
ATTACHMENT D

NHESP Filing



February 17, 2009

Natural Heritage & Endangered Species Program
Massachusetts Division of Fisheries & Wildlife
One Rabbit Hill Road
Westborough, MA 01581

Re: Notice of Intent Filing 2009 – Lake Cochituate State Park – Natick, MA

To Whom It May Concern:

Enclosed please find a copy of the Notice of Intent Application submitted by the Department of Conservation & Recreation for an Aquatic Management Program at Lake Cochituate State Park in Natick. Based on the 2008 edition of the Massachusetts Natural Heritage Atlas the project site on Middle Pond site is located within Estimated and Priority Habitat (EH 95/PH 200).

The proposed project at Lake Cochituate State Park is designed to target control of Eurasian watermilfoil (*Myriophyllum spicatum*) in the area of the State maintained, beach, boat ramp and kayak rental facility in order to maintain safe recreational access and reduce the potential for milfoil spread to nearby waterbodies from exiting watercraft. The milfoil control project will also enhance edge habitat increasing foraging habitat for game species and create beneficial open water habitat for fish and wildlife. A reduction of plant biomass in this area will also increase water circulation and should help to reduce bacterial counts which according to Park officials have been high in the swim area. The proposed management plan will focus on the control of the milfoil using aquatic herbicides and hand-pulling in an approximately 5 acre area in the northwestern extent of Middle Pond.

Although we presume that the proposed project is exempt from MESA review based on exemption 321 CMR 10.14 (11) and the attached correspondence between NHESP and ESS, Inc.; we have submitted this filing with the required MESA review fee (\$300) to initiate the review process in the event that our presumptions are incorrect. A copy of the Boreal Turret Snail Study referenced in the letter has also been attached for your review.

We look forward to receiving comments from NHESP on this proposed project. Please feel free to contact me directly, should you require any additional information.

Sincerely,

AQUATIC CONTROL TECHNOLOGY, INC.

A handwritten signature in black ink, appearing to read "Michael Lennon", is written over the company name.

Michael Lennon
Biologist

Aquatic Control Technology, Inc.



MESA PROJECT REVIEW CHECKLIST

Massachusetts Endangered Species Act M.G.L. c. 131A and Regulations (321 CMR 10.00)

Massachusetts Division of Fisheries & Wildlife
Natural Heritage & Endangered Species Program



~~~~ CONTACT INFORMATION ~~~~

If you already completed your Notice of Intent-Form 3, you can send page 1 of the NOI in place of questions 1 through 4 in this section.

1. Project Location:

Lake Cochituate - Middle Pond

Natick

01760

Street Address/Location

City/Town

Zip Code

Assessors Map/Plat Number

Parcel /Lot Number

2. Applicant:

James

Straub

MA Department of Conservation & Recreation - Lakes & Ponds

First Name

Last Name

Company

251 Causeway Street

Mailing Address

Boston

MA

02114

City/Town

State

Zip Code

617.626.14411

617.626.1455

Jim.Straub@state.ma.us

Phone Number

Fax Number

Email address

3. Property owner (if different from applicant):

First Name

Last Name

Commonwealth of Massachusetts

Company

Mailing Address

City/Town

State

Zip Code

Phone Number

Fax Number

Email address

4. Representative (if any):

Aquatic Control Technology, Inc.

Company

Gerald

Smith

Contact Person First Name

Contact Person Last Name

11 John Road

Mailing Address

Sutton

MA

01590

City/Town

State

Zip Code

508.865.1000

508.865.1220

info@aquaticcontroltech.com

Phone Number

Fax Number

Email address

~~~~ ADDITIONAL INFORMATION ~~~~

1. Will this project require a filing with the Conservation Commission and/or DEP? ☐ No ☒ Yes

2. Will this project meet any threshold for a MA Environmental Policy Act (MEPA) filing (excluding rare species, 301 CMR 11.03 (2))? ☒ No ☐ Yes

3. Has this project previously been issued a NHESP Tracking Number (either by previous NOI Submittal or MESA Information Request Form)? ☒ No ☐ Yes - Tracking No. _____

from top:
Golden Winged
Warbler - E

Small whorled
pogonia - E

Marbled
Salamander - T



* For an electronic copy of this form, visit www.nhesp.org *

~~~~PROJECT DESCRIPTION (attach separate sheet, as needed)~~~~

Certain projects or activities are exempt from review, see 321 CMR 10.14

Control of non-native invasive aquatic plant species (Eurasian watermilfoil) with USEPA/MA DAR registered herbicides in the area of the

State maintained beach and boat ramp (see attached Project Description)

We will notify the applicant within 30 days if the materials submitted do not satisfy requirements for a filing and request submission of any missing materials (321 CMR 10.18(1)).

