27,000 acres of land, and holds 322 perpetual conservation restrictions protecting more than 20,000 acres of land. The Trustees has launched a salt marsh restoration and resiliency enhancement initiative in the Parker River region of the Great Marsh, centered around the Trustees' 531-acre Old Town Hill reservation. The proposed 50-acre preservation project is an important component of this initiative to restore salt marsh and fund land acquisition that is specifically oriented around salt marsh migration pathways.

Proposed site outlined in black



**Lake Wampanoag Preservation, Ashburnham MA
In-Lieu Fee Project Prospectus**

- (i) The objectives of the proposed ILF project:

The objectives of the proposed project are to permanently protect and steward 272 acres of land on the east and west side of Lake Wampanoag. The project site represents an important linkage with existing protected lands in the area. By preserving the land, residential development on the western parcel will be prevented and potential easements of logging access on the eastern parcel will be prohibited.

- (ii) How the ILF project will be established and operated:

MA DFG's Division Fisheries and Wildlife (MassWildlife) will purchase the fee interest to the property. Once acquired the parcels will be managed and maintained by the MassWildlife as part of their portfolio of permanently protected open space.

- (iii) The proposed ILF service area:

The project site is located within the MA ILF Program Quabbin-Worcester Service Area.

- (iv) The general need for and technical feasibility of the proposed ILF project:

Buildable lots in this area are subject to residential development pressure and wooded lots are under threat from timber cutting. The western parcel (68 acres off Old Gardner Road) has residential development potential and is currently subject to an approved Forest Cutting Plan. The larger eastern parcel (204 acres) contains 2,200 linear foot section of the Whitman River, and could be accessed for timber cutting via temporary easements across neighboring parcels or existing unused rail bed. Acquisition and long-term management of the parcel by DFG/MassWildlife is feasible. The balance of funds for acquisition, above and beyond the amount requested from the ILF Program, are expected to be committed by the DFG Lands Committee upon confirmation that the Monadnock Trust has obtained the permission necessary to transfer ownership (request for permission in process, the requirement relates to the status of the site as a former boy scout camp).

- (v) The proposed ownership arrangements and long-term management strategy for the in-lieu fee project site(s):

