



MassWildlife

Commonwealth of Massachusetts

Division of Fisheries & Wildlife

Jack Buckley, *Acting Director*

May 13, 2015

Acton Conservation Commission
472 Main St
Acton MA 01720

Corey York
Town of Acton Engineering Department
472 Main St
Acton MA 01720

RE: Applicant: Corey York
 Project Location: Brook Street
 Project Description: Drainage Improvements
 DEP Wetlands File No.: 085-1175
 NHESP Tracking No.: 15-34352

Dear Commissioners & Applicant:

The applicant listed above has submitted a Notice of Intent with site plans (dated 12/16/2013) 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 10.59).

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..."

(7) repair, replacement or maintenance of existing, properly maintained stormwater detention basins or other stormwater management systems;

www.mass.gov/nhesp

Division of Fisheries and Wildlife

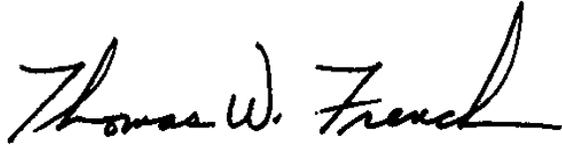
Field Headquarters, One Rabbit Hill Road, Westborough, MA 01581 (508) 389-6300 Fax (508) 389-7890

An Agency of the Department of Fish and Game

Any changes to the proposed project or any additional work beyond that provided may require 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 Lauren Glorioso, Endangered Species Review Assistant, at (508) 389-6361.

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: MA DEP Central Region
Paul Campbell, Town of Acton Engineering Department