



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS
OFFICE OF COASTAL ZONE MANAGEMENT
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July 21, 2008

Elaine Vaudreuil
NOAA, Ocean and Coastal Resource Management
National Policy and Evaluation Division (N/ORM7)
1305 East-West Highway, SSMC4, Station 10657
Silver Spring, MD 20910

Re: Massachusetts Coastal and Estuarine Land Conservation Program Application for FY 2009

Dear Ms. Vaudreuil:

Please accept this original application, along with four copies as required, from the Massachusetts Executive Office of Energy and Environmental Affairs' Office of Coastal Zone Management (CZM) for the FY 2009 Coastal and Estuarine Land Conservation Program (CELCP). Through this application CZM wishes to formally nominate its single most important priority coastal land acquisition project for consideration in the NOAA National Selection Process for the CELCP.

This priority project was identified through a state solicitation process, as outlined in the NOAA-approved Massachusetts Coastal and Estuarine Land Conservation Plan. This state priority project represents an outstanding opportunity for conservation of significant land directly on the Massachusetts coastline. The project has a very strong set of ecological, conservation, recreational, historical, and aesthetic values that need to be protected from the intense development pressures inherent in the coastal areas of Massachusetts. The project is also quite large by Massachusetts' standards.

We look forward to the competitive review process that will be undertaken by NOAA. If you need any additional information on this project, or if you have questions on the information contained in this application, please contact David Janik, CZM CELCP Coordinator, at 1(508) 291-3625 x20. This application has also been electronically submitted through Grants.gov. Thank you for the opportunity to submit this valuable coastal and estuarine land conservation projects for your consideration.

Sincerely,

Leslie-Ann McGee
Director



**APPLICATION FOR
FEDERAL ASSISTANCE**

Version 7/03

1. TYPE OF SUBMISSION: Application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction		Pre-application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction	2. DATE SUBMITTED	Applicant Identifier
			3. DATE RECEIVED BY STATE	State Application Identifier
			4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier NOS-OCRM-2009-2001449
5. APPLICANT INFORMATION				
Legal Name: Executive Office of Environmental Affairs		Organizational Unit: Department: Office of Coastal Zone Management		
Organizational DUNS: 824848451		Division:		
Address: Street: 251 Causeway Street, Suite 800		Name and telephone number of person to be contacted on matters involving this application (give area code)		
City: Boston		Prefix:	First Name: David	
County: Suffolk		Middle Name		
State: MA		Zip Code 02114	Last Name Janik	
Country: USA		Suffix:		
		Email: david.janik@state.ma.us		
6. EMPLOYER IDENTIFICATION NUMBER (EIN): 04-6002284		Phone Number (give area code) 508-291-3625 x20	Fax Number (give area code) 508-291-3628	
8. TYPE OF APPLICATION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify) <input type="checkbox"/> <input type="checkbox"/>		7. TYPE OF APPLICANT: (See back of form for Application Types) A Other (specify)		
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: TITLE (Name of Program): CZM Administration Awards / Coastal and Estuarine Land Conservation Program 11-419		9. NAME OF FEDERAL AGENCY: NOAA		
12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): Wareham, Plymouth County, MA		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: Coastal and Estuarine Land Conservation Program (CELCP) - FY2009 MA CZM Nomination of Great Neck Conservation Partnership Project to NOAA / CELCP		
13. PROPOSED PROJECT Start Date: 9/1/2008 Ending Date: 05/31/2010		14. CONGRESSIONAL DISTRICTS OF: a. Applicant Boston (8 & 9) b. Project Wareham(4)		
15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?		
a. Federal	\$ 2,300,000.00	a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE:		
b. Applicant	\$ 0.00	b. No. <input checked="" type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372		
c. State	\$ 0.00	<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW		
d. Local	\$ 400,000.00	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?		
e. Other	\$ 5,560,000.00	<input type="checkbox"/> Yes If "Yes" attach an explanation. <input checked="" type="checkbox"/> No		
f. Program Income	\$ 0.00			
g. TOTAL	\$ 8,260,000.00			
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.				
a. Authorized Representative				
Prefix	First Name Sandra		Middle Name	
Last Name Bachman	Suffix			
b. Title Chief Financial Officer	c. Telephone Number (give area code) 617-626-1188			
d. Signature of Authorized Representative <i>Sandra L. Bachman</i>	e. Date Signed 7-22-2008			

**MASSACHUSETTS COASTAL AND ESTUARINE LAND
CONSERVATION PROGRAM APPLICATION
SUBMITTED TO NOAA
JULY 23, 2008**

**GREAT NECK CONSERVATION PARTNERSHIP PROJECT
WAREHAM, MASSACHUSETTS**



Aerial View of Great Neck Conservation Partnership Project Area

**Submitted By:
The Massachusetts Office of Coastal Zone Management
on behalf of the
MA Department of Conservation and Recreation
in Partnership with the
Massachusetts Audubon Society,
Wareham Land Trust, and the
Coalition for Buzzards Bay
and
The Town of Wareham, Massachusetts**

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GREAT NECK CONSERVATION PARTNERSHIP PROJECT

Project Description/Scope of Work

Project Size and Relationship to the Coast and/or Estuary

At Great Neck in Wareham, on the Massachusetts coast, an amazing conservation opportunity has recently come into focus (Map 1) – a last chance to protect more than 260 acres of contiguous critical habitat and pristine coastal resources, all fronting on Buzzards Bay. In fact, this may be one of the few remaining opportunities in Massachusetts to permanently protect a block of coastal property of this magnitude, all of which is identified as a priority for protection in the Commonwealth’s Coastal and Estuarine Land Conservation (CELC) Plan. The Great Neck Conservation Partnership, a collaborative of public and private conservation organizations, including the Massachusetts Department of Conservation & Recreation (DCR), Mass Audubon, the Town of Wareham, the Coalition for Buzzards Bay (CBB), and the Wareham Land Trust (WLT), have worked with multiple landowners to cultivate this opportunity. This substantial undeveloped area will provide an expansive corridor for valuable ecological, conservation, historic, and aesthetic values as well as providing public passive recreation.

The keystone to this aggregation of currently unprotected private lands is the Sacred Hearts property. At approximately 115 acres, it is the largest remaining unprotected privately-owned parcel of land left on Wareham’s coastline. The property includes salt marsh, coastal beach, barrier beach, potential vernal pools, forested upland, and freshwater wetlands that provide habitat for numerous federal and state threatened and endangered species (Eastern box turtle, Diamondback terrapin, Piping Plover, Roseate Tern, Common Tern, New England Blazing Star, and Bristly Foxtail). This property is owned by the Congregation of the Sacred Hearts, and has operated as a Healing Center for the last 40 years, providing a variety of important, non-denominational healing services to a broad cross-section of people. This facility, which generates many and varied societal benefits, including healing therapies for battered women and ongoing recovery services for cancer survivors, is at a crossroads, now needing to either raise funds to enhance their facilities on site or liquidate the entire tract in order to advance their ministry elsewhere. Should the CELCP funds be granted, the property owner is fully committed to continuing to steward the property in a manner that complements their mission—as a sanctuary for the many animals and plants that flourish there. They have also expressed a keen interest in receiving technical assistance relative to the ecological management of this sensitive landscape. To the owner’s credit, they have rejected several lucrative offers to sell all or portions of the land for development, and have instead given conservation interests an opportunity to permanently remove development rights, at below market value.

Currently, fewer than 20 acres of the Sacred Hearts 115 acre property are developed, and approximately 95 acres (subject to refinement based on formal survey) are proposed to be protected through the purchase of a conservation easement. This parcel is surrounded by approximately 200 acres of additional undeveloped land in private ownership. In addition to these surrounding lands, the US Army Corps of Engineers (ACOE) also controls more than 150 acres of land near the project, which are already protected from development. The Sacred Hearts

parcel is abutted to the north and west by 92 acres of Mass Audubon property and numerous unprotected, privately-held parcels. Eighty-five acres of ACOE land lies to the south of the project area and is crucial to estuarine and bird species, and also abuts one of the longest continuous eelgrass beds remaining in this region.

Massachusetts DCR proposes to purchase a Conservation Easement (CE) on approximately 95 acres of Sacred Hearts' property using CELCP funding. Protection of the Sacred Hearts property will serve as the catalyst to the protection of an additional 171 surrounding acres by conservation easement, which will preserve key ecological values and provide essential public benefits. As part of this project, CEs on 92 acres of Mass Audubon property will be conveyed to the Massachusetts DCR and the WLT. The value of these CEs will serve as a portion of the project match for the CELCP funds. A conservation easement on an additional 20 acre parcel owned by a private landowner, Barker, is proposed to be conveyed to the Town of Wareham Conservation Commission and the WLT, the value of which will also be part of the project match.

CEs on approximately 60 additional acres owned by private owners, Cheever, Lyman, and Whiteside will be conveyed to Mass Audubon and the WLT. The value of these parcels will not be included in the match for the project, because the CE ownership is not being conveyed to an eligible project applicant. These private owners have committed these conservation easements as gifts to Mass Audubon and the WLT, contingent upon the CELCP acquisition for the Sacred Hearts CE. The keystone parcel for all of this protection is the Sacred Hearts parcel for which Massachusetts DCR is seeking CELCP funding. (Map 2)

The project area totals 260+ acres and supports numerous threatened and endangered species. The project area when combined with the already protected 150+ acres of ACOE land, will help protect a significant portion of the upper Buzzards Bay area including Widows Cove, Bass Cove and the approach channel to the Cape Cod Canal (Map 2). This project represents the largest contiguous area of open space on the Wareham coastline. The CELCP project as proposed will protect more than 7,200 linear feet (1.37 miles) of shoreline. This shoreline includes extensive areas of fringing salt marsh, beach, barrier beach, coastal bank and coastal forests. The properties abut Bass Creek, Widows Cove, and Bass Cove, which are all open to shellfishing and areas are valuable to the local community.

If CELCP funds are awarded for this project to help purchase the CE on the Sacred Hearts parcel, then the rest of the protection efforts of the project will be able to move forward (with non-federal funding). If CELCP funds are not awarded for the Sacred Hearts parcel, then it and many of the other project parcels will likely be lost to development.

