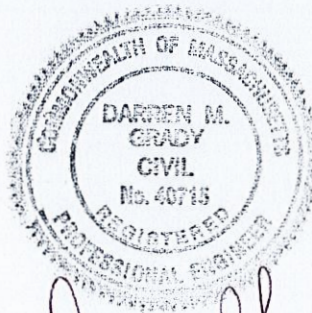


**Natural Heritage and Endangered Species Program
Conservation & Management Permit**

Status Report

Bridle Path Village

Marshfield, Massachusetts



Darren Grady

Prepared for

Matlin LLC
c/o Kevin Sealund and Matthew Dacey
794 Washington Street
Pembroke, MA 02359
January 9, 2017
Revised November 15, 2023

SUMMARY

Prior to the proposed Bridal Path Village development, Marshfield Youth Soccer Association sought permits to construct soccer fields on the locus property. Peter Armstrong was the applicant for the Conservation and Management Permit application.

Matlin LLC intends to provide very similar restoration for the current project as the previous soccer field application. This has been coordinated with the Division of Fisheries and Wildlife. Enclosed please find:

1. Letter dated February 16, 2010 to Peter Armstrong from the Division of Fisheries and Wildlife. The states that “the NHESP anticipates being able to issue a Conservation & Management Permit approving the gravel extraction and sports field construction project.”
2. Appendix B from the draft Conservation & Management Permit Application dated October 2009, revised 2010. The appendix provides the planting narrative and schedule for the NHESP restoration areas. A new permit application is being prepared and will be provided upon completion.
3. Email dated December 6, 2016 from David Paulson to Peter Armstrong. The email summarizes the steps necessary for finalizing the permit for the current project.



MassWildlife

Commonwealth of Massachusetts

Division of Fisheries & Wildlife

Wayne F. MacCallum, *Director*

February 16, 2010

Mr. Peter Armstrong
44 Allerton Road
Marshfield, MA 02050

Re: Grove Street Gravel Extraction and Soccer Fields
NHESP Tracking No. 09-26258

Dear Mr. Armstrong:

Thank you for submitting a draft Conservation & Management Permit application for Grove Street Marshfield (dated October 2009; revised January 2010; prepared by EcoTerra Design and Consulting, LLC). Based on a review of the application, and consultation with you and your project design team, I understand that you are proposing the following impact minimization and mitigation measures to benefit the Eastern Box Turtle, a species protected pursuant to the Massachusetts Endangered Species Act (MGL c. 131A) and its implementing regulations (321 CMR 10.00):

1. The granting of an Executive Office of Energy & Environmental Affairs Conservation Restriction over +/-9.6 acres of habitat, to a qualified land trust or government entity approved in writing in advance by the Natural Heritage & Endangered Species Program (NHESP). I understand that you are willing to place the conservation restriction over an additional +/-6.5 acres of land, provided that active recreation, and associated improvements such as parking, shall continue to be allowed indefinitely, and provided that a willing grantee can be identified.
2. The short-term restoration and the long-term management of +/-5.3 acres of former gravel pit as habitat for the Eastern Box Turtle subject to a restoration and management plan outlined in the permit application. \$25,000 will be placed, in phases as gravel extraction proceeds, into an endowment or other NHESP approved account to fund long-term habitat management activities. It is anticipated that \$10,000 will be provided prior to the start of work, with the remaining \$15,000 to be provided when +/-250,000 cubic yards of sand and gravel have been extracted, but in no event later than three years after the start of work.
3. Providing \$20,000 to be used to monitor the local box turtle population after construction and or to implement other Eastern Box Turtle conservation measures to benefit the species in Massachusetts, said funding to be provided before the proposed soccer fields are loamed and seeded, and before any portion of the site is turned over to the Marshfield Youth Soccer Association or any other successor.
4. Implementation of an intensive turtle protection plan during construction, including but not limited to, the tracking turtles with radiotransmitters and installation of temporary turtle barriers.
5. Installation of a permanent turtle barrier around the proposed soccer fields.

