



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
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April 24, 2020

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : West Street and Fox Den Wildlife Park
PROJECT MUNICIPALITY : Worthington
PROJECT WATERSHED : Westfield
EEA NUMBER : 16175
PROJECT PROPONENT : Susannah T. Brown and Douglas R. Schnare
DATE NOTICED IN MONITOR : March 25, 2020

Pursuant to the Massachusetts Environmental Policy Act (MEPA; M.G. L. c. 30, ss. 61-62I) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **does not require** an Environmental Impact Report (EIR).

Project Description

As described in the Environmental Notification Form (ENF), the purpose of the project to clarify uncertainty of ownership and the location of boundary lines between the Fox Den Wildlife Management Area (WMA) and adjacent property owned by the Proponents. The project includes the implementation of a Boundary Line Agreement and two reciprocal release deeds between the Commonwealth and the Proponents.

The WMA is owned by the Commonwealth of Massachusetts in the care, custody, and control of the Division of Fisheries and Wildlife (DFW). The project is subject to the Executive Office of Energy and Environmental Affairs (EEA) Article 97 Land Disposition Policy (Policy). A primary goal of the Policy is to ensure no net loss of Article 97 lands under the ownership and control of the

Commonwealth. Correspondence from DFW provided with the ENF indicated the Land Transfer will not result in the loss of conservation resource values as the purpose of the transfer is merely to provide clear title and well defined boundaries of the WMA. The release is authorized by Chapter 542 of the Acts of 1989, which confirms that consideration for the release is the “clarification of ownership and the establishment and survey of new boundary lines.”

Jurisdiction and Permitting

The project is undergoing MEPA review and requires an ENF pursuant to 301 CMR 11.03(1)(b)(3) because it is being undertaken by a State Agency Action and consists of a release of an interest in land held for conservation, preservation or agricultural or watershed preservation purposes..

Because the project requires a Land Transfer from DFW, MEPA jurisdiction is broad in scope and extends to all aspects of the project that may cause Damage to the Environment, as defined in the MEPA regulations.

Environmental Impacts and Mitigation

The project does not include any work or activities beyond the Land Transfer. Because the project is proposed to clarify the location of boundary lines no mitigation is proposed. As indicated, the release is intended only to clarify ownership for land registry purposes, and does not impact the resource value of the WMA.

Conclusion

The ENF has adequately described and analyzed the project and its alternatives, and assessed its potential environmental impacts and mitigation measures. Based on the information in the ENF and consultation with State Agencies, I have determined that additional MEPA review is not required.

April 24, 2020
Date

K. Theoharides
Kathleen A. Theoharides

Comments received:

04/06/2020 Massachusetts Department of Environmental Protection (MassDEP)

KAT/PRC/prc



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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Lieutenant Governor

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Secretary

Martin Suuberg
Commissioner

April 6, 2020

Kathleen A. Theoharides, Secretary
Executive Office of Energy & Environmental Affairs
Massachusetts Environmental Policy Act Office
Page Czepiga, EEA No. 16175
100 Cambridge Street, 9th Floor
Boston, MA 02114-2524

Re: Worthington
Fox Den Wildlife Park ENF

Dear Secretary Theoharides,

The Massachusetts Department of Environmental Protection (MassDEP), Western Regional Office (WERO) appreciates the opportunity to comment on the Environmental Notification Form (ENF) submitted for the reciprocal deeds project for land owned by the project Proponents and land owned by the Commonwealth in Worthington, Massachusetts.

I. Project Description:

The project involves a Boundary Line Agreement and Reciprocal Deeds between the Proponents, Susannah T. Brown and Douglas R. Schnare, of 493 West Street, Worthington, and the Commonwealth. The project is known as West Street and Fox Den Wildlife Park. The Fox Den Wildlife Park is a wildlife refuge. The project seeks to correct boundary lines as recorded in the Massachusetts Registry of Deeds.

The site of the project is undeveloped, forested land used for wildlife management and natural resources purposes. There will be no disturbance of land or waters. The project will only change boundary lines between the parties and will not change the Town of Worthington's assessor parcel mapping. This transaction is done without monetary consideration on the part of either party.

As this is purely a paperwork exercise that serves to provide clear titles with defined boundaries and will have no impacts on the environment, MassDEP has no comments pertaining to this project.

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

If you have any questions regarding this comment letter, please do not hesitate to contact Kathleen Fournier at (413) 755-2267.

Sincerely,

This final document copy is being provided to you electronically by the Department of Environmental Protection. A signed copy of this document is on file at the DEP office listed on the letterhead.

Michael Gorski
Regional Director

cc: MEPA File