The ecological importance of this property, and the negative impacts associated with its potential development, have galvanized conservation interests in this region. The Massachusetts Department of Conservation & Recreation (DCR), Mass Audubon, the Town of Wareham, the Coalition for Buzzard's Bay, the Wareham Land Trust, and the Congregation have found a compelling solution that mutually appeals to all interests. By purchasing a permanent CE, essentially buying the development rights of the undeveloped portions of the property, the interests of all stakeholders will be achieved. The Town of Wareham has already expressed its commitment to the Great Neck Conservation Partnership by voting to appropriate \$400,000 of

Community Preservation Act Funds for the Barker CE portion of this initiative. Further reflecting the importance of this opportunity, Mass Audubon has raised in excess of \$1.3 million in private funds that will be used to meet the required match for the CELCP funds, if awarded, to facilitate the acquisition of a co-held permanent CE by DCR and Mass Audubon.

The Coastal and Estuarine Land Conservation Program is the ideal vehicle to bring this compelling opportunity to fruition, as this project:

- is located in the coastal zone, in an area identified as a priority for protection in Massachusetts' approved CELC plan,
- will provide a 2.59:1 ratio of non-federal match to federal funds by using privately raised funds, excess value from the bargain sale of the CE, and value of the CEs conveyed on adjacent Mass Audubon properties and the Barker property to meet the match.
- provides public access to a coastal property where currently there is none.

The proposed project is expected to have the following benefits:

- Protects habitat for numerous threatened and endangered species
- Protects coastal water quality of Buzzards Bay
- Provides public access to coastal resources
- Limits the nutrient loading due to property development (prevents algal blooms, fish kills, shellfish bed closures, and protecting nearby sensitive eel grass beds)
- Preserves essential forested environment, thus providing a buffer to the abutting marine ecosystem
- Protects archaeologically significant Native American sites
- Provides public access for passive recreation use
- Preserves highly scenic coastal views of the upper Buzzards Bay area
- Preserves open space in a town that is rapidly losing land to development (building permits have been issued at a rate of over 1,000 a year for the past eight years)
- Protects the coastal heritage and community character that define Wareham and Southeastern Massachusetts
- Protects fragile groundwater resources, including private drinking water supply

Legal Rights to be Acquired

Federal CELCP funds will be used to acquire a jointly held interest in a permanent CE covering approximately 95 acres of Sacred Hearts property at Great Neck in Wareham, Massachusetts. The legal rights will include removal of development rights, and public access rights relative to a pedestrian trail network to be created on the project area. The draft CE has already been drafted by experienced conservation professionals at DCR and Mass Audubon. At the request of DCR, a thorough documentation of baseline conditions for the CE will be prepared by Mass Audubon, a recognized leader in CE stewardship.

In addition to acquiring the CE on Sacred Hearts, similar CE interests will be conveyed to DCR and the Wareham Land Trust on the Mass Audubon properties and the CE interests on the Barker property will be conveyed to the Town of Wareham Conservation Commission and the WLT.

CEs will also be acquired on the Cheevers, Lyman and Whiteside properties, which will be co-held by Mass Audubon and the Wareham Land Trust. Although part of the overall project, no CELCP funds are proposed for acquisition of these additional easements, nor will the value of these CEs be counted as project match.

Federal CELCP funds will be used to help purchase the CE on the approximate 95 acres of property owned by the Congregation of the Sacred Hearts at a cost of \$3.6 million. Of this total price, \$2.3 million of CELCP funding is being requested and Mass Audubon will provide a \$1.3 million cash match towards the project. The remaining match will come from the value of the CEs on the two Mass Audubon properties and the Barker property. Currently these match CEs have an appraised value of \$4.3 million. There will be additional project match from the bargain sale of the CE of the Sacred Hearts property, which is \$360,000. The ratio of non-federal matching funds to federal funds requested is 2.59:1. The CE on the Sacred Hearts property will be jointly held by Massachusetts DCR and Mass Audubon. The CE document will mandate that all monetary value in the easement beyond that paid by Mass Audubon will be held by DCR.

Mass Audubon will convey CEs on both of its properties, to be co-held by the grant applicant (DCR) and the WLT. The estimated value of these CEs is \$3,900,000. An important point is that all the monetary value of these CEs will rest with the grant applicant (DCR), as will be dictated by language within the CE document.

All conservation easements involved in this project for both match and non-match parcels will be held in perpetuity.

CELCP Goals

PRIMARY PURPOSE is ECOLOGICAL

Ecological

The ecological value of the 260+ acre project includes a wide variety of habitat types and features. Nearly the entire project is classified by the Massachusetts Natural Heritage & Endangered Species Program (NHESP) as Priority Habitat for Rare Species, including the Roseate Tern (state and federally endangered), the Piping Plover (state and federally threatened), the Diamondback Terrapin (state threatened) and the Common Tern, the Eastern Box Turtle, the New England Blazing Star and the Bristly Foxtail (all state species of special concern). (Map 3) Priority Habitat areas represent habitats of state-listed rare species based on observations documented within the last 25 years. Most of the project site is also BioMap Supporting Natural Landscape for nearby core habitat as identified by NHESP. BioMap areas are a designation by NHESP that identify the most important natural communities within the state for landscape-level habitat protection. (Map 4) Supporting Natural Landscape is land that buffers and connects Core Habitat polygons and comprises large, naturally vegetated blocks that are relatively free from the impact of roads and other development. Portions of the project area are also classified as a Coastal Priority Vegetation Community as identified by the NHESP. (Map 4) This Coastal Community is one of eight natural community systems identified by NHESP as being most critical to the conservation of the Massachusetts' biological diversity.

The project hosts eight distinct habitat types, including uncommon natural communities tracked by the Massachusetts NHESP. Coastal communities include coastal forests and four types of shoreline habitat: barrier beach, coastal beach, salt marsh, and a coastal pond. Upland communities include the pine oak forest, the red maple swamp, vernal pool and pond.

- **Coastal Forest:** Coastal Forests are an uncommon natural community considered particularly rare and vulnerable in Massachusetts. Coastal Forests are mixed deciduous communities, and are often shorter than forests further inland, but taller than maritime forests. Communities are found in more protected areas along the coast, such as behind dunes and on slopes away from the water, and behind maritime forests. Coastal forests are sheltered from direct daily maritime influences (not in the daily salt spray zone, but receive wind and salt during storms). NHESP estimates that there are fewer than 100 occurrences of Coastal Forests in Massachusetts. While no plant or animal species are known to be restricted to this forest type, the endangered Cranefly orchid and the Eastern Box Turtle, a species of special concern, are known as associated species. The project includes in excess of 40 acres of coastal forest located on the Sacred Hearts Property. It is expected that there will be significant additional acreage of this habitat on the associated project parcels, but these have yet to be surveyed. Coastal Forests are an uncommon natural community, dominated by oaks and other trees, especially American Holly, with a Lowbush Blueberry and Black Huckleberry shrub layer underneath. Typical animal species found in Coastal Forests include birds such as Rufous-sided Towhees, Gray Catbirds, Common Yellowthroats, Ovenbird, and Black-and-white Warbler. Small mammals such as meadow voles and white footed mice are common. Moths, butterflies, and other insects of the southeastern oak and oak-pine forest occur in the coastal forests.
- **Shoreline Habitats:** Shoreline habitats associated with the project include coastal beach, barrier beach, salt marsh and a coastal pond. (Map 5) The project includes more than 7,200 linear feet (1.37 miles) of shoreline habitat. Approximately 3,400 feet of this is fringing salt marsh. There are also significant stretches of coastal beach on the project area, totaling approximately 1,500 linear feet and in excess of 2.25 acres. Approximately 44 percent of this total beach resource is located on the Sacred Hearts property. Salt marsh resources also cover an estimated 19 acres, with approximately 9.5 acres being on the Sacred Hearts property. Generally, the salt marsh resource is surrounded by gently sloping terrain. This provides an excellent opportunity for salt marsh migration upslope as sea level rise occurs. The unimpeded migration of salt marsh along with sea level rise is a valuable condition that has been lost in most of our developed coastal areas. The salt marsh and barrier beach completely surround the eight-acre Bass Creek estuary, which is likely used by a wide variety of bird and fish species. The shallow waters and inter-tidal areas along the entire shoreline area would provide excellent feeding habitat for bird species, including the endangered roseate tern and the Massachusetts species of special concern, Common Tern. The entire shoreline area also supports a wide variety of inter-tidal marine invertebrates and plants. Bass Creek is fringed by salt marsh, which contains minimal *Phragmites* and is in excellent health. Osprey nest near Bass Creek and Widow's Cove. Black Ducks and Buffleheads have been observed in the marsh and adjacent waters. The waters of Buzzards Bay just off the shoreline are priority habitat for rare species, due to their proximity to the nesting islands of Roseate Terns. Eelgrass is visible

in the shallow water, suggesting that the coastal waters are healthy and support a rich, shallow marine community. The waters of Buzzards Bay surrounding Sacred Hearts are essential fish habitat (EFH) for various life stages of a variety of fish species (Cod, Winter flounder, Windowpane flounder, Butterfish, Scup, Black sea bass, Bluefish and more). Two sections of barrier beach, approximately 1,500 linear feet and 4 acres, frame the mouth of the Bass Creek estuary. Two other additional sections of barrier beach are included on the non-match parcels and are approximately 830 linear feet covering approximately 1.25 acres. The barrier beach resources offer supporting habitat for species known to breed at the Army Corps of Engineers Stoney Point Dike property, including the federally listed Piping Plover and possibly Diamond Back Terrapin. Historic data also show that nesting American Oystercatchers and Piping Plovers have been present on Stoney Point Dike. A coastal pond is located on one of the private non-match parcels associated with the project.