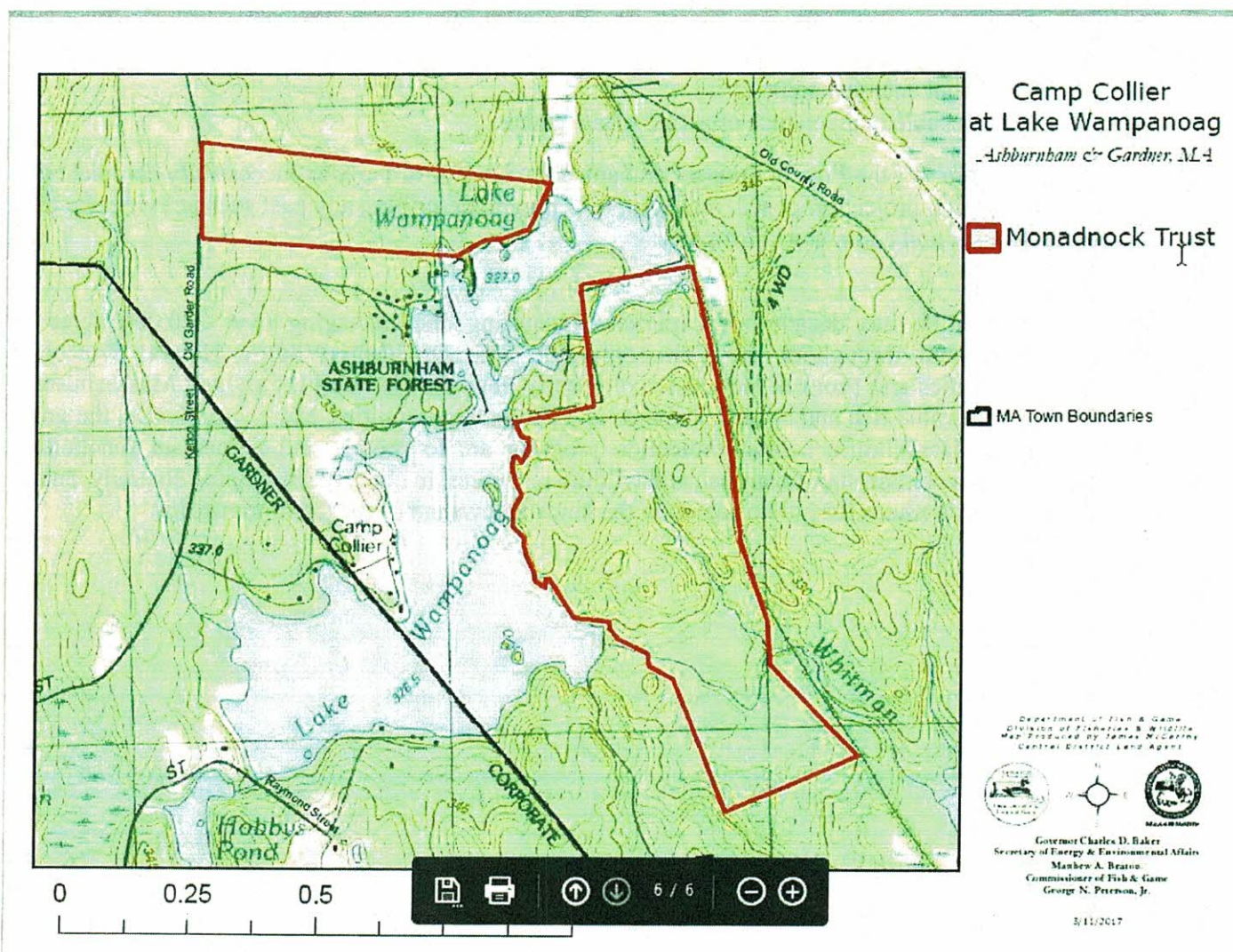
Once acquired, the parcels will be managed by MassWildlife, and the land will be permanently protected by Article 97 of the Massachusetts Constitution. The lands will also become part of a Wildlife Management Area (WMA) under MassWildlife stewardship and in accordance with a Corps-approved Long-Term Management (LTM) Plan. A Baseline Documentation Report (BDR) will be conducted to inform the final LTM Plan and monitoring activities. The LTM plan will include information and stewardship measures to address the following topics, as applicable to the Lake Wampanoag preservation site:

- State and Federally-listed endangered species

- Significant historical and/or archaeological resources
- Easement provisions
- Potential encroachment
- Foreseeable maintenance or active management

- (vi) The qualifications of the Project Sponsor and any contractor/third-party to successfully complete the type of mitigation project proposed, including information describing any past such activities by the Project Sponsor and contractor/third-party:

DFG/MassWildlife has decades of experience acquiring and managing over 220,000 acres of conservation land throughout the Commonwealth. The DFG/MassWildlife Habitat Protection Program identifies and protects the most ecologically important habitats throughout Massachusetts, including high value fish and wildlife habitats and natural communities. More specifically, the goals of the DFG/MassWildlife habitat protection program are to protect and perpetuate functioning ecosystems that contain significant fish and wildlife resources, to conserve biological diversity, and to provide adequate routes for public access to the lands and waters of the Commonwealth.



Parker River Preservation, Newbury MA In-Lieu Fee Project Prospectus

(i) The objectives of the proposed ILF project:

The objectives are to permanently protect three parcels totaling 99.55 acres of wetland, upland, and stream habitat along the Parker River.

(vi) How the ILF project will be established and operated:

The MA Department of Fish and Game/Division of Fisheries and Wildlife will purchase the fee interest in the 13.8-acre Cavanaugh parcel and the 20-acre Morrison parcel, and will accept as a gift a Conservation Restriction over the 65.75-acre Essex County Greenbelt Associate parcel. Once acquired

the parcels will be managed and maintained by the Division of Fisheries and Wildlife as part of their portfolio of permanently protected open space.

