



Commonwealth of Massachusetts

Division of Fisheries & Wildlife

Wayne F. MacCallum, Director

Section 61 Findings
Natural Heritage & Endangered Species Program
Massachusetts Division of Fisheries & Wildlife

Sharon Commons Lifestyle Center and Old Post Road Residential Project
Conservation and Management Permit 008-117.DFW (321 CMR 10.23)
EOEA No. 14081

A Conservation and Management Plan for the above-listed project has been prepared in consultation with the Natural Heritage and Endangered Species Program (NHESP), in compliance with applicable performance standards of the Massachusetts Endangered Species Act (MESA) and implementing regulations. Although the project will result in a Take of the Eastern Box Turtle (*Terrapene carolina*), the project meets the standards for issuance of a Conservation & Management Permit, pursuant to MESA (321 CMR 10.23), and the applicant has taken all feasible measures avoid and minimize damage to endangered species and their habitat.

The Eastern Box Turtle is primarily a terrestrial turtle that utilizes a variety of upland and wetland habitats and at times demonstrates a preference for edge and early successional habitat. Nesting occurs in open, sandy patches exposed to sunlight. The Eastern Box Turtle will travel long distances throughout the year to exploit seasonally available habitats.

The components of the Conservation and Management Permit as drafted in consultation with NHESP staff include:

- approximately +/- 33.58 acres of the +/- 138 acre Parcel will be protected in perpetuity as open space and State-listed species habitat through the recording of Declarations of Restrictive Covenants;
- in addition to the +/- 33.58 acres, the proponent has committed to protecting +/- 40 acres which include cranberry bogs and ponds adjacent to the development;
- the project proponent will implement a habitat enhancement plan for approximately +/- 15.73 acres of the 33.58 acres of the protected habitat in order to optimize conditions for the Eastern Box Turtle;
- a qualified biologist will conduct visual sweeps in work areas;
- construction staff will be provided information and materials about the likely presence of state-listed species and appropriate responses to any sightings;
- the project proponent will provide \$374,745 for Eastern Box Turtle habitat protection, management, and/or conservation research.

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Division of Fisheries and Wildlife

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