



Commonwealth of Massachusetts

# Division of Fisheries & Wildlife

Jack Buckley, *Director*

July 14, 2015

Chilmark Conservation Commission  
Town Offices  
P.O. Box 119  
Chilmark MA 02535

Squibnocket Farm, Inc  
279 Great Plains Road  
Tisbury, MA 02575

RE:    Applicant:                 Squibnocket Farm, Inc  
      Project Location:         Squibnocket Road  
      Project Description:     Exploratory Work for Relocation of Roadway and Parking  
      DEP Wetlands File No.: 012-0743  
      **NHESP Tracking No.: 08-25315**

Dear Commissioners & Applicant:

The applicant listed above has submitted a Notice of Intent with site plans (dated June 24, 2015) to the Natural Heritage & Endangered Species Program of the Massachusetts Division of Fisheries & Wildlife (the "Division"), in compliance with the rare wildlife species section of the Massachusetts Wetlands Protection Act Regulations (310 CMR 10.37, 10.59).

#### **MA WETLANDS PROTECTION ACT (WPA)**

Based on a review of the information that was provided and the information that is currently contained in our database, the Division has determined that this project, as currently proposed, will **not** adversely affect the actual Resource Area Habitat of state-protected rare wildlife species. Therefore, it is our opinion that this project meets the state-listed species performance standard for the issuance of an Order of Conditions.

Please note that this determination addresses only the matter of **rare** wildlife habitat and does not pertain to other wildlife habitat issues that may be pertinent to the proposed project.

#### **MA ENDANGERED SPECIES ACT (MESA)**

Based on a review of the information that was provided, the Division has determined that this project, as currently proposed, appears to be exempt from MESA review pursuant to 321 CMR 10.14 which states: "[t]he following Projects and Activities shall be exempt from the requirements of 321 CMR 10.18 through 10.23..."

(14) performance of customary land surveying activities, wetland resource area delineations, percolation tests, environmental assessments and investigations performed in accordance with M. G. L. c. 21E, and other customary preliminary site investigations or customary property due diligence activities, provided that vegetation clearing and soil alteration are avoided or minimized to the maximum extent practicable;

[www.mass.gov/nhesp](http://www.mass.gov/nhesp)

Division of Fisheries and Wildlife

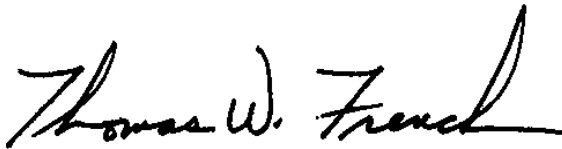
Field Headquarters, One Rabbit Hill Road, Westborough, MA 01581 (508) 389-6300 Fax (508) 389-7890

*An Agency of the Department of Fish and Game*

The Division notes that the exploratory work is intended to inform siting of a future project (Squibnocket Road & Beach Parking Relocation), which does not appear exempt and therefore requires review through a direct filing with the Division for compliance with the MESA. Any changes to the proposed project or any additional work beyond that provided requires a filing with the Division pursuant to the MESA regulations.

Please note that this determination addresses only the matter of state-listed species and their habitats. If you have any questions about this letter, please contact Amy Hoenig, Endangered Species Review Biologist, at (508) 389-6364.

Sincerely,

A handwritten signature in black ink that reads "Thomas W. French". The signature is written in a cursive style with a large, sweeping flourish at the end of the name.

Thomas W. French, Ph.D.  
Assistant Director

cc: Daniel Padien, Vanasse Hangen Brustlin, Inc.  
MA DEP Southeast Region