



MASSWILDLIFE

DIVISION OF FISHERIES & WILDLIFE

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May 22, 2023

Chris Volonte
Kestrel Land Trust
37 Bay Road
Amherst, MA 01002

Amherst Conservation Commission
Town Hall
4 Boltwood Ave.
Amherst, MA 01002

RE: Applicant: Kestrel Land Trust, Inc.
 Project Location: Mt. Holyoke Range State Park
 Project Description: Multiple Trail Improvement Projects, New England and Robert Frost Trails
 DEP Wetlands File No.: 089-0715
 NHESP File No.: **23-1105 (Prior MESA File No. 22-40739/22-41535)**
 Heritage Hub Form ID: **RC-54961**

Dear Commissioners & Applicant:

The Natural Heritage & Endangered Species Program of the Massachusetts Division of Fisheries & Wildlife (the "Division") received a Notice of Intent in compliance with the rare wildlife species section of the Massachusetts Wetlands Protection Act Regulations (310 CMR 10.59). The Division also received the MESA Review Checklist and supporting documentation for review pursuant to the MA Endangered Species Act Regulations (321 CMR 10.18). The Applicant proposes the following trail improvement projects at Mt. Holyoke Range State Park (the "Project"):

1. New England Trail on Mt. Norwottuck:
 - a. Treadway improvement along an 1800' linear feet stretch of the 36" wide trail. Improvements include adding crushed stone, decreasing grades by widening climbing turns, and installing grade dips. Improvements will require the use of hand tools, a mini excavator and CanyComs.
 - b. Closures and restoration of social trails. All work will be completed using hand/battery powered tools.
 - c. Rerouting 300' of the trail to a parallel alignment. Closures/restoration of previous trail alignment. All work will be completed using hand/battery powered tools.

2. Robert Frost Trail, north of Mt. Norwottuck:
 - a. All work will be completed using hand/battery powered tools.
 - b. Installation of a 32" wide, 10' long bridge over a stream. All work will be completed using hand/battery powered tools.
 - c. Installation of approximately 50' of bog bridges.

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3. Robert Frost Trail, Low Place Trail area:
 - a. All work will be completed using hand/battery powered tools.
 - b. Rerouting 600' of trail. Restoration of previous trail alignment.
 - c. Installation of a 36" wide, 12' long bridge over a stream on the new trail alignment (3a).

4. New England Trail/Robert Frost Trail on Long Mountain:
 - a. All work will be completed using hand/battery powered tools.
 - b. Treadway improvements including check step replacement, installation of five new check steps and 40' rock staircase, hardening/graveling of a steep trail segment and maintenance of existing rock staircases.
 - c. Rerouting of 1600' of trail and closure/restoration of previous trail alignment.

The Division has determined that this Project, as currently proposed, will occur **within** Priority and Estimated Habitat for two state listed species. These species and their habitats are protected in accordance with the rare species provisions of the WPA and the MESA. In addition, portions of the Project will occur within Priority Habitat for five state listed plants, protected pursuant to the MESA.

Based on the information provided and the information contained in our database, it is the opinion of the Division that this project, as currently proposed, **must be conditioned in order to avoid adverse effects to the Resource Area Habitats of state-listed wildlife species (310 CMR 10.37, 10.58(4)(b), 10.59) and must be conditioned in order to avoid a prohibited Take of state-listed species (321 CMR 10.18(2)(a)). To avoid adverse effects to the Resource Area Habitats of state-listed species, Conditions 1, 2, and 3 attached to this letter must be met. To avoid a Take of state-listed species, Conditions 4,5,6, and 7 attached to this letter must be met. Please note that no work or other activities related to Project 4, Long Mountain, may be conducted anywhere on the project site until the botanical survey report is completed and the Division completes that portion of the MESA review.**

Provided these conditions are included in any approving Orders of Conditions issued by the Conservation Commission, and the applicant complies with all the attached conditions, the project **will not result in an adverse impact to the resource area habitats of state-listed wildlife species pursuant to the WPA and will not result in a prohibited Take pursuant to the MESA.** A copy of the final Order of Conditions shall be sent to the NHESP simultaneously with the applicant as stated in the Procedures section of the WPA (310 CMR 10.05(6)(e)).

This determination is a final decision of the Division of Fisheries and Wildlife pursuant to 321 CMR 10.18. Any changes to the proposed project or any additional work beyond that shown on the site plans may require an additional filing with the Division pursuant to the MESA. This project may be subject to further review if no physical work is commenced within five years from the date of issuance of this determination, or if there is a change to the project.

Please note that this determination addresses only the matter of state-listed species and their habitats. If you have any questions regarding this letter please contact Alexandra Echandi, Endangered Species Review Biologist at alexandra.echandi@mass.gov.

Sincerely,

A handwritten signature in black ink, reading "Everose Schlüter". The signature is written in a cursive, flowing style.

Everose Schlüter, Ph.D.
Assistant Director

cc: MassDEP WERO

South Hadley Conservation Commission
Priscilla Geigis, DCR Deputy Commissioner
Ellen Huffman, DCR Trail Planner
C. Martin, Town of Granby
Peckham Industries
Stuart Watson, Kestrel Land Trust
Heather Clish, Appalachian Mountain Club

Attachment: List of conditions

List of Conditions

Applicant:	Kestrel Land Trust, Inc.
Project Location:	Mt. Holyoke Range State Park
Project Description:	Multiple Trail Improvement Projects, New England and Robert Frost Trails
DEP Wetlands File No.:	089-0715
NHESP File No.:	23-1105 (Prior MESA File No. 22-40739/22-41535)
Heritage Hub Form ID:	RC-54961

To avoid adverse effects to the Resource Area Habitats of state-listed species, the following condition(s) must be met:

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| <p>1. Limit of Work/Project Scope: All work shall conform to the Plan and materials submitted to the Division, including the limit of botanical surveys. Any changes to the proposed project or any additional work or trail development beyond that shown on the Plans shall require additional review and written approval from the Division.</p> |
| <p>2. Remove Sedimentation and Erosion Controls Measures: Sediment and erosion controls shall be removed immediately upon site stabilization and, if necessary, approval of the Conservation Commission.</p> |
| <p>3. Authorization Duration: This authorization is valid for 5-years from the date of issuance. Work may be completed at any time during this 5-year period in compliance with the conditions herein.</p> |

In addition, to avoid a prohibited Take of state-listed species, the following condition(s) must be met:

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| <p>4. Turtle Protection Plan/Rare Species Awareness Training, Project 1, Resurfacing Component using mini excavator and CanyComs: <i>Prior to the start of Work</i>, the applicant shall coordinate with DCR and the Division to receive rare species awareness training for all trail crew members. The awareness training shall focus on species identification, biology and reporting, as well as the implementation of best management protective measures.</p> |
| <p>5. Limit of Work, Projects 1-3: The collective of material for trail construction such as rock, soil, trail closure/restoration materials or other, shall be limited to the areas previously surveyed by Charley Eiseman in May of 2022. Please confirm limits of survey with Mr. Eiseman prior to the start of Work or prior to collecting off trail materials.</p> |
| <p>6. Plant Avoidance and Protection, Project 3: In addition to Condition 5 above, special concerned species flagging must be refreshed prior to the start of work.</p> |
| <p>7. No Authorized Work, Project 4: No work or other activities related to Project 4 may be conducted anywhere on the project site until the botanical survey report is completed and the Division completes its MESA review.</p> |