~~~~INCLUDE THE FOLLOWING INFORMATION~~~~

ALL Applicants must submit: See attached NOI

- ☐ USGS map(1:24,000 or 1:25,000) with property boundary clearly outlined
- ☐ Project plans for entire site (including wetland Resource Areas, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work)
- ☐ Assessor's map or right-of-way plan of site
- ☐ Project description
- ☐ Statement/proof that applicant is the Record Owner or that applicant is a person authorized in writing by the record owner to submit this filing
- ☐ Photographs representative of the site

Projects altering* 10 or more acres, must also submit:

- ☐ A vegetation cover type map of the site
- ☐ Project plans showing Priority Habitat boundaries

*Alteration: Any physical alteration of land, soils, drainage or destruction of plant life, see "Project or Activity" (321 CMR 10.02). If only a portion of the project site is located within Priority Habitat, indicate total area of disturbance for site as a whole

We may request additional information, such as, but not limited to, species and habitat surveys, wetland reports, soil map and reports, and stormwater management reports (321 CMR 10.16).

~~~~ FILING FEES ~~~~~

For fees, see [www.nhesp.org](http://www.nhesp.org)

\$300

a. Total MESA Fee Paid

see attached NOI

b. Acreage of Alteration\*

see attached NOI

c. Total Site Acreage

~~~~ REQUIRED SIGNATURES ~~~~~

I hereby certify under the penalties of perjury that the foregoing MESA filing and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

Signature of Property Owner/Record Owner of Property


Date

Signature of Applicant (required, if different from Owner)

Date

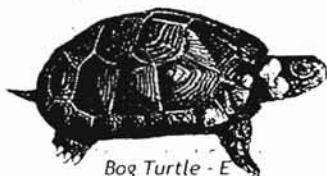
Please send form, required information, and filing fee (payable to "NHES Fund") to:

Regulatory Review
Natural Heritage & Endangered Species Program
North Drive, Route 135
Westborough, MA 01581

 Natural Heritage
& Endangered Species
Program
Massachusetts Division of Fisheries & Wildlife

Telephone: 508-389-6380, Fax: 508-389-7891

Questions or Comments? natural.heritage@state.ma.us



Bog Turtle - E

* For an electronic copy of this form, visit www.nhesp.org



MassWildlife

Commonwealth of Massachusetts

Division of Fisheries & Wildlife

Wayne F. MacCallum, *Director*

July 21, 2005

Thomas Liddy
ESS Group, Inc.
888 Worcester Street, Suite 240
Wellesley, MA 02482

Re: Lake Cochituate Data Request
Framingham, Natick, and Wayland, MA
NHESP Tracking Number: 05-18215

Dear Mr. Liddy,

Thank you for contacting the Natural Heritage and Endangered Species Program ("NHESP") of the MA Division of Fisheries & Wildlife for information regarding state-protected rare species in the vicinity of the above referenced site. We have reviewed the site and would like to offer the following comments.

At this time we are not aware of any current rare plant or animal records in the vicinity of this site. The NHESP has historical records of both Bridle Shiner (*Notropis bifrenatus*) and Boreal Turret Snail (*Valvata sincera*) located within Lake Cochituate. The NHESP considers records last observed 25 years ago or more to be "historic" for the purpose of state-listed species regulatory review.

The NHESP understands that surveys for the Boreal Turret Snail may be performed in Lake Cochituate this summer. If the species is found, this project's plans **must** be reviewed by the NHESP for compliance with the state-listed rare species protection provisions of MESA (321 CMR 10.00) and/or the WPA (310 CMR 10.00). If the project site is within Estimated Habitat for Rare Wildlife and a Notice of Intent (NOI) is required, then a copy of the NOI must be submitted to the NHESP in a timely manner, so that it is received at the same time as the local conservation commission. If the proposed project is located within a Priority Habitat, then project plans, a fee, and other required filing materials must be sent to NHESP Environmental Review to determine whether a probable "take" under the MA Endangered Species Act would occur (321 CMR 10.18). For a MESA filing checklist and additional information about the MESA review process, please see our website: www.nhesp.org under the "Regulatory Review" tab.