(vii) The proposed ILF service area:

The project site is located within the ILF Program Coastal Service Area, in the Coastal-North Service Area.

(viii) The general need for and technical feasibility of the proposed ILF project:

Parcels that contain buildable upland are subject to intense development pressure in this north-coastal area of Massachusetts. Permanently protecting these parcels will prohibit development and ensure that the wetland and upland resources on these parcels remain intact. All three landowners have agreed to participate in the project, making the project feasible. The balance of the project costs, above and beyond the amount requested from the ILF Program, have been committed to by the DFG Lands Committee and the Essex County Greenbelt Association.

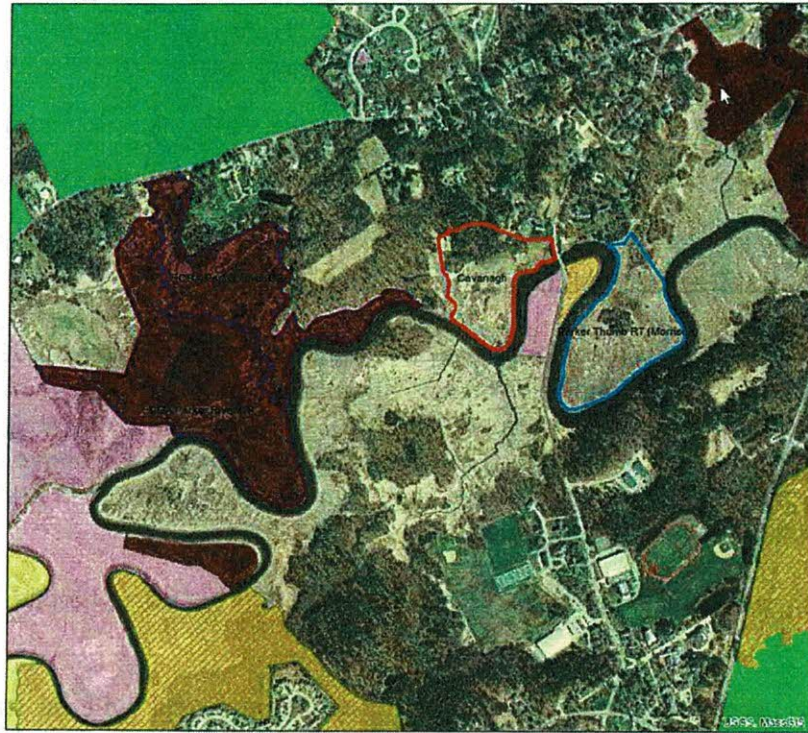
(ix) The proposed ownership arrangements and long-term management strategy for the in-lieu fee project site(s):

Once acquired, the two fee parcels and the Conservation Restriction parcel will be managed by MassWildlife, and the land will be permanently protected by Article 97 of the Massachusetts Constitution. The lands will also become part of a Wildlife Management Area (WMA) under MassWildlife stewardship and in accordance with a Corps-approved Long-Term Management (LTM) Plan. A Baseline Documentation Report (BDR) will be conducted to inform the final LTM Plan and monitoring activities. The LTM plan will include information and stewardship measures to address the following topics, as applicable to the Parker River preservation site.

- State and Federally-listed endangered species
- Significant historical and/or archaeological resources
- Federal Coastal Zone Management (CZM) consistency review
- Easement provisions
- Potential encroachment
- Foreseeable maintenance or active management

(vi) The qualifications of the Project Sponsor and any contractor/third-party to successfully complete the type of mitigation project proposed, including information describing any past such activities by the Project Sponsor and contractor/third-party:

DFG/MassWildlife has decades of experience acquiring and managing over 220,000 acres of conservation land throughout the Commonwealth. The DFG/MassWildlife Habitat Protection Program identifies and protects the most ecologically important habitats throughout Massachusetts, including high value fish and wildlife habitats and natural communities. More specifically, the goals of the DFG/MassWildlife habitat protection program are to protect and perpetuate functioning ecosystems that contain significant fish and wildlife resources, to conserve biological diversity, and to provide adequate routes for public access to the lands and waters of the Commonwealth.