Provided that a number of outstanding details pertaining to the above-listed items can be addressed, the NHESP anticipates being able to issue a Conservation & Management Permit approving the proposed gravel extraction and sports fields construction project. We appreciate your efforts to address endangered

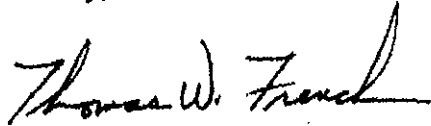
www.masswildlife.org

Division of Fisheries and Wildlife

Field Headquarters North Drive Westborough MA 01581 (508) 380-6300 Fax (508) 380-7801

species permitting issues to date, and are very interested to see how the turtles respond as the habitat restoration progresses. Please do not hesitate to contact Jon Regosin, Ph.D., at (508) 389-6376 with any questions or comments you may have.

Sincerely,

A handwritten signature in black ink that reads "Thomas W. French". The signature is fluid and cursive, with the first name "Thomas" and last name "French" clearly legible.

Thomas W. French, Ph.D.
Assistant Director

cc: Mark Cooperman, EcoTerra Design, LLC

Appendix B:

Habitat Restoration Narrative and Schedule

GROVE STREET, MARSHFIELD, MA RESTORATION AND REVEGETATION NARRATIVE

OVERVIEW: A variety of restoration compositions have been employed in order to return previously degraded open space within the project area to preferable eastern box turtle and associated wildlife habitats. Certain portions of the site had been altered during the original gravel pit operations over 20 years ago, and never successfully restored upon completion of earth removal activities. Additionally, portions of the property had recently been used as a construction yard resulting in piles of organic debris and other construction materials that need to be cleaned up as part of the restoration efforts. The areas scheduled for active restoration are generally described as being void of vegetation, or lacking significant permanent vegetative cover.

Approximately 5.3 acres will be actively restored on site. The restoration techniques involve establishing a variety of ecological communities at various stages within the successional process in order to provide turtles with a variety of resource options for fulfillment of life-history requirements. The four major ecological communities designed for restoration include nesting habitat, herbaceous meadow -early successional habitat, late successional habitat, and mixed upland forest habitat. The layout of the restored areas uses strategies to maximize edge habitat and species diversity in addition to strategically locating certain communities adjacent to existing habitats.

Due to the nature of the proposed earth removal and subsequent construction of two recreational fields, active restoration will take place during these other phases in addition to taking place during final construction of the soccer fields. This will allow for development of the restored communities along the way, in addition to providing observational data for any field adjustments to the proposed restoration planning.

Areas to be restored will be planted with native plant material suitable for the area and subsequently managed in order to achieve the desired community. All grading and earth shaping for the habitat restorations will utilize native soils found on site in order to maintain similar soil profiles, properties, and seed banks. Soils will be strategically relocated in order to maximize pre-existing seed banks for use in restored areas.

Restoration plantings will encompass a variety of techniques including, seeding, transplanting material on site, and planting restoration nursery stock. There are abundant opportunities to recover local plant material existing on site prior to earth removal activities and efforts will be made to do such. Where feasible, this will be the preferred method in order to maintain as much of the local genotypes as possible. Approved restoration seed mixes shall be used for the areas designated for seeding such as the herbaceous meadow. The mixes shall contain native grasses and forbs. Seeded areas shall be planted during appropriate seeding times in order to promote successful establishment. Approved nursery stock shall be used for all woody plant material and shall be supplied through a reputable restoration nursery supplier. Plant material shall be installed during periods where the plantings have the highest chance of survival. Plantings shall be monitored for 2 years in order to verify establishment of the newly planted material. Associated with each restoration composition is a planting schedule and the specifications associated with those species.

Four different major restoration compositions have been identified on the attached plan and the restoration objectives are identified and summarized below. Detailed construction methodology and planting schedules follow the summary below.