This evaluation is based on the most recent information available in the NHESP database, which is constantly being expanded and updated through ongoing research and inventory. Should your site plans change, or new rare species information become available, this evaluation may be reconsidered. If you have any questions regarding this review please call Joanne Theriault, Environmental Review Assistant, at ext. 310.

Sincerely,

Thomas W. French, Ph.D.
Assistant Director

www.masswildlife.org

Division of Fisheries and Wildlife

Field Headquarters, One Rabbit Hill Road, Westborough, MA 01581 (508) 792-7270 Fax (508) 792-7275

An Agency of the Department of Fisheries, Wildlife & Environmental Law Enforcement

Douglas Grant Smith
 30 Montague Road
 Sunderland, MA 01375
 25 October 2005

Mike Gildesgame
 Office Water Resources
 Massachusetts DCR
 251 Causeway Street
 Boston, MA 02114

Dear Mike,

The following report provides the results of a survey of Lake Cochituate, with the assistance of the Massachusetts DCR (10/20/05), for the presence or absence of Valvata sincera, the boreal turret snail, in the lake. Sampling was at 6 stations throughout the lake and was concentrated in areas characterized by above neutral pH values and the presence of water milfoil, Myriophyllum sp., a rooted aquatic plant, upon which the snail grazes for microbials. Studies have shown that V. sincera is limited by pH, its preferred range is 7-9, and is intolerant of even slightly acidic water. The table below shows the distribution of snail species encountered in the lake. The station key is on page 2.

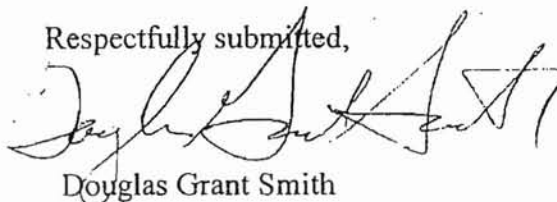
| Gastropoda (snails) | 1 | 2 | 3 | 4 | 5 | 6 |
|-----------------------------|---------------------------------------|---|---|---|---|---|
| Prosobranchia | | | | | | |
| (operculate snails) | | | | | | |
| Viviparidae | | | | | | |
| <u>Bellamya chinensis</u> | (not sampled but observed near shore) | | | | | |
| Hydrobiidae | | | | | | |
| <u>Amnicola limosa</u> | 0 | + | + | + | + | + |
| Pulmonata | | | | | | |
| (air breathing snails) | | | | | | |
| Physidae | | | | | | |
| <u>Physa</u> sp. | 0 | - | - | + | 0 | - |
| Planorbidae | | | | | | |
| <u>Helisoma anceps</u> | 0 | 0 | - | 0 | 0 | - |
| <u>Helisoma campanulata</u> | 0 | 0 | - | 0 | 0 | 0 |
| <u>Gyraulus</u> sp. | 0 | - | - | + | + | + |
| (? <u>hirsutus</u>) | | | | | | |
| Pelecypoda (clams) | | | | | | |
| Sphaeriidae | | | | | | |
| <u>Musculium partumeium</u> | 0 | 0 | - | + | 0 | 0 |
| <u>Pisidium</u> sp. | 0 | 0 | - | + | 0 | 0 |

Key: 0 = absent, - = present but rare, + = common

Stations: 1, Boat launch, pH = 5.5-6.0, 4 feet; 2, Beach, pH = 7.1-7.4, 4-5 feet; 3, Middle Pond-Snake Brook, *river*, pH = 7.2, 2-4 feet; 4, Middle Pond-Snake Brook *Cove*, pH = 7.2-7.3, 3-4 feet; 5, North Pond-pump house, pH = 7.4, 2-3 feet; 6, North Pond-dam, pH = 7.5, 5 feet.

As can be seen, Valvata sincera was not detected. The species is a member of the Valvatidae, a family of operculate snails characterized by a planospiral shell with a round aperture and a distinct multispiral operculum. All members of the Valvatidae are calciphiles and tend to occur in marl lakes, limited to Berkshire Co. in Massachusetts. Ph values in Lake Cochituate are barely adequate to support populations of this species.