- **Upland Wet Habitat:** This habitat includes a small (0.5-acre) freshwater pond that lies directly adjacent to the campus core. This pond offers supporting habitat to species associated with the red maple swamp to the west and the salt marsh to the east that are on the Sacred Hearts property. At least three potential vernal pools have been located on the project site. Vernal pools are critical breeding habitats for certain species of frogs and salamanders, as well as associated with vertebrates that only breed in these temporary water bodies. They also provide extremely important habitat functions during the non-breeding season for a variety of amphibian species and other wildlife species. Multiple vernal pools can create an important clustering of this critically important wetland habitat type that helps foster long term viability. The project includes approximately 13.5 acres of red maple swamp/shrub swamp, with less than an estimated 5 acres on the Sacred Hearts property and the remainder on the surrounding properties. These low lying wetland areas, typically referred to as bordering vegetated wetlands, slow down and reduce the passage of water and support a wide variety of insects, reptiles, amphibians, small mammals, and birds. Bordering vegetated wetlands are probably the Massachusetts' most important inland habitat for wildlife.
- **Upland Dry Habitat:** The majority of the project upland area is comprised of white pine oak forest with a canopy of 30 – 40 feet. Although dominated by white pine and white oak, pitch pine, black oak, red maple, and American beech are present throughout. The pitch pines, particularly those in the northern section of the Sacred Hearts property, are among the largest seen in Massachusetts. American basswood is common in the understory, and is likely the variety, *Tilia americana* var. *neglecta*, of basswood currently Watch Listed. Based on the forest cover data layer of Mass GIS, it appears that most of the project was last forested in the 1830s and has not been cut since. The entire property has a remarkably low presence of invasive plant species. A section of oriental bittersweet around the old parking lot, and the occasional multiflora rose and Japanese barberry, were the only species noted within the area of conservation easements. The forested areas of the project are likely to include a number of animal species such as fox, deer, turkey, coyote, mink, river otter and other small mammals, a wide assortment of avian species including great horned owls and American kestrel, and frequent sightings of the Eastern Box Turtle.

The Mass Audubon sections of the project area have been recently inventoried for ant species as part of a broader statewide initiative relative to that taxa. Four different habitats were surveyed at Great Neck and Heron Point Wildlife Sanctuaries. Twenty three species of ants were recorded, the third highest total of all Mass Audubon sanctuaries sampled. The coastal oak/pitch pine/holly forest had 12 species; the maritime dune/beach had 11, with the salt marsh and a berm showing fewer numbers. It is noteworthy that more ant species were found at Mass Audubon's Wareham properties than at other sanctuaries that they normally consider flagship sanctuaries in terms of diversity. The Massachusetts Audubon parcel directly North of Sacred Hearts has documented within it occurrences of the New England Blazing Star, a Massachusetts State listed species of special concern.

Conservation

The 260 acre Great Neck Conservation Partnership Project in Wareham represents a tremendous conservation opportunity for the Town, the State, and the CELCP Program. This project will expand what are currently two nearby, but still unconnected, Mass Audubon properties into a large and contiguous mosaic of conservation holdings at the end of the Great Neck peninsula. Once complete, this project will protect the majority of the land near the end of the peninsula including almost all of the land bordering Bass Creek, Bass Cove, and Widow's Cove. Not only will the 260 acres of upland be protected, but also these coastal water bodies, as well as the majority of the shoreline (in excess of 1.37 miles) bordering them will remain in an undeveloped state.

Use of the CELCP funds for purchase of a CE on the Sacred Hearts Property is the keystone of this broader conservation initiative. Not only will the purchase of this property link the existing Mass Audubon properties through the transfer of CE rights to DCR and WLT as part of this project, but it will also serve as the catalyst for the acquisition of CEs on several private properties located primarily to the south. This 260 acre project, when considered in addition to the already existing 152 acres of ACOE federally protected land, will be the largest coastal conservation area in the Town of Wareham and one of the larger ones on Buzzards Bay and the Massachusetts coastline. An assemblage of this scale would serve to connect existing protected lands, protect numerous uncommon natural communities, substantially enhance the long-term viability of a significant cluster of vernal pools, conserve habitat for listed species in Massachusetts, and provide habitat for federally listed species.

The two Mass Audubon properties have previously been inventoried for their plant species. Eighty-one species of different plants have been found on the coastal Mass Audubon property and 41 species have been found on the property away from the shoreline. Given the coastal nature and extensive shoreline of the additional properties included in this project, we would expect that they would have numbers of plant species similar to and possibly exceeding those found on Mass Audubon's adjacent coastal property. Although not quantified, numerous animal and insect species are found on the project site, and some of these have been discussed in the ecological section.

In addition to this high biological diversity, the project also offers extremely valuable aesthetic qualities. As much of the Buzzards Bay shoreline has been and continues to be developed, the protection of the 1.37 miles of shoreline from development offers a rare and valuable opportunity to view a pristine natural shoreline. In addition to the shoreline vista, the project will facilitate viewing opportunities from the property as well to the highly scenic neighboring areas of Buzzards Bay--particularly the open water areas approaching the Cape Cod Canal channel.

The protection of the properties included in this project will also offer significant water quality benefits to the surrounding coastal waters. Should these properties be developed, the nitrogen loading from the septic systems and lawns associated with this development would have a significant negative impact on groundwater quality in the area and eventually upon the nearby coastal waters, where the groundwater discharges. Excess nitrogen loading is a problem experienced by many other small coastal embayments in Buzzards Bay. Protection of these properties from development will ensure that Bass Creek, Bass Cove, and Widows Cove are protected from the impacts of additional nitrogen.

Very little restoration is planned or required within the project site. There are only very limited areas of invasive species in the upland portion of the project and also limited encroachment of *Phragmites* into the fringing salt marsh. We would expect with sea level rise that the *Phragmites* encroachment would likely retreat. Mass Audubon or other project partners may conduct limited efforts to remove isolated pockets of invasive species in the upland area. These would primarily be done by hand and or by using very small equipment, requiring no alteration.

The project will also offer recreational opportunities to the residents of the Town of Wareham and the general public. A small trailhead parking area will be provided to allow interested individuals to access a pedestrian trail network within the property. Some of the trails will have unlimited year round public access for passive recreation, while some of those traversing the Sacred Hearts portion of the project will be more limited. These limited access trails are already semi-public in nature, and will continue to be reserved for those members of the public that are utilizing them for the healing purposes run by the Sacred Hearts community. The limited access trails will be restricted primarily around the ongoing retreat activities to maintain the serene setting and to protect the sensitive ecological areas surrounding the coastal areas. All other areas will have unlimited trail access. While all of the intertidal areas within Massachusetts are available to the public for fishing, fowling, and navigation, the project will also provide some much needed access across the upland to utilize this intertidal area.

Finally, the project also has historic and archaeological attributes that strengthen its case for protection. The project has been identified by the Massachusetts Historical Commission as archaeologically sensitive and favorable for ancient and historic Native American use and occupation. A Native American fish weir has been identified at the mouth of Widows Cove and a shellfish midden exists near this location.

Recreational

The Town of Wareham has over 54 miles of coastline, however little of it is accessible to the public. Currently, there are no authorized public access opportunities within any of the project

properties. Also there are no public parking opportunities at present within the project area that are intended for recreational users.

Completion of this project would provide passive trail-based recreation opportunities throughout significant portions of the project area. (Map 6) According to findings in Massachusetts Outdoors 2000, the Statewide Comprehensive Open Space and Recreation Plan, the Southeastern Region of Massachusetts trails the remainder of the state by 14% in land that is protected or in recreational use. In particular, passive-trail based recreational opportunities are limited in Southeastern Massachusetts, and are ranked as the second most desired recreational activity. Other high demand recreational activities for this region are walking, hiking, wildlife watching and nature study, picnicking and sightseeing of natural resources. Wareham's local open space and recreational plan reiterates this community need. This project will provide significant increases in recreational opportunities, primarily through the provision of passive recreational trails on the selected project properties. The extent of these trails, the diversity of habitats they will traverse and the unique historical and interpretive features they will showcase will help alleviate the current deficiency of trail systems in Southeastern Massachusetts.

To facilitate public access within the project site, a small trailhead parking area will be created on the western Mass Audubon property. Extensive year-round trails with full public access will be provided on both Mass Audubon properties and the Barker parcel, as well as through some of the Cheever parcel and onto the western portion and northern edge of the Sacred Hearts property. These full access trails total approximately 2.75 miles in length. Two or three limited access trails, totaling less than one mile, will connect to these permanent trails and cross the Sacred Hearts parcel to the water. Access to these trails will be primarily limited because of the ongoing healing activities that will continue to occur in these areas. Use of these limited access trails will be negotiated and coordinated between the Sacred Hearts and Mass Audubon. Most of the trails feature secluded wooded surroundings, with some locations providing aesthetically pleasing views of the surrounding coastal waters and Buzzards Bay. As mentioned before, while all of the intertidal areas within Massachusetts are available to the public for fishing, fowling and navigation, the project will enhance access points to better utilize this intertidal area, particularly by fishermen. Mass Audubon and the WLT will host public interpretive walks on the project areas with prior arrangement and approval from the owners. Motorized access is prohibited on all portions of the trail system to protect the sensitive ecological resources. The trails will be constructed and maintained by Mass Audubon.

Historical

Conservation and appropriate management of the property will have an important public benefit by conserving historic and archaeological resources associated with the ancient and historic period of occupation and land use of the Great Neck area of Wareham.

The Massachusetts Historical Commission has identified the property as archaeologically sensitive and favorable for ancient and historic period Native American land use and occupation. The remnants of a Native American fish weir exist at the mouth of Widow's Cove (which will likely be visible from the proposed public access trail network). (Attachment J – see photo) A shellfish midden is also reported to exist at this location. Under the provisions of the CEs, Mass Audubon and DCR will have the right to hold public interpretive/educational programs at this

historically significant site. DCR will rely upon Mass Audubon to conduct these programs at a frequency that fits their schedule and staffing capabilities. The CEs proposed for the Sacred Heart property, Mass Audubon properties and the Barker property are expected to provide for duly sanctioned and approved archeological surveys that will be consistent with the protection of natural resource and ongoing activities on the sites.

The Inventory of Historic Archaeological Assets of the Commonwealth indicates that there are recorded ancient Native American archaeological sites in proximity to the project location (Attachment A). Other, as yet unidentified archaeological sites from the ancient and historical periods are highly likely to be located within the project site. The appropriate use and management of the property, balanced with preservation considerations and appropriate treatment of historic and archaeological resources, and the consideration of public educational and interpretive initiatives, will help to meet the environmental objectives of the Commonwealth of Massachusetts for conservation of important cultural resources.

Aesthetic

Much of the Wareham shoreline is heavily developed with residential dwellings, and new development pressures are relentless. Wareham ranked in the top 20 development “hot spots” in Southeastern Massachusetts from 2000-2002. This development is forever changing the look of the town’s shoreline, and it is important to retain as many examples of undeveloped shoreline as possible. The Town of Wareham’s 2005 Open Space and Recreation Plan specifically advocates for the preservation of valued scenic resources. The setting for this property is a relatively undeveloped peninsula of Wareham on the shore of Buzzards Bay.

Views into the project site from watercraft (the Cape Cod Canal is immediately offshore) and from Bourne/Falmouth are very significant due to the intact nature of the shoreline. Many have remarked that when looking at this property from the water, they get a rare glimpse into what the entire Wareham and Massachusetts shorelines looked like many years ago prior to extensive development.