Nesting Habitat = The specified nesting habitats are designed to mimic the features utilized by EBTs currently for nesting behavior. This includes building topography with native soils on site, and more specifically, soils from known nesting areas on site. An abundance of soils with nesting habitat characteristics exist on site. Nesting areas typically contain sparse vegetation such as clump grasses as EBTs are known to prefer to nest in areas with some vegetative cover. In addition to the three designed nesting mounds shown on the plan, the Meadow-Early Successional Community will function as suitable nesting habitat as the soils used for construction of this habitat will have sandy characteristics.

Meadow-Early Successional = These areas will be restored to native herbaceous grass and forb communities with occasional woody species in order to stabilize slopes, minimize formal lawn areas, and provide valuable wildlife habitats throughout the site. It is assumed that over a period of time, some of these areas will be colonized by woody plant species whose seed stock remains in existing soils on site, thus a long-term maintenance protocol has been developed in order to ensure that the habitat remains primarily herbaceous and open as designed.

Late Successional = The primary goal of these habitats is to provide a young woody plant community with an herbaceous understory providing a variety of resources including food and cover, which will in turn be the precursor in the long term to a mature hardwood forest.

Upland Forest = These areas are defined as primarily woody and will mimic the existing forested areas used by EBTs on site. The overstory will ultimately

consist of predominantly mixed hardwood trees, with occasional pines. The understory shrub layer is comprised of woody shrub species native to the site.

Detailed specifications and construction methodologies for each of the designed ecological communities are provided below.

NESTING AREAS - A total of approximately ½ acre of land on the project has been specifically designated specifically as new nesting habitats. The new habitat will be constructed during site development in the locations shown on the approved plans or as requested by NHESP where practical. The nesting areas have been strategically scattered throughout different areas based on our understanding of the seasonal movements of the animals documented through radio tracking efforts throughout a full active season. The selected locations are chosen in order to attempt to intercept turtles during their routine movements and encourage turtles to utilize habitats away from disturbances such as the surrounding roadways.

Suitable substrates for nesting areas exist throughout the site. Areas designated as nesting habitat shall be cleared of woody vegetation if necessary, while taller vegetation and organic topsoil will also be removed. After preparation of the areas for nesting habitat, suitable materials will be used to build topography for the nesting habitat. In general, nesting mounds will be constructed with a maximum elevation of 6' above the base finished grade, and with slopes not to exceed a 3:1 ratio. Base material to build the topography will consist of existing sandy-gravelly material harvested on site. If necessary, a fine loamy-sand layer (<5% clay and <25% gravel) will be deposited over the parent material at a rate of up to 12" in thickness.

Upon completion of the necessary clearing and preparation of substrates within constructed nesting areas, these new habitats shall be sparsely planted with native bunch-forming grasses in addition to several shrubs scattered throughout the nesting areas in order to provide cover for females during egg-laying events. A nesting area planting schedule is shown below. The grasses cited below are bunch grasses and it is understood that running grasses are not to be used.

SPECIES	COMMON NAME	SIZE	COMMENTS
GRASSES			
<i>Schizachyrium scoparium</i>	Little Bluestem	2" plugs	20-40' O.C.
<i>Carex conoidea</i>	Openfield sedge	2" plugs	20-40' O.C.
<i>Danthonia spicata</i>	Poverty oatgrass	2" plugs	20-40' O.C.

<i>Carex swanii</i>	Swan's sedge	2" plugs	20-40' O.C.
SHRUBS			
<i>Comptonia perigrans</i>	Sweet fern	C.G. #2	1 / 500s.f.

The Applicant will initially be responsible for establishment and maintenance of the newly created nesting areas including preventing nesting habitats from becoming overgrown with woody or herbaceous plant material. Inspections by qualified wildlife biologists will be conducted annually for 3 years and every 5 years following this period. This biologist shall prepare a report with visual documentation (photos) of the nest sites and send a copy of the report to NHESP. Upon a biologist's recommendations the Applicant will take appropriate actions including but not limited to, mowing, hand removal of woody plant material, etc.