Parker River Connector
ILF
Newbury, MA
Open Space Locus

Legend

All other values

NAME
Cavanagh
ECOA Parker River CR
Parker Thruway RT (Morrison)
MA Towns, Solid Outline
Federal
DCR
DCRS DRG
Department of Fish & Game
Department of Agricultural Resources
Commonwealth of Massachusetts
County
Municipal
Land Trust
Non-Profit
Private
Other
Unknown

Map Produced by the
Department of Fisheries and Wildlife
Anne Gagnon
1/13/2020



0 470 940 1,880 Feet



**Westport Coldwater Streams Preservation, Westport MA
In-Lieu Fee Project Prospectus**

- (i) The objectives of the proposed ILF project:

The objective of this project is to permanently protect 110 acres of forested riparian land along two coastal coldwater streams in Westport, Massachusetts.

- (ii) How the ILF project will be established and operated:

Implementation of the project will involve acquisition of fee title to two properties and recording of conservation restrictions on two additional properties. The fee properties will be owned and managed by qualified land trust organizations (Buzzards Bay Coalition and Westport Land Conservation Trust) as publicly accessible conservation land open to passive recreation activities. Conservation restrictions will be held, monitored and stewarded by Buzzards Bay Coalition. Natural resource management will be guided by existing forest management plans developed by a licensed forester prioritizing habitat management.

- (iii) The proposed ILF service area:

The project site is located within the MA ILF Program Coastal Service Area, in the Coastal-South Sub-Area

- (iv) The general need for and technical feasibility of the proposed ILF project:

The project is needed because aquatic resources, including wetlands, coldwater streams and water quality and habitat in the receiving estuary are highly threatened by impact from land use conversion and development.

The project is feasible. The subject properties are secured under purchase and sale contracts and most needed funds has already been secured. ILF funding is needed to fill the funding gap and move toward closings.

- (v) The proposed ownership arrangements and long-term management strategy for the in-lieu fee project site(s):

The fee properties will be owned and managed by qualified land trust organizations (Buzzards Bay Coalition and Westport Land Conservation Trust) as publicly accessible conservation land open to passive recreation activities. Conservation restrictions will be held, monitored and stewarded by Buzzards Bay Coalition. Natural resource management will be guided by existing forest management plans developed by a licensed forester prioritizing habitat management and by a Corps-approved long-term management plan.

- (vi) The qualifications of the Project Sponsor and any contractor/third-party to successfully complete the type of mitigation project proposed, including information describing any past such activities by the Project Sponsor and contractor/third-party:

Buzzards Bay Coalition (BBC) was founded in 1987 as a membership supported non-profit 501(c) (3) organization dedicated to the protection, restoration and sustainable use and enjoyment of Buzzards Bay in Southeastern Massachusetts and its 432 square mile watershed. BBC has an annual operating budget of \$3.3 million and is supported by over 10,000 individuals, families and businesses throughout the region. BBC pursues its mission through specific programs aimed at protecting and improving Bay health and building public awareness. These programs include a Watershed Protection Program that promotes the conservation and restoration of Bay watershed lands and habitats, and work with the region's Towns and land trusts as partners in land conservation. BBC's Watershed Protection Program has successfully accelerated land protection in the watershed in the face of strong development pressure and has permanently protected more than 8,500 acres of land including management of numerous large and complicated land conservation and stewardship projects. BBC is accredited by the National Land Trust Accreditation Commission and benefits from a Land Stewardship Endowment which supports its long term land conservation responsibilities. For more information please see www.savebuzzardsbay.org. Brendan Annett, BBC Vice President for Watershed Protection and Allen Decker, BBC Director of Land Protection have many years of experience in implementing land conservation. They will play a leadership role in guiding the acquisition and conservation transactions to completion. The project team is also supported by BBC's professional Habitat Ecologist and Land Stewardship Staff.

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