Views from the project site offer spectacular vistas of the upper reaches of Buzzard’s Bay, the Elizabeth Islands, and the entry to the Cape Cod Canal.

The aesthetic value of the forest lands themselves, while one walks the trail network, should not be overlooked. The plants, wildlife, interpretive signage, and general feeling of solitude will provide visitors with a positive aesthetic experience. (Attachment J)

Relevance to CELCP and Other State/Local Plans

Protection of this property is consistent with the Massachusetts Coastal and Estuarine Land Conservation Plan developed by the Office of Coastal Zone Management. The site is identified in the MA CELC Plan as a potential “Project Area” primarily because of its proximity to the shoreline, undeveloped nature, significant size, and presence of numerous important habitats. The Massachusetts Plan speaks to the need for conservation of significant undeveloped shorelines and areas within a 2,000 foot buffer to the shoreline, especially large undisturbed habitats. This project responds directly and significantly to this goal. Protection of the Sacred Hearts property is also consistent with the Massachusetts Office of Coastal Zone Management’s Program Plan and Policies. Conservation of this property is consistent with and directly relates to

the following CZM Program Policies:

- Water Quality Policy #2 - Ensure that non-point pollution controls promote the attainment of state surface water quality standards in the coastal zone.
- Habitat Policy #1 - Protect coastal resource areas including salt marshes, shellfish beds, dunes, beaches, barrier beaches, salt ponds, eelgrass beds, and fresh water wetlands for their important role as natural habitats.
- Coastal Hazard Policy #1 - Preserve, protect, restore, and enhance the beneficial functions of storm damage prevention and flood control provided by natural coastal landforms, such as dunes, beaches, barrier beaches, coastal banks, land subject to coastal storm flowage, salt marshes, and land under the ocean.
- Coastal Hazard Policy #4 - Prioritize public funds for acquisition of hazardous coastal areas for conservation or recreation use, and relocation of structures out of coastal high hazard areas, giving due consideration to the effects of coastal hazards at the location to the use and manageability of the area.
- Protected Areas Policy #3 - Ensure that proposed developments in or near designated or registered historic districts or sites respect the preservation intent of the designation and that potential adverse effects are minimized.
- Public Access Management Principle #4 - Expand existing recreation facilities and acquire and develop new public areas for coastal recreational activities. Give highest priority to expansions or new acquisitions in regions of high need or limited site availability. Assure that both transportation access and the recreational facilities are compatible with social and environmental characteristics of surrounding communities.

Massachusetts Coastal Zone Management Plan

The project is consistent with the state's approved coastal zone management plan, particularly the policy concerning the preservation of coastal resources of statewide or regional significance.

Buzzards Bay National Estuary Program Management Plan

The proposed effort to protect the lands on Great Neck is consistent with the Buzzards Bay Management Plan and will also protect the adjoining sensitive embayment from development impacts. Among the recommendations in the Buzzards Bay Management Plan is the protection of open space, upland and wetland habitat to protect water quality and living resources of Buzzards Bay. The property is located along Widows Cove a relatively unpolluted embayment that still has a refuge eelgrass bed population which would be threatened by addition discharges of nitrogen from development on the property.

Statewide Land Conservation Plan

This acquisition project is consistent with the Statewide Land Conservation Plan, which was created through an inclusive and thorough process that identified the areas of greatest regional and statewide significance, including: important habitat areas, water resources, working farms and forests, potential outdoor recreation sites, and greenways and urban parks.

Massachusetts Natural Heritage and Endangered Species Program BioMap

BioMap has identified the project area as Supporting Natural Landscape for rare or endangered species and Exemplary Natural Communities in the Buzzards Bay ecoregion. Based on initial

assessments, we have concluded that it is highly likely that more rare species will be located in the project area with more thorough study and inventory work.

Massachusetts Department of Conservation and Recreation Land Acquisition Strategy

This project is consistent with the goals and objectives set forth in the Department of Conservation and Recreation Land Acquisition Strategy, which specifically recommends the protection of additional coastal properties.

Town of Wareham Open Space Plan

The Plan advocates for the preservation and protection of Wareham's unique natural, scenic and historic open space resources; the acquisition and protection of coastal properties through outright purchase or protection through CEs to ensure the continued vitality of the coastline for future generations; providing public access to contiguous trails; protection of habitat for rare species; protection of the watershed and aquifer from future development impacts, and fostering conservation of open space through private/public partnerships.

A portion of the premises lies within a Velocity Flood Zone as designated by the Federal Emergency Management Agency in April 1997. The protection of large portions of this property with the proposed CE would permanently preclude the construction and placement of structures in the Velocity Zone at this site.

Massachusetts Barrier Beach Inventory List

Portions of the Sacred Hearts property saltwater interface are identified in the Massachusetts Barrier Beach Inventory. Preventing development of the property will reduce the exposure of human life to catastrophic coastal events and the potential for claims for federal disaster funds and other federal expenditures as a result of coastal disasters. Protection of the property will assure that existing marshlands and uplands will continue their function of protecting inland locations from coastal events.

Manageability of the Project Site

Strategy for Long Term Stewardship and Management

The project area is located in a highly scenic, rural and residential area of Wareham. It is zoned as a residential area requiring a minimum 60,000 square foot lot, though most single family lots in the vicinity are much larger. The Sacred Hearts property presently has two main facility buildings, and four additional supporting buildings that will not be included within the proposed conservation easement. These facilities have been managed for the past forty years by Sacred Hearts and are used for numerous programs ranging from cancer recovery to youth retreats to addiction counseling and recovery. The serene setting, the pristine character of the immediate and surrounding environment and the awe inspiring ecological resources featured on this property help create this place of healing and regeneration. In return, Sacred Hearts has been an excellent steward of these natural resources, recognizing the mutually symbiotic relationship between preserving the valuable ecological features and fulfilling their mission.

The Sacred Hearts property is primarily wooded with wetland and coastal resources on the periphery of the property and open fields immediately adjacent to the existing structures. There

are existing trails throughout the woodlands and extending down to the water. There are only very limited areas of non-native and invasive species in the upland portion of this property and also limited encroachment of *Phragmites* into the fringing salt marsh. No restoration is planned or required at this time for management of these species. We would expect with sea level rise that the *Phragmites* encroachment would likely retreat. Mass Audubon or other project partners may in the future fund and conduct limited efforts to remove isolated pockets of invasive species in the upland area. These would primarily be done by hand or with very small equipment, requiring no alteration. A report for the property prepared by a land use planner confirmed that no environmental remediation is needed at Sacred Hearts.

The Mass Audubon match parcels are undeveloped parcels with extensive road and water frontage. They are primarily wooded with significant coastal wetland resources on the eastern edge of the parcel located north of Sacred Hearts. At present, the properties, though owned in fee by a conservation organization, could still be developed. A utility corridor runs along a portion of this parcel. At present, the corridor has some mature growth of vegetation indicating infrequent management of the corridor, yet it also serves as edge habitat ideal for many flora and fauna that benefit from the diversity of habitat types in the project area. There are no other major Mass Audubon Sanctuaries in the immediate area. The perpetual protection of these properties with the conservation easements will preserve the ecological values of this area, while at the same time highlighting these parcels for more intensive management and stewardship. There are limited non-native species present on these properties.

The portion of the Barker property which serves as one of the match parcels, is undeveloped with the exception of an unpaved driveway that allows the property owner to access their single family residence, which is located elsewhere on the property. The CE area is forested with some freshwater wetlands. There are very few non-native species growing on this parcel – minimal amounts of greenbriar and glossy buckthorn are present. The existing amount does not warrant concern or active management at this time, however, language is incorporated into the CE to allow for control of invasive species.

The five private non-match parcels currently have two single-family houses on them. The majority of the properties are undisturbed except for the immediate footprint surrounding the structures. No notable amount of non-native or invasive species are present on the properties, and there is no history of environmental contamination known or suspected from the previous land uses.

No environmental restoration or remediation is needed on the project area including the Sacred Hearts Parcel, the match parcels, and the non-match parcels.

A comprehensive ecological management plan will be developed to ensure that the various properties will be managed as an ecological unit. The ecological management plan will be based on overarching considerations including: the protection of important habitats and rare species, development of a public access trail network, future educational opportunities primarily conducted by Mass Audubon, and the ongoing healing and renewal activities of the Sacred Hearts Retreat Center. The comprehensive management plan may include many of the following activities: a complete inventory of the fauna and flora, assessing the status of rare species on the

site, a long-term monitoring program for key taxa, monitoring breeding birds, studies of amphibians, and assessing invasive species threats and eradication if necessary. The CE documents covering the Sacred Hearts property, the match properties owned by Mass Audubon and Barker, and the non-match properties owned by Cheever, Lyman, and Whiteside, will reflect the primary considerations of the ecological management plan. Baseline documentation for the CEs will be developed for all of the parcels included in the project area according to the state of the art techniques described in the *CR Stewardship Manual* developed by Mass Audubon. All project area parcels will have annual monitoring done primarily by Mass Audubon, as requested by DCR.

Mass Audubon is committed to establishing a \$100,000 stewardship fund to create the trailhead parking area, the trail network, signage and to ensure adequate long-term maintenance and monitoring of the project area. This endowment is a vital tool strengthening the goals of the project.

The lands surrounding the project area are a mix of large residential lots with significant undeveloped portions, federally protected land by the ACOE, a golf course and limited smaller lot residential development. The zoning in these areas is for 60,000 square foot residential development. There is some potential for the expansion of this conservation holding through negotiations with the larger remaining property owners. The remaining surrounding areas of the property consist of the waters of Buzzards Bay, which have historically exhibited high water quality and valuable shellfishing opportunities.

Long-term Use of the Site

The long-term uses of the project area will remain virtually the same as the present. The CE on the Sacred Hearts property ensures that the activities of the property owner will not compromise the ecological values present. The CE will be monitored thoroughly and regularly to ensure compliance by the property owner.