Final composition of the nesting habitat areas will aim to achieve a vegetative strata cover based on the following:

VEGETATIVE STRATA	% COVER
GRASSES (Bunch grasses only)	30-40
FORBS	10-20
SHRUBS	10-20
TREES	0

MEADOW – EARLY SUCCESSIONAL - Restoration of these areas will create diverse upland meadow communities with a variety of grass and forb species, in addition to occasional woody plantings. These areas will be created using both seeding and restoration planting techniques. Woody plants will either be transplanted from existing stock on site or purchased as described below. Areas will be graded following cleanup and any construction activities, after which final grading and soil profiles will be established for the seeding and planting. Preparation of these areas will consist of removing the organic topsoil within the proposed areas in order to allow for proper soil mixes to be installed for finish grading. Final soil profiles should consist of sands - loamy sands in order to promote the vegetative community desired and inhibit undesirable species. Material harvested from the pine slope on the southern border between the two parcels will be used for creation of this area. This bank is comprised of fine gravel and coarse sands. A shallow layer of sandy loam may be used as needed for topsoil and establishment of seeds or plantings.

A planting schedule describing appropriate species and pertinent information is presented below. Species are provided as appropriate selections to choose from and not all species will necessarily be utilized. Any substitutions must be native species and maintain a similar habitat value to those listed below.

SPECIES	COMMON NAME	SIZE	COMMENTS
GRASSES: 30 LBS/ACRE			
<i>Festuca rubra</i>	Creeping Red Fescue	Seed	local ecotype
<i>Schizachyrium scoparium</i>	Little Bluestem	Seed	local ecotype
<i>Sorghastrum nutans</i>	Indian Grass	Seed	local ecotype
<i>Elymus canadensis</i>	Canada wild rye	Seed	local ecotype
<i>Carex vulpinoidea</i>	Fox Sedge	Seed	local ecotype
<i>Bromus ciliatus</i>	Fringed Brome grass	Seed	local ecotype
<i>Panicum virgatum</i>	Switchgrass	Seed	local ecotype
<i>Festuca ovina</i>	Sheep fescue	Seed	Local ecotype
FORBS: 15-30 LBS/ACRE			
<i>Lupinus perennis</i>	Wild Blue Lupine	Seed	local ecotype
<i>Aster prenanthoides</i>	Zigzag Aster	Seed	local ecotype
<i>Aster novae-angliae</i>	New England Aster	Seed	local ecotype
<i>Cassia hebecarpa</i>	Wild Senna	Seed	local ecotype
<i>Chamaecrista fasciculata</i>	Partridge pea	Seed	local ecotype
<i>Asclepias syriaca</i>	Common Milkweed	Seed	local ecotype
<i>Solidago canadensis</i>	Canada goldenrod	Seed	local ecotype
<i>Desmodium canadense</i>	Showy Tick-Trefoil	Seed	local ecotype
<i>Lespedeza capitata</i>	Round-headed Bush Clover	Seed	local ecotype
<i>Penstemon digitalis</i>	Beard Tongue	Seed	local ecotype
<i>Rudbeckia hirta</i>	Black Eyed Susan	Seed	local ecotype
TREES			
<i>Betula populifolia</i>	Gray birch	C.G. #3	50' O.C.
<i>Amelanchier laevis</i>	Serviceberry	C.G. #2	40' O.C.
SHRUBS			
<i>Cornus racemosa</i>	Gray dogwood	C.G. #3	50' O.C.
<i>Aronia arbutifolia</i>	Red chokeberry	C.G. #3	50' O.C.
<i>Comptonia perigrans</i>	Sweet fern	C.G. #2	25' O.C.
<i>Rhubus sp.</i>	Blackberry/Raspberry	C.G. #2	25' O.C.