Respectfully submitted,

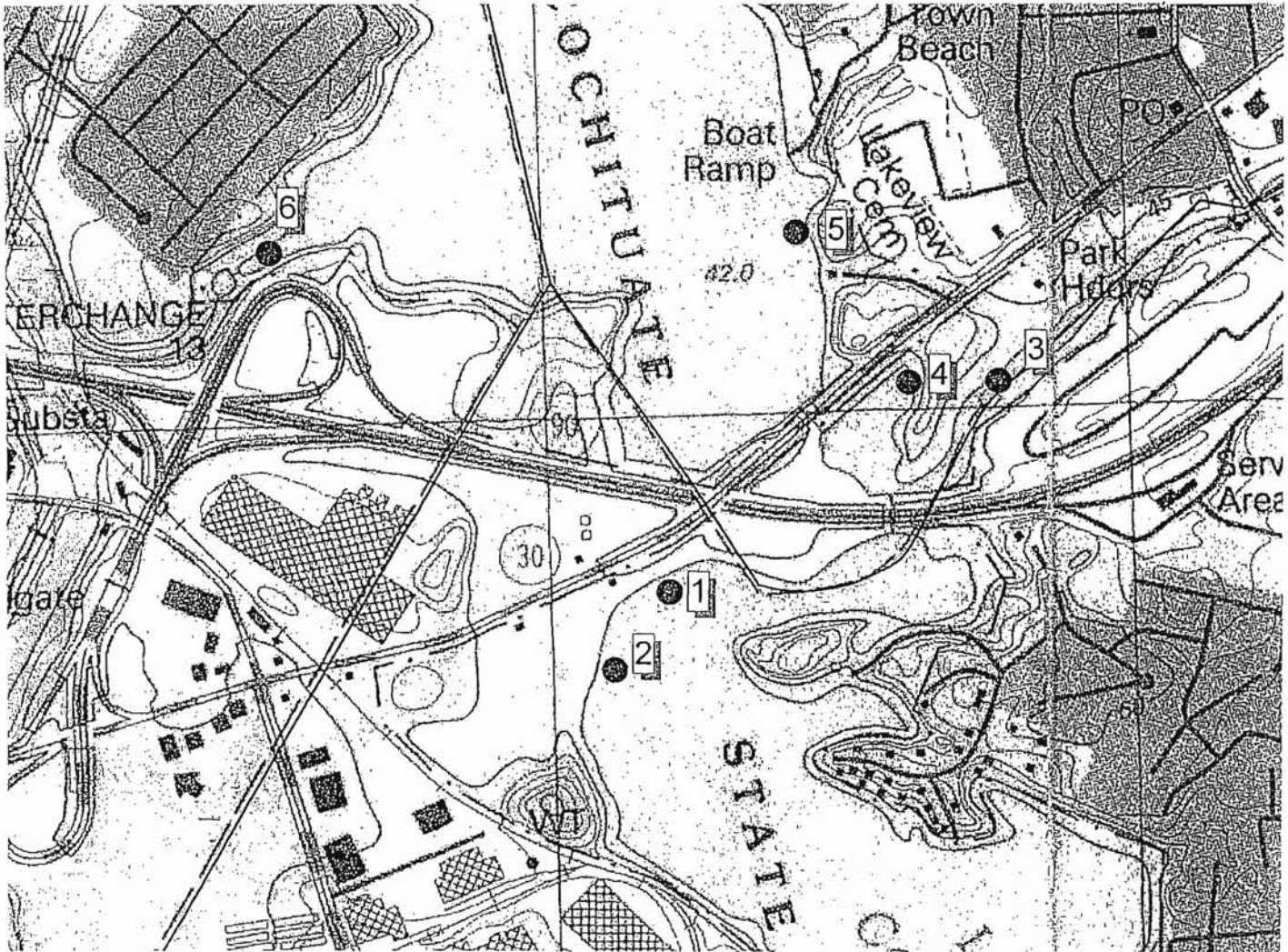
A handwritten signature in black ink, appearing to read 'Douglas Grant Smith', written in a cursive style.

Douglas Grant Smith

Lake Cochituate State Park

Boreal turret snail survey

October 20, 2005



Sample Sites

Map Prepared by DCR
Lakes & Ponds