The Sacred Hearts property has two areas excluded from the CE boundary. One area, approximately two acres, which is presently cleared and functions as a Zen Garden, is reserved to potentially house a shrine. The structure would blend in with the natural surroundings and the owners have expressed a strong interest in having this be a green design building. The second excluded area encompasses approximately 14 acres, including the main campus for Sacred Hearts, all presently cleared areas, and two small undeveloped lots intended for additional clergy residences if needed. In the event that Sacred Hearts chooses to sell these areas currently excluded from the CE, Mass Audubon has secured the right of first option. Sacred Hearts would also have the right to install or maintain any utilities and appurtenances needed to operate their facilities. The existing boathouse is within the conservation easement boundary. While the boathouse will continue to be used by the Sacred Hearts, it can never be converted into a habitable dwelling, and can only be repaired or rebuilt on the same footprint. An existing trail system that is currently used for the retreat programs will be maintained and possibly minimally expanded. These trails are not part of the trail network intended for general public use.

These minimal potential expansions should have no adverse impact to the tremendous ecological resources of the Sacred Hearts parcel. DCR, Mass Audubon, and other conservation partners will

steward the CE and provide technical assistance to Sacred Hearts regarding appropriate ecological management activities on their land as part of their desire to help ensure the property is managed consistent with the goals of protecting the vital ecological values. This will allow Sacred Hearts to continue their retreat programs and facilitate as much recreational use for the general public as possible. Mass Audubon will be primarily responsible for any maintenance and improvement requirements of the trail system within the CE portion of the Sacred Hearts property with DCR coordination and approval.

The match parcels (Mass Audubon and Barker) long-term uses will include the creation of a trail network open to the general public. Additionally, the westernmost Mass Audubon parcel will have a small trailhead parking area installed with an informational kiosk that will include rules and regulations for visitors. The type and extent of access afforded to the public will be consistent with the perpetual obligation to protect the property's ecological integrity.

The non-match parcels (Lyman, Cheevers, Whiteside) will have most of their development rights extinguished and their core ecological resources will be preserved without alteration. The trail network will cross over some of these properties. The two existing residences on these non-match parcels will be maintained.

None of the existing or proposed uses are expected to have any negative impact on the ecological resources of these parcels or the project property as a whole. As mentioned in the previous section, Mass Audubon, in coordination with DCR, will have the primary lead responsibility for stewardship of all CEs for the parcels making up the project area, except for the CE on the Mass Audubon parcel, which WLT will have lead stewardship responsibilities on. Not only will the ecological, conservation, and aesthetic values of the parcels be protected, but also the recreational value will be enhanced through the trail network. There will be educational programming opportunities both within the trail network and by prior arrangement on other portions of the Sacred Hearts property. In addition, the historic value will be enhanced through protection and increased awareness of the Native American cultural resources on the project site. The \$100,000 stewardship fund will facilitate these long term uses. The project applicant or their designee will communicate as needed with the conservation partners, including the state environmental police, local law enforcement, and local conservation commission staff to respond to any illegal activities on the property.

Threat of Conversion

Wareham is one of the fastest-growing communities in Southeastern Massachusetts, which in turn is among the fastest-growing regions in the state. In the past eight years the Town of Wareham has had 9,556 building permits filed. Much of the Wareham shoreline is heavily developed with residential dwellings, and new development pressures are relentless. Wareham ranked in the top 20 development "hot spots" in Southeastern Massachusetts from 2000-2002. The project area is situated within an extremely desirable section of Wareham, along a scenic and unspoiled coastal expanse of Buzzards Bay. This proximity to the coast, as well as the corresponding easy access to major local and state roads and future commuter rail, ensures that the project site is highly desirable to the development community.

The opportunity to protect from future development a group of relatively unspoiled parcels totaling more than 260 acres is rare. The fact that almost all of this land has either coastal frontage or at least coastal views makes this opportunity truly remarkable. Each of the parcels that make up the project area has significant development potential and a very high development value from a monetary perspective. This is partially due to the extreme scarcity of large waterfront parcels in this region, and the high market value that homes constructed on such properties can command in the market. The entire project area is zoned for 60,000 square foot residential lots.

While hypothetical development schemes have not been created for all the parcels included in the project area, information has been developed for the largest single parcel included in the project, the Sacred Heart Property. The appraised value of the Sacred Hearts CE is \$3,960,000. (Attachment B) This is the parcel for which all of the CELCP funding and significant private funding will be used to purchase the CE. Simply stated, the Sacred Hearts parcel is the keystone property of the entire project. If its protection is achieved, then the rest of the protection efforts of the project will move forward without CELCP funds. If it doesn't happen, many of the project parcels will likely be lost to development either in the near term or longer term.

Along with the information in the appraisal, there is supporting anecdotal information regarding the Sacred Hearts Property that helps shed light on its development value. At least twice, the owners of this parcel were approached by private developers and offered at least \$2 million for only a small portion of the property, for three buildable lots, none of which included ocean frontage. A second offer for a 30 acre portion of the site to facilitate a 14-lot subdivision was similarly rejected by the property owner. Finally, an offer was also received for the entire Sacred Hearts site. This offer was in excess of \$20 million and was also rejected. The developer's intent was to create exclusive residential house lots on this portion of the site. Developers have also tried to discourage the property owners from talking to state, local, or non-profit organizations about possible conservation of the property. As of this application, the Sacred Hearts property owners have chosen to pursue a conservation alternative that will protect the property's ecological and natural resource values and still allow them to continue their operations on portions of the site. The owners have expressed that the conservation of their property is not only compatible with their mission and vision for the site, but is, in fact, highly complementary to it. The Sacred Hearts owners have committed to a CE on the property if the CELCP funds are granted. If CELCP funds cannot be raised to purchase a CE on the Sacred Hearts property, the owners will have little recourse but to sell all or a portion of their property to a developer. This not only would impact the future of this parcel, but of all the parcels that are part of this project site.

Project Readiness

This project has been in formation and under negotiation for the past two years. All of the project properties have been identified, and negotiations have been held with all property owners. Many of the parcels are in advanced stages of implementation, awaiting only the securing of the CE on the Sacred Hearts Parcel.

The Sacred Hearts property owners signed an Option to Purchase in June 2008. The terms of the draft CE were negotiated and are included within this option. (Attachment C) The boundaries of

the CE and the general location of the public access trails have been agreed upon, a report was prepared by a land use planner detailing the CE boundary in relation to the future vision of the property, and an appraisal commissioned by Mass Audubon was completed on July 19, 2008 (Attachment B). An initial title investigation and an environmental site assessment walk-over have also been completed. The baseline documentation report needs to be completed. The total cost for this parcel is \$3.6 million, \$1.3 million of which has already been secured by Mass Audubon through private donations.

The match properties owned by Mass Audubon have negotiated terms for the conservation easements and appraisals of these properties are included (Attachment D). Mass Audubon staff have reviewed title documents and conducted an initial site assessment walk-over. The baseline documentation has been discussed with the co-holders of the CE and will be implemented if the CELCP grant is successful. The Barker match property has a finalized conservation easement; the approval of the landowner for the easement and the public access trails, a title examination and a completed land use management plan. The Fall 2007 Town Meeting approved \$400,000 of Community Preservation Funds to purchase the CE. This property will be reviewed again at the Fall 2008 Town Meeting for approval of the specific CE terms. (Attachment E) In the Summer of 2009, the conservation easement is anticipated to be recorded and the baseline documentation prepared.

The non-match properties owned by Cheever and Lyman have finalized CEs with the approval of the respective property owners. While Whiteside has approved the placement of a CE, the language is not final. (Attachment F) Discussions have been held with all property owners regarding the baseline documentation process. The donations of these conservation easements are ready to be recorded once the protection of the Sacred Hearts parcel moves forward. (Attachment G) Approval has been granted by the Cheevers for the portion of the trail that crosses their land.

Mass Audubon has demonstrated their readiness and commitment to this project by committing to establish a \$100,000 stewardship fund to create the trailhead parking area, the trail network, signage and to ensure adequate long-term maintenance and monitoring.

To our knowledge, none of the parcels within the project site are subject to any litigation, liens or judgments that may affect the timing or success of this conservation project. Also, given the undeveloped nature of the project site, no environmental hazards have been identified which could delay project completion. Additional due diligence including applicable site assessment data base reviews will be completed prior to closings.

Ability to Acquire Land

DCR has over 100 years of experience in land acquisition. DCR is steward to one of the largest state parks systems in the country. Its 600,000 acres are made up of forests, parks, greenways, historic sites and landscapes, seashores, lakes, ponds, reservoirs and watersheds. DCR also protects land and resources on privately and municipally held lands through conservation easements, technical assistance, grant and planning programs, policy development, and other services. Acquisition of land by DCR is authorized under Massachusetts Regulations. Acquisitions include purchase of both fee interests and permanent conservation easements. All land and CEs acquired by DCR are permanently protected under state statute. Within DCR,

acquisitions are managed by a team of legal and land protection staff who have extensive experience in coordinating and completing real estate transactions.

Mass Audubon, the co-holder of the CE on the Sacred Hearts parcel and the provider of CEs for match land, has been in existence since 1896, and also has a long and proud history of land acquisition. It is one of the oldest land trusts in the United States. The organization owns and manages more conserved land than any other private organization in Massachusetts: as of June 2007, 28,543.6 acres owned and 4,483.8 acres under CE. In FY 07, Mass Audubon added 857 acres of land to its sanctuary system and helped to conserve an additional 1,465 acres. Mass Audubon has a statewide land acquisition and protection strategy, which responds to the increased urgency for land protection across Massachusetts. This strategy is grounded in science-based information and includes resource-based land protection plans for each of its sanctuaries. Mass Audubon staff are highly skilled in working with donors to leverage available dollars, know how to incorporate potential tax advantages for sellers, how to use the most effective land protection techniques in a given instance, and how to engage the generosity of conservation-minded sellers, donors, and Mass Audubon's 100,000 members. Typically, for every dollar expended, the organization acquires significantly higher dollar value of land or rights in land.

The local Wareham Land Trust (WLT), a co-holder of the CEs for all of the match and non-match parcels involved in the project, was founded in 2001 and has had great success with acquiring both fee and CE land. To date, the WLT has 112 acres of fee land and 203 acres of CE's. The WLT has also been the recipient of federal North American Wetland Conservation Act funding and multiple state grant resources, all of which have been managed and implemented successfully. Being located in the immediate community will strengthen the ability of the WLT to provide stewardship for the project sites and to partner with DCR and Mass Audubon.