Long-term maintenance of these habitats will involve ensuring that the areas do not succeed with woody vegetation, and this will be accomplished through

periodic mowing which will prevent the establishment of woody plants where not desired. Typically, mowing would need to occur every 1-2 years once established in order to prevent the establishment of woody plant species. The particular mowing schedule will be adjusted for the site and take in to account EBT activity in the area. For example, mowing in these habitats would need to be conducted between November 1 and April 1 in order to avoid EBT use of the area. Inspections by qualified wildlife biologists will be conducted annually for 3 years and every 5 years following this period. This biologist shall prepare a report with visual documentation (photos) of the meadow habitat and send a copy of the report to NHESP. Upon a biologist's recommendations the Applicant will take appropriate actions including but not limited to, mowing, hand removal of woody plant material, etc.

The area outside of the ball field fence will be maintained differently than the remainder of the meadow-early successional habitat in that routine mowing to prevent woody species from colonizing will not be conducted. Rather, portions of the hillside adjacent to the fence may be mowed periodically to maintain the fence line and access around the fence as needed.

Final composition of the meadow habitat areas will aim to achieve a vegetative strata cover based on the following:

Restored 6 acre habitat	
VEGETATIVE STRATA	% COVER
GRASSES	40-50
FORBS	20-30
SHRUBS	0-10
TREES	0-10

Meadow-Early Successional hillside surrounding soccer fields	
VEGETATIVE STRATA	% COVER
GRASSES	20-30
FORBS	20-30
SHRUBS	40-50
TREES	20-30

HEAVY SHRUB COVER – Certain portions of the site surrounding the parking and recreational space will be planted more heavily with native shrub species in order to create a thick screen between the designated habitat and the recreational space. Planting of these areas will follow guidelines identified in the planting schedule below and these areas are designated on the restoration plan.

SHRUBS			
<i>Cornus racemosa</i>	Gray dogwood	C.G. #5	4' O.C.
<i>Myrica pensylvanica</i>	Bayberry	C.G. #5	4' O.C.
<i>Comptonia perigrans</i>	Sweet fern	C.G. #3	4' O.C.
<i>Amelanchier laevis</i>	Serviceberry	C.G. #10	20' O.C.

LATE SUCCESSIONAL HABITAT - Restoration of these areas will be similar to that of the above, with the difference being that woody plant species will be interspersed at greater densities throughout the meadow. Woody plants will either be transplanted from existing stock on site or purchased as described below. Herbaceous species will be seeded as an understory soil cover if necessary. These areas currently have portions with desirable grass and shrub species present and these areas will remain intact or just be enhanced. Planting schedules for the herbaceous component is identical to the above. A supplemental planting schedule for the additional plant material is provided below. A general planting density guideline of 5-10 units/1000s.f. will be utilized in a random layout throughout these zones.

Significant grading and soil preparation for this area will not be necessary and as mentioned above, the area can be enhanced to achieve the desired community as many portions of the area are already developing in this manner. Below is a detailed planting schedule describing suitable plant species for this community.

SPECIES	COMMON NAME	SIZE	COMMENTS
TREES			
<i>Amelanchier laevis</i>	Serviceberry	C.G. #2	
<i>Betula populifolia</i>	Gray birch	C.G. #2	
<i>Quercus rubra</i>	Red oak	C.G. #2	
<i>Quercus alba</i>	White oak	C.G. #2	
<i>Juniperus virginiana</i>	Red cedar	C.G. #2	
SHRUBS			
<i>Rosa rugosa</i>	Beech rose	C.G. #2	
<i>Cornus racemosa</i>	Gray dogwood	C.G. #2	
<i>Rhus typhina</i>	Staghorn Sumac	C.G. #2	
<i>Aronia arbutifolia</i>	Red chokeberry	C.G. #2	
<i>Comptonia perigrans</i>	Sweet fern	C.G. #2	
<i>Prunus serotina</i>	Black Cherry	C.G. #2	

These areas will not be maintained as the early-successional meadow, but rather allow for the establishment of woody shrubs native to the site. The goal is to mimic the thick shrub habitats surrounding the adjacent wetland that turtles use throughout the summer period.

Final composition of the late successional habitat areas will aim to achieve a vegetative strata cover based on the following:

VEGETATIVE STRATA	% COVER
GRASSES	60-70
FORBS	10-20
SHRUBS	30-40
TREES	20-30

UPLAND FOREST HABITAT – The restoration of forested areas will aim to replicate and add to existing forested habitat that is valuable to EBTs for wintering and other periods, and is also a limited resource on site. Development of additional upland forest will occur via initial restoration plantings in addition to long-term management strategies. Currently there is a gravel access road from Grove Street into the site, and this roadway area will be restored to mixed upland forest, such that there will no longer be vehicular access from Grove Street. Areas will be prepared by first removing any undesirable or heavily compacted topsoil and subsequently replaced with organic soils from sources on site. Topsoil will be strategically sourced from former forested areas on site such as from the perimeter of the upper plateau where there is a significant amount of desirable understory shrubs remaining such as low bush blueberry and huckleberry. Plants will also be recovered from these areas in order to establish the native understory desirable to eastern box turtles seen along the Grove street entrance.

Woody plants will either be transplanted from existing stock on site as mentioned above or purchased according to the planting schedule. Tree species will be installed as young whips and allowed to mature. This technique is more successful than planting larger trees in restoration plantings where there is limited care following installation. Herbaceous cover species will be seeded as an understory soil cover only. Planting schedules for the restored upland forest are below.

SPECIES	COMMON NAME	SIZE	COMMENTS
TREES			
<i>Quercus rubra</i>	Red oak	C.G. #2	30'-50' O.C.
<i>Quercus alba</i>	White oak	C.G. #2	30'-50' O.C.
<i>Betula populifolia</i>	Gray birch	C.G. #2	30'-50' O.C.

SHRUBS			
<i>Cornus racemosa</i>	Gray dogwood	C.G. #2	20'-40' O.C.
<i>Aronia arbutifolia</i>	Red chokeberry	C.G. #2	20'-40' O.C.
<i>Vaccinium angustifolium</i>	Low bush blueberry	C.G. #2	20'-40' O.C.
<i>Gaylussacia baccata</i>	Huckleberry	C.G. #2	20'-40' O.C.

Upon establishment of scheduled forest species, management will include promotion of these species through inspection and removal of competitive species as necessary, in addition to the lack of periodic mowing in these areas in order to allow tree species to mature.

At this time it is anticipated that long term oversight and maintenance of the restoration areas will also be overseen by the Applicant, and the final determination of stewardship roles will be determined as easement holders are further identified. The Applicant will be responsible for establishment and maintenance of the newly restored habitats throughout the construction period. Tasks involved in long term maintenance will include proper maintenance of nesting habitat as described above, periodic mowing of the meadow areas in order to prevent rapid colonization by woody species, and identification and removal of any invasive plant species.

Final composition of the upland forest habitat areas will aim to achieve a vegetative strata cover based on the following:

VEGETATIVE STRATA	% COVER
GRASSES	0-10
FORBS	0-10
SHRUBS	20-30
TREES	70-80

WORK SEQUENCE AND LIMITATIONS SUMMARY:

This section describes limitations and timing surrounding work within eastern box turtle habitats. In general, no work shall be conducted in any specific habitat during the active period for turtles. For example, no work shall take place in known nesting and summering habitat between the periods of April 1st through November 1st. Most of the habitat within the 6 acre parcel falls within this category so in general, work on the restoration areas will be avoided during these periods and rather take advantage of working during winter periods in preparation for early spring restoration plantings.