Ability to Manage Land

The CEs for the Sacred Hearts property will be co-held by DCR and Mass Audubon. The CEs for the Mass Audubon match properties will be held by DCR and WLT. The CE for the Barker match property will likely be held by the WLT and the town. The CEs for the non-match parcels will be held by Mass Audubon and WLT. The primary stewardship role for all of the CEs will be managed by Mass Audubon with agreement and cooperation from DCR and WLT. Mass Audubon has committed to establishing a \$100,000 stewardship fund to create the trailhead parking area, the trail network, signage and to ensure adequate long term maintenance and monitoring, which in turn will enable and enhance their ability to manage the land.

With over 600,000 acres, DCR is the largest public landowner in the Commonwealth. Its lands are managed primarily for conservation, recreation, ecological protection, and water supply protection purposes. DCR has extensive field staff in place, who provide on-the-ground management, and other professional staff who provide planning and natural resource expertise. Funding for the care of DCR's holdings comes from state budget allocations.

Mass Audubon is recognized as a national leader in CE Stewardship having developed state-of-the-art baseline documentation and monitoring policies and procedures. Mass Audubon's expertise in this area is reflected by the *Manual for CR Stewardship* that the organization prepared for all Land Trusts and Conservation Commissions in Massachusetts in 2006.

(Attachment H) Mass Audubon has also prepared a conservation restriction baseline and monitoring manual for use by state agencies. The organization brings a strong scientific perspective to land protection, advocacy, and education efforts – as well as to thoughtful stewardship and management of more than 33,000 acres of land that it protects across the state. Mass Audubon relies substantially on NHESP’s BioMap and Living Waters for land protection planning and implementation. Throughout the Commonwealth, Mass Audubon helps to protect 154 of Massachusetts’ 430 endangered species, and 20 of the approximately 30 endangered or threatened habitats.

Project Timeline

Proposed Award Period: 18 months

Assumed Grant Award Period Start & End Dates: June 1, 2009 – December 1, 2010

Benchmarks:

- Close on Barker CE (If purchase funded with town funds)-----June 30, 2009
- Close on Barker CE (If purchased with private funds) -----June 30, 2010
- Submittal of Conservation Easement to NOAA-----June 30, 2009
- Appraisal Approval by NOAA-----July 31, 2009
- Title Opinion Submission to NOAA-----July 31, 2009
- Finalize Trail Locations-----August 15, 2009
- Close on Sacred Hearts CE-----December 31, 2009
- Close on Mass Audubon CEs-----December 31, 2009
- Close on CEs on Non Match Properties-----February 28, 2010
- Create Trail Network-----Spring 2010
- Installation of Trailhead Parking-----Spring 2010
- Develop and Install Project Sign and Signage for Trails-----Spring 2010

GREAT NECK CONSERVATION PARTNERSHIP PROJECT

Budget Narrative

Federal share:

A co-held interest in a permanent CE covering approximately 95 acres of land owned by Sacred Hearts will be acquired using CELCP funds and other privately raised funds. The holders of the CE will be Massachusetts DCR and Mass Audubon. The land acquisition costs for this parcel were determined based on an independent appraisal, conducted according to current Uniform Standards of Professional Appraisal Practice (USPAP) standards, and which, selected pages are included in this application. There are no other costs included in the requested federal share of the CELCP funds. All of the remaining cash funds necessary for closing on the Sacred Hearts CE have been secured, and are awaiting receipt of federal CELCP funds to complete the project.

Non-Federal Matching Funds:

There are multiple sources of non-federal matching funds. These include the following:

1. \$1.3 million cash already raised from private sources for purchase of Sacred Hearts CE.
2. \$360,000 donated land value from bargain sale of the Sacred Hearts CE
3. \$3.9 million value of CEs on existing Mass Audubon properties to be granted to DCR and WLT
4. \$400,000 value of CE on Barker property granted to the Town of Wareham Conservation Commission and WLT

Mass Audubon Properties: CEs will be conveyed to DCR and WLT (co-held) on the existing Mass Audubon land, totaling approximately 92 acres. Both parcels have been in Mass Audubon ownership for decades, but are not yet protected by CEs. A CE will be also conveyed on the Barker property, with consideration paid either by Wareham Community Preservation Act (CPA) Funds already appropriated for that purpose (very likely), or by additional private fundraising if necessary. Additional match will come from the bargain sale value of the Sacred Hearts CE, beyond the amount to be paid for it by CELCP funds and Mass Audubon matching funds.

The legal rights to be acquired by DCR and WLT on the Mass Audubon properties is a co-held interest in a CE, with all of the monetary value of that CE resting with DCR. The legal rights to be acquired on the Barker property is a co-held interest in a CE, with all of the monetary value of this CE resting with the Town of Wareham. On Sacred Hearts, DCR will acquire a CE to be co-held with Mass Audubon.

All the properties comprising the project area directly connect with each other.

The cost of the Barker CR was negotiated with the owners and was also based on an independent appraisal completed in July 2007, according to current Uniform Standards of Professional Appraisal Practice (USPAP) standards. The value estimate for the CE on the Mass Audubon properties is based upon an appraisal, portions of which are included in this application. The value of the CE on the Sacred Hearts property is based on an appraisal done in July 2008 and portions of which are included with this application.

Other services that will be provided by Mass Audubon, but for the sake of simplicity are not included as match in this proposal, include the documentation of baseline conditions on Sacred Hearts, Barker, Mass Audubon and the five privately donated parcels, the value of which is estimated to exceed, \$11,000. The appraisals of CEs on Mass Audubon and Sacred Hearts properties with a value of \$7,500, and the title investigation for the Sacred Hearts parcel, with an estimated value of \$3,000. Additionally, Mass Audubon is committed to establishing a \$100,000 stewardship fund to create the trailhead parking area, the trail network, signage and to ensure adequate long-term maintenance and monitoring.

The Sacred Hearts property, for which CELCP funds are proposed to be used, will not be leased or rented, nor will a user fee be charged. Similarly, the match properties will not be leased or rented or have a user fee of any kind. This project has not been submitted for any other federal funding.

BUDGET OVERVIEW TABLE

Category	Amount (Note if cash or in-kind value of land or services)	Funding Source	Funds Already Expended?
Purchase of Joint interest in CE on 95 acres of Sacred Hearts by DCR	\$2,300,000	CELCP	No
Purchase of joint interest on Sacred Hearts CE by Mass Audubon	\$1,300,000 (cash, with value of rights acquired to be limited to that amount in easement document)	Mass Audubon	No, but funds are already raised
Appraised value of the bargain sale of the Sacred Hearts CE	\$360,000 (in-kind land value)	Sacred Hearts	No
Appraised value of CE on Mass Audubon 92+/- acres	\$3,900,000 (in-kind land value)	Mass Audubon	No
Appraise value of CE Purchase on Barker Property	\$400,000 (cash)	Town CPA or Private	No
Appraisal to federal standards of CE on Sacred Hearts	\$7,500 (est.) (cash)	Mass Audubon	No
Documentation of Baseline Conditions for Sacred Hearts CE	\$3,000 (in-kind services)	Mass Audubon	No
Title and legal fees for Sacred Hearts CE	\$3,000 (est.) (cash)	Mass Audubon	No
Baseline documentation on Mass Audubon & Barker CE's	\$8,000 (in-kind services)	Mass Audubon	No
Stewardship Endowment (including parking, trail creation and maintenance, signage and long term monitoring)	\$100,000 (cash)	Mass Audubon	No, but funds are already raised
TOTAL:	\$8,381,500		

CELCP BUDGET TABLE

Category	Federal Share	State/Local Share	Totals	Funding Source (for non-federal share)	Funds Expended
Purchase of CE	\$2,300,000	\$1,300,000	\$3,600,000	Mass Audubon (cash)	No
CE on Mass Audubon		\$3,900,000	\$3,900,000	Mass Audubon (in-kind)	No
CE on Barker property		\$400,000	\$400,000	Town of Wareham (cash, or alternate strategy)	No
Bargain Sale Value of Sacred Hearts CE		\$360,000	\$360,000	Sacred Hearts (in-kind)	No
TOTAL:	\$2,300,000	\$5,960,000	\$8,260,000		

Project Application Checklist

(Note: This Project Application Checklist is modeled closely on the one NOAA has included in its Federal Funding Notice. If the project is selected as one of the Massachusetts Priority Projects, parts, or all, of this checklist may need to be resubmitted to the Massachusetts Office of Coastal Zone Management.)

Applicant and Project Information

1. State: **Massachusetts** Award Number: _____

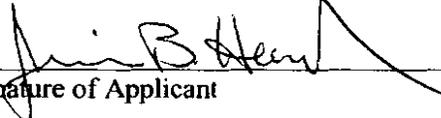
2. Project Title: Great Neck Conservation Partnership Project

3. Project Location (Approximate): Town of Wareham, Massachusetts, 4th Congressional District

4. Project Proponent/Applicant (Must be a public entity at the state or local level responsible for executing the project): Commonwealth of Massachusetts: Department of Conservation and Recreation

5. Total Cost: \$ 8,260,000 CELCP Federal share (requested amt): \$ 2,300,000
CELCP State/Local Match Contributions: \$ 400,000
Other Federal \$ 0
Other Non-Federal \$ 5,560,000

I ATTEST TO THE FOLLOWING: (1) THE STATEMENTS MADE AND OTHER INFORMATION PROVIDED IN THIS CHECKLIST ARE, TO THE BEST OF MY KNOWLEDGE, TRUE AND ACCURATE; (2) THE RECIPIENT HAS ON FILE THE DOCUMENTS IDENTIFIED IN THIS CHECKLIST; AND (3) I UNDERSTAND THE CONSEQUENCES OF NON-COMPLIANCE WITH THE SPECIAL AWARD CONDITIONS THAT WILL BE PLACED ON THIS GRANT.


Signature of Applicant

7/17/08
Date

Name of Signatory (please print or type): JENNIFER B. HOWARD
Title: Director of Land Protection
Address: DCR, 251 Causeway Street, 6th Floor, Boston, MA 02114

Phone Number: (413) 586-8706 ext. 18 E-mail: jennifer.howard@state.ma.us

Eligibility of Project

6. Project Eligibility: (Check all that apply)

The proposed project:

- is located in a coastal or estuarine area (that has been designated as part of a state's approved coastal and estuarine land conservation (CELC) plan or within a state's coastal watershed boundary);
- matches federal funds with non-federal funds at a ratio of at least 1:1;
- will be held in public ownership and provide conservation in perpetuity;
- will provide for access to the general public, or other public benefit, as appropriate and consistent with resource protection.
- protects important coastal and estuarine areas that have significant conservation, ecological, historical, aesthetic, or recreation values, or that are threatened by conversion from their natural or recreational state to other uses;
- can be effectively managed and protected;
- directly advances the goals, objectives or implementation of state coastal management plan or program or NERR management plan approved under the Coastal Zone Management Act (CZMA), national objectives of the CZMA, or a local, regional or state watershed protection plan involving coastal states with approved coastal management programs
- is consistent with the state's approved coastal management program.