Currently the Applicant would like to immediately begin work on removal of the pine slope along the southern boundary between the two parcels. This area has not been shown to support any turtle activity based on studies to date and this will allow movement of materials in order to begin restoration in other areas. Material from this gravel bank will be used to establish slopes on the northern border of this parcel during the inactive season in preparation for spring planting establishment. A plan showing conceptual timing of construction phases has been provided. NHESP will be kept informed throughout the process and changes will be made if necessary and agreed upon with NHESP Staff.

TABLE SUMMARY OF ANTICIPATED WORK SEQUENCE:

TASK DESCRIPTION	EXPECTED TIMING	RESTRICTIONS
Begin restoration preparation with removal of north facing pine hill and subsequent grading of proposed meadow area and south facing hillside	Winter 2010 Winter 2011 Spring 2010 Spring 2011	Complete earthwork by April 1, 2010 and commence planting Window between April 1 st and June 1 st . Summer restoration planting to be avoided due to lack of supplemental water
Install plantings for Meadow-Early Successional habitat and/or Nesting mounds		
Construction of proposed Nesting mounds as shown in the Meadow – Early Successional habitat	Winter 2010 Winter 2011 Spring 2010 Spring 2011	Goal is to create nesting areas during the non-active periods for EBTs and have them on line for the following active season prior to removal of material from known nesting habitats
Planting of proposed Nesting mounds		
Preparation of forest restoration habitats with removal of Grove Street entrance and addition of organic topsoil to proposed areas	Winter 2011 Winter 2012 Spring 2011 Spring 2012	Earthwork completed between November 1 st and April 1 st Window between April 1 st and June 1 st . Summer restoration planting to be avoided due to lack of supplemental water
Begin plantings for Forest habitat restoration		
Enhancement of proposed Late Successional habitats with additional plantings, vegetation management	Spring 2011 Spring 2012	Major earthwork is not anticipated for this portion of the restoration
General cleanup of construction and organic debris piles throughout the site.	Winter 2010 - Ongoing	To take place between November 1 st and April 1 st

ESTABLISHMENT AND LONG-TERM MAINTENANCE – The work is anticipated to be broken down into two distinct periods, the short-term establishment phase whereby the contractor is implementing the restoration plans and conducting short-term maintenance oriented manipulations in order to achieve the desired results. The long-term maintenance period is viewed as the period following the completed installation of the restoration plans whereby various strategies are utilized to ensure the desired habitat compositions are achieved. These practices may include period mowing, overseeding, removal of invasive plant species, etc.

The primary tasks involved in the long-term maintenance phase will be the mowing of the meadow habitat in order to ensure that woody plant species do not colonize the area. These mowings are anticipated to be needed every 2-3 years following the initial establishment. Additionally, inspections of the habitats and in particular the nesting areas will be conducted annually for 3 years by a qualified biologist. After a period of 3 years, inspections will be conducted every 5 years. These inspections will include a follow up report to be submitted to the Applicant and to the MA NHESP. Reports will include a description of the habitats at that time in addition to any maintenance recommendations needed to achieve the desired habitat compositions. Below is a summary of anticipated long-term maintenance schedules and expected costs for the determination of escrow amounts.

TASK	FREQUENCY	COST PER EVENT
<i>INSPECTIONS</i>		
Short term inspections	Annually for 3 years	\$800.00
Long term inspections	Every 5 years	\$800.00
Post 20 year. Inspections	Every 10 years	\$800.00
<i>MANAGEMENT</i>		
0-5 year management (Meadow mowing, etc.)	As needed	*Completed and covered by Applicant
<i>CONSERVATION STEWARD TAKES OVER AFTER 5 YEARS</i>		
5-20 year management assuming mowing required no more frequently than every 5 years.	Varying efforts and tasks once every 5 years	\$0.00 - \$500.00
Post 20 year management	Varying efforts expected once every 10-20 years	\$???