Land Acquisition:

7. **Location and Site Maps:** Site location maps are attached. Yes No

The applicant should attach a map of the state or coastal county showing the general location of the project, and a map of the project site, which shows the location and extent of the proposed acquisition, as well as relationship to significant natural features (slope, wetlands, dunes, floodplains, access, etc.).

8. Title Opinion and Appraisal:

a. Documentation of the current owner's intent or willingness to sell at a mutually agreeable price is attached. (This documentation may be in the form of a letter of intent, option letter, contract, or similar form.) Yes No

b. The applicant has obtained and attached an independent appraisal performed by a state certified appraiser. Yes No

c. A title opinion or title insurance report is attached. Yes No

An initial title investigation has been performed and we are satisfied that the owners have clear and marketable title, certainly to the extent to convey a less than fee interest.

9. Public Benefit:

a. The acquisition will be publicly held or under publicly-controlled easement and is for public benefit. The project does not improve private property for private or commercial gain.

Yes No

b. The property will be accessible to the general public. Yes No

c. If the answer to the question above (10.b) is No, check any of the following reasons that apply and explain why access to the property will be limited.

Public Safety Resource Protection Geographically Isolated/Inaccessible

School Outings Only Scientific Research Other (please explain): _____

d. The property will be leased or rented. Yes No If yes, please explain.

e. The public will be charged a user fee for access to or activities on the proposed property.

Yes No

If Yes, provide a description of the user fee which includes: how much, differential fees (if any), the need for the fees, and proposed use of the revenue.

Compliance with Other Federal Authorities

10. State Historic Preservation Officer's (SHPO's) Clearance and National Historic Preservation Act:

a. The project will affect properties listed on the National Register of Historic Places (www.cr.nps.gov/nr/), eligible to be listed, or otherwise protected by section 106 of the National Historic Preservation Act (www2.cr.nps.gov/laws/NHPA1966.htm) or a similar State Preservation Act.

Yes No

b. The Recipient has on file the SHPO's clearance. Yes No (If No, the Recipient certifies, by signing this checklist, that the SHPO clearance is being sought and that work will not begin and land will not be purchased until SHPO clearance is received by the Recipient.)

11. National Flood Insurance Program:

a. Is the project located in a designated special flood hazard area, floodway or "V" zone on a National Flood Insurance Program Floodway Map (www.fema.gov/maps)? Yes No
(If No, go to 11)

b. Is the community in which the project is located in special flood hazard areas shown on an FIA map is participating in the Flood Insurance Program (www.fema.gov/nfip). Yes No

12. Coastal Barriers Resource Act: The project is located on an undeveloped coastal barrier designated by the Coastal Barriers Resources Act (www.fws.gov/cep/cbrunits.html).
 Yes No

If the answer is Yes, provide a brief statement below or attach to this checklist a brief analysis as to how the proposed project is consistent with the three CBRA purposes: to minimize (1) the loss of human life, (2) wasteful federal expenditures, and (3) damage to fish, wildlife and other natural resources.

13. Endangered Species Act: May the proposed project adversely affect threatened or endangered species or critical habitat under the jurisdiction of the National Marine Fisheries Service (NMFS) or U.S. Fish and Wildlife Service (USFWS) as defined by the Endangered Species Act? (www.fws.gov/endangered) or (www.nmfs.noaa.gov/pr/species). Yes No

If the answer is No, provide a brief statement below explaining the basis for the conclusion. If the answer to 12 is Yes, provide a description of the adverse effects (minor and significant effects), the species or habitat affected, and any coordination between the state and the USFWS or NMFS. OCRM will not approve a project that USFWS or NMFS has determined will significantly adversely affect threatened or endangered species or critical habitat.

This project will connect existing protected lands, protect numerous uncommon natural communities, substantially enhance the long term viability of a significant cluster of vernal pools, conserve habitat for listed species in Massachusetts, and provide habitat for federally listed species.

14. Magnuson-Stevens Fishery Conservation and Management Act.

Does the proposed project include essential fish habitat for federally managed fish?
 Yes No Not yet determined (please explain).

Could the proposed project have significant adverse impacts on essential fish habitat for federally managed fish? Yes No

15. National Environmental Policy Act:

a. The proposed project may significantly affect the human environment.
 Yes No

- b. The proposed project involves unresolved conflicts concerning alternative uses of available resources. Yes No
- c. This action would have significant adverse effects on public health and safety. Yes No
- d. This action will have highly controversial environmental effects. Yes No
- e. This action will have highly uncertain environmental effects or involve unique or unknown environmental impacts. Yes No
- f. The project will have significant adverse impacts on other natural resources not covered elsewhere in this checklist, e.g., beaches and dunes, wetlands, estuarine areas, wildlife habitat, wild or scenic rivers, reefs, or other coastal resources. Yes No
- g. The project will have insignificant effects when performed separately, but will have significant cumulative effects. Yes No

If the answer to any one subpart of 13. is Yes, then an Environmental Assessment (EA) or Environmental Impact Statement (EIS) may be required. For items answered Yes, please attach a description of the resource(s) affected and the nature and scope of the effects.

16. Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970. If the proposed project involves the acquisition and/or modernization of real property, will the proposed project cause the displacement of:

- Persons, Yes No
- Businesses, or Yes No
- Farm Operations? Yes No

If yes to any of the above, please explain: the number of displaced persons, including businesses and farm operations; what fair and reasonable relocation payments and advisory services will be provided to any displaced persons; and what provisions will be made to ensure that safe, decent, and sanitary replacement dwellings will be available to such persons within a reasonable period of time prior to displacement.

17. Handicapped accessibility: Will the proposed project be handicapped accessible? Yes No N/A

If No or N/A, provide a brief explanation below (or attach separately) as to why the project is not required to meet ADA handicapped accessibility requirements. Massachusetts does not currently have an accessible standard for trails located in the outdoor environment. Mass Audubon is willing to study the possibility of making part of the trail accessible to Federal standards.

18. Environmental Justice. Will the project have disproportionately high and adverse human health or environmental effects on minority or low-income populations? Yes No

19. State, Local and Tribal Laws. The project is consistent with state, local and tribal laws to protect the environment. Yes No

20. Contamination/Environmental Hazards (CERCLA/RCRA)

a. Are there any known or suspected contaminants on the project site? Yes No

If yes, please discuss what type of contamination is on the site, or suspected to be on the site, and the status of clean-up activities.

b. Has the site been investigated, identified and/or designated as having hazardous waste contamination issues by a federal, state, or local agency (for example superfund site)? Yes No

If yes, please explain the basis for the designation, the status of clean-up activities, and whether there are any legal liens or judgments affecting the property.

21. Public Coordination

Has the project for which you propose to use CELCP funds been subject to public scrutiny and coordination through a public notice or other public review process? Yes No

If "yes", please describe the results of that process and note when the coordination occurred.

If "no", please explain.

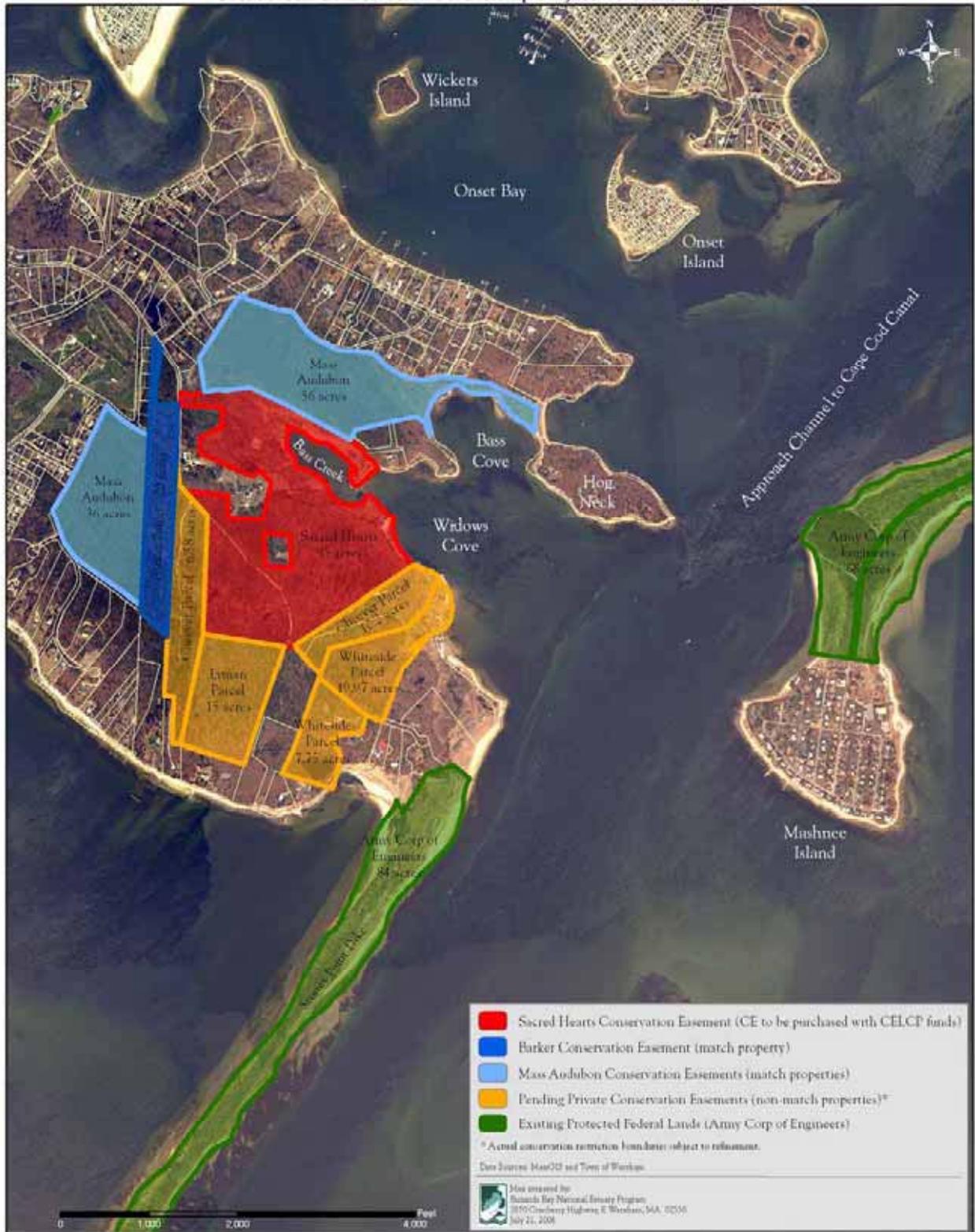
July 25, 2006, August 8, 2006, August 16, 2007, September 10, 2007, October 29, 2007 – Sacred Hearts Hosted Neighborhood Meetings
September 19, 2007, December 5, 2007 – Project Updates to Wareham Conservation Commission
October 2, 2007, December 4, 2007, January 22, 2008, June 17, 2008 – Project Update to Wareham Board of Selectmen
September 27, 2007 – Sen Pacheco Talk on Global Warming in Wareham (hosted by WLT – map of Great Neck Project presented to public for viewing and discussion)
October 6th and 7th, 2007 – AD Makepeace Festival (map displayed and project discussed at WLT booth)
October 22, 23, 24, 30th, 2007– Wareham Town Meeting – map of project and summary of project displayed in Town Building and handed out to every resident attending
2007: 1/10, 1/24, 1/31, 4/11, 6/13, 8/12, 9/12 – Great Neck Project Updates to Wareham Community Preservation Committee
2008: 1/9, 2/27, 3/12, 4/23, 5/14, 5/28 – Great Neck Project Updates to Wareham Community Preservation Committee