Darren Grady

From: Paulson, David (FWE) <David.Paulson@MassMail.State.MA.US>
Sent: Tuesday, December 06, 2016 4:08 PM
To: Peter Armstrong; Darren Grady; Holt, Emily (FWE)
Subject: NHESP 09-26258: Marshfield
Attachments: NHESP CR Monumentation & Signs - May 2014.pdf; Declaration of Restriction CR placeholder_6_11_08.doc; MESA_CR_Template_Oct2016.docx; ESCROW Template_2016.docx

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Peter and Darren,

NHESP 09-26258: Marshfield

Great meeting with you today. I look forward to finalizing the permitting with you. As discussed:

Next Steps:

- 1) Update the CMP Application
 - Reflect Change in Project
 - Impact Calculations
 - Update the Restoration Plan (To the most recent version)
 - Develop a Turtle Protection Plan
 - Revised Net Benefit (Mitigation) As discussed in the 2010 Letter of Understanding.
 - #2 (See Template Below)
 - #3 (Funding for EBT Research). This could be used for a future local study or deposited into the Eastern Box Turtle Mitigation Bank. Please let me know what works best for you.
- 2) Land Protection (2 Methods)
 - Deed in Fee (See Below)
 - CR Template (See Attached)
 - CR-DR Place Holder (Used as a placeholder for both the CR and/or Deed in Fee)(See Attached)
 - CR/Open Space Plan (See Attached Guidance Document)
- Habitat Management
 - Escrow Template (See Attached)
- 3) Check-in with MEPA: Determine if a NPC (Notice of Project Change) is required?
- 4) CMP Fee (Intermediate): See Link Below: Conservation and Management Permit Fee
<http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/mass-endangered-species-act-mesa/mesa-fee-schedule.html>

Example Fee Language

Fee Transfer: The Permit Holder has also proposed to fulfill the long-term Net Benefit required by way of this Permit by permanently protecting ±62.71 acres of land, as shown on the CR Plan (Attachment 3), through conveyance to the City of Attleboro Conservation Commission subject to Article 97 provisions, or to another qualified land trust or government entity approved in writing by the Division. Such conveyance shall comply with the following conditions, unless otherwise pre-approved in writing by the Division:

1) The Quitclaim Deed shall be in substantially the same form as shown in Attachment 6, and shall be granted by the Permit Holder to the City of Attleboro acting by and through its Conservation Commission (Attachment 9) or to any other qualified land trust, nonprofit organization or government entity approved in writing in advance by the Division.

2) The City of Attleboro Conservation Commission shall take a vote, and record said vote in the final written meeting minutes, to accept the Open Space pursuant to the Quitclaim Deed (Attachment 6) (or other language pre-approved in writing by the Division) read aloud at said meeting prior to the vote.

3) The City of Attleboro Municipal Council, or the nominated member(s) of said board, shall affirm the vote of the Conservation Commission, with said affirmation recorded in the final meeting minutes.

Therefore, within six (6) months of the start of Work, the Permit Holder shall provide proof of conveyance of said land to the City of Attleboro Conservation Commission or to another qualified land trust or government entity approved in writing by the Division. Proof of conveyance shall include proof of recordation with marginal reference to the land transfer language above, the date of the Conservation Commission vote, and the date of the affirming vote of the Municipal Council. A copy of said recorded deed shall be submitted to the Division within five (5) business days of recordation. Work shall cease if said deed is not recorded and copies thereof received by the Division within six (6) months of the start of Work provided, however, that the Division may extend this date from time to time if the failure to execute and record said deed results from circumstances beyond the control of the Permit Holder and so long as the Permit Holder continues in good faith to seek execution and recordation of said deed.

Please let me know if you have any questions.

All the best,

Dave

-----Original Message-----

From: Peter Armstrong [mailto:paconstruction@verizon.net]

Sent: Tuesday, December 06, 2016 8:46 AM

To: Paulson, David (FWE)

Subject: Plan