NOAA is requesting this information in order to adequately assess the eligibility of proposed projects. Public reporting burden for this collection of information is estimated to average 10 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Elaine Vaudreuil, OCRM, 1305 East-West Hwy (N/ORM7), Silver Spring, Maryland 20910. This reporting is authorized under P.L. 107-77 and has been approved under OMB #0000-0000. Information submitted will be treated as public record. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection displays a currently valid OMB Control Number.

Regional Locus - Map 1
Great Neck Conservation Partnership Project - Wareham, MA



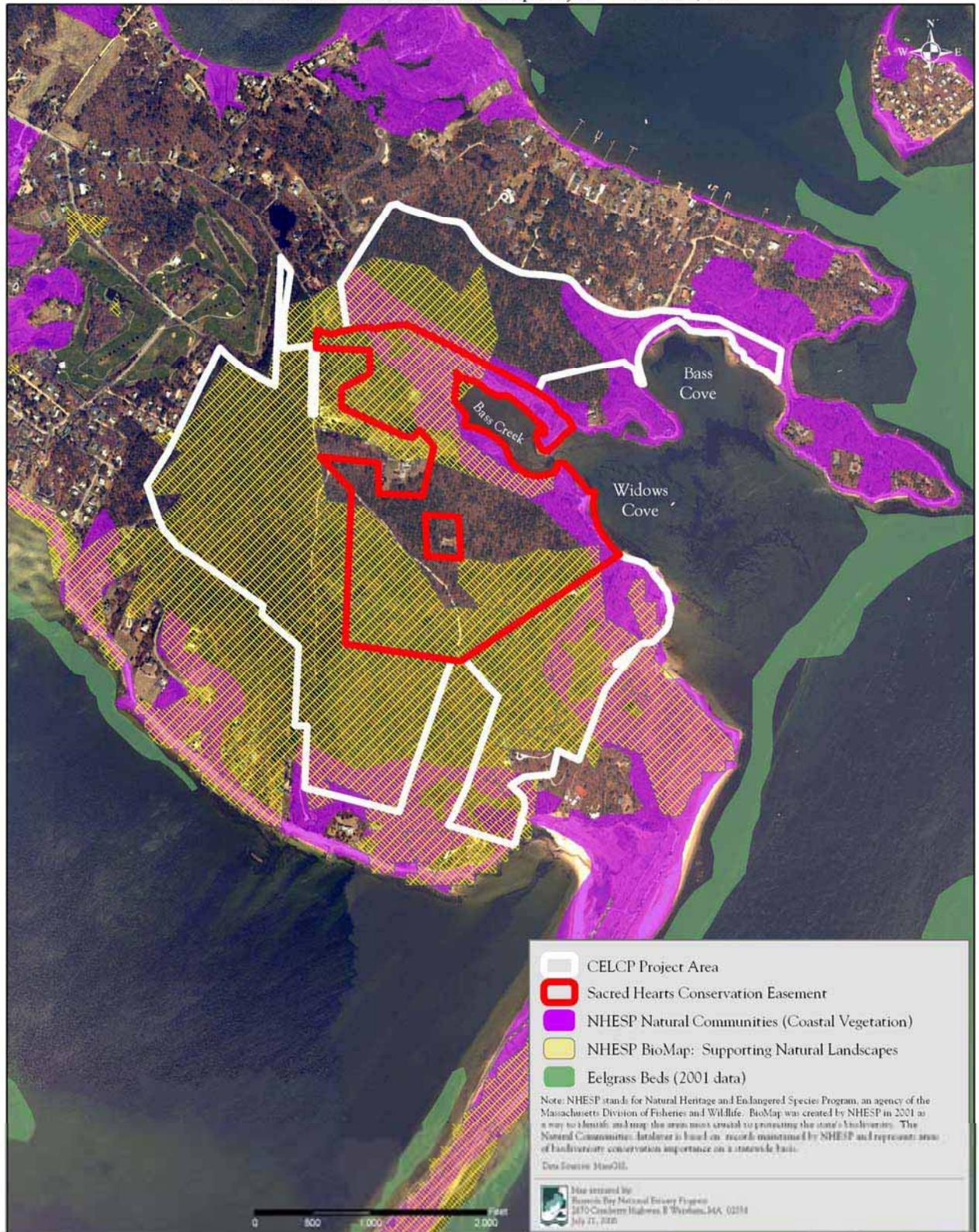
Project Location and Land Ownership - Map 2
 Great Neck Conservation Partnership Project - Wareham, MA



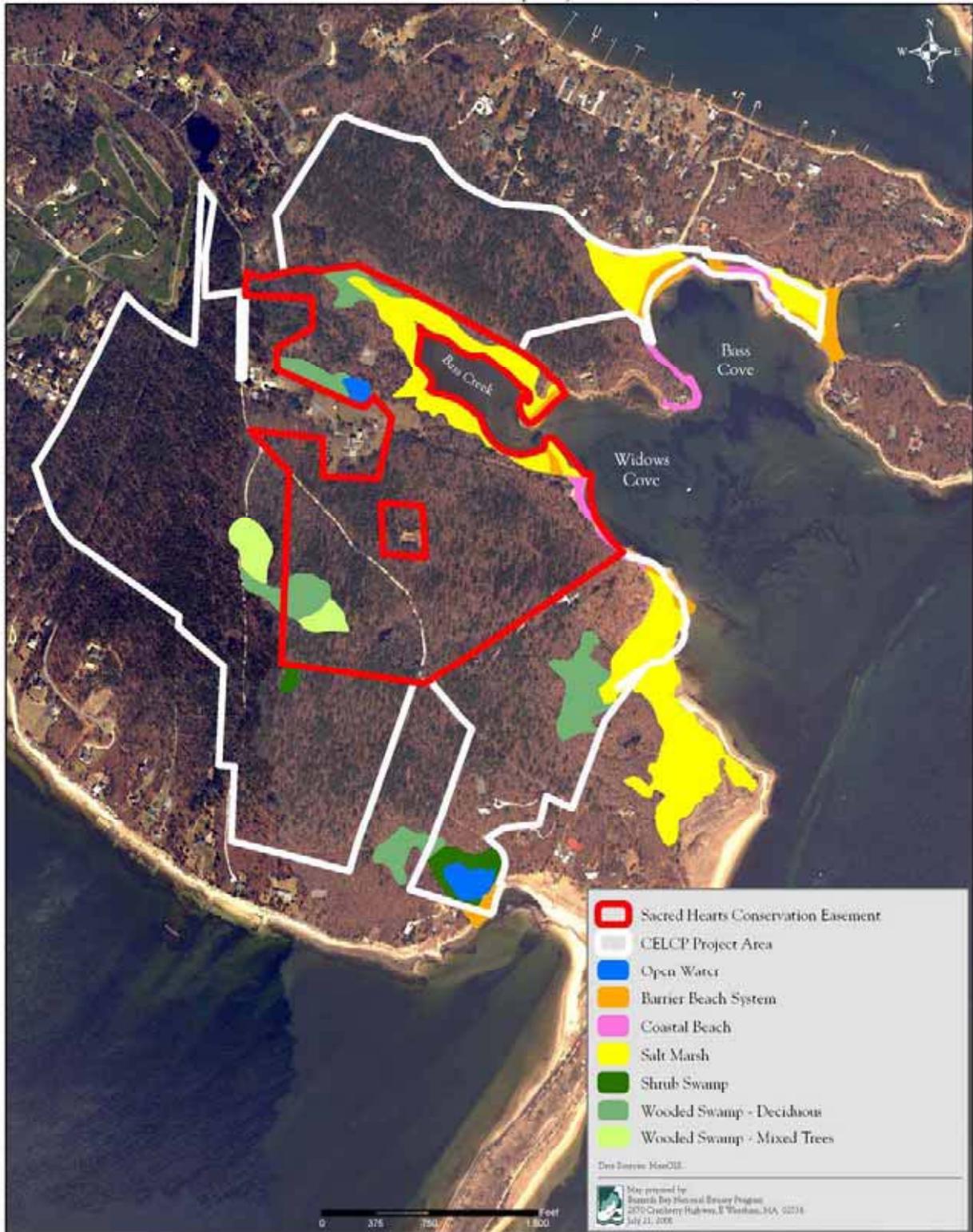
MA Natural Heritage and Endangered Species Program's Priority Habitats of Rare Species - Map 3
Great Neck Conservation Partnership Project - Warcham, MA



MA Natural Heritage and Endangered Species Program's Designated Ecological Habitats - Map 4
 Great Neck Conservation Partnership Project - Wareham, MA



MA Department of Environmental Protection Core Wetland Resources - Map 5
Great Neck Conservation Partnership Project - Warcham, MA



Proposed Public Access Trail Network - Map 6
Great Neck Conservation Partnership Project - Wareham, MA



Attachment A
Massachusetts Historical Commission Letter