

FINAL MINUTES

Natural Heritage & Endangered Species Advisory Committee (NHESAC)

Thursday, April 11, 2024
DFW Field Headquarters, Southwest Meeting Room #103
1 Rabbit Hill Road, Westborough, MA 01581
Meeting held virtually via Zoom webinar

MEMBERS:

Present: Bill Brumback, Mark Mello, Kevin Powers, Wayne Petersen, David Small

Absent: Tim Flanagan, Matt Sisk

ASSOCIATE MEMBERS:

Present: Russ Hopping, Andy Finton

AGENCY STAFF:

Present: Jesse Leddick, Alex Entrup, Caren Caljouw

OTHERS:

Present: Emma Ellsworth

– The meeting was called to order at 1:33 P.M. –

1. Minutes of the January Meetings

Approval of January minutes – Dave Small motioned that the 11 January 2024 minutes be accepted. Kevin Powers seconded, and members voted unanimously to approve.

Approval of Special Meeting (discussion on the Climate as Forest Solutions (CFS) Report) minutes – Dave Small motioned that the minutes of the 22 January 2024 Special Meeting be accepted. Kevin Powers seconded, and members voted unanimously to approve.

2. Chair's Comments – Mark Mello

Chairman Mello commented that he liked the Committee's letter on the CFS Report that Kevin Powers, Dave Small, and Bill Brumback composed and sent to Director Tisa on behalf of the Committee. He reminded us that all Committee members must submit an Acknowledgment of Receipt for the Conflict of Interest Law summary. He also reported that at Horseneck Beach, a berm of new cobble the length of the beach (and 2.5 ft tall and 15 ft wide) has been bulldozed. This alteration has created a likely conflict between Piping Plovers and people heading on the same pathway in two large, exposed areas.

3. Board Member's Comments – Emma Ellsworth (Fisheries and Wildlife (F&W) Board member, substituting for Matthew Sisk)

The last Executive session approved six parcels totaling about 250 acres for purchase as state lands. The parcels are not yet available for viewing on the website because acquisition is not yet complete. There is a bit more money available for the purchase of land, so more parcels should be available in the future. The F&W Board was given a presentation on the Teaching with Trout program. About 500 students have learned about conservation and fish biology in this joint program with the Department of Education. The program may expand to include fish being driven to the schools as part of the program.

Emma personally represents Pioneer Valley on the F&W Board and is also the Department of Agriculture liaison to the Board. She reported that the F&W Board is reaching out to different farm groups, especially through the Depredation Working Group, which works with farmers to mitigate the effects of animals, primarily of deer and bear, on farm operations. This program has been expanding over the last 5 years, especially in the eastern part of the state where hunting is more difficult and there are many farmers who themselves aren't hunters. Russ Hopping asked if Emma had reached out to The Trustees of Reservations because they are also advising farmers in the east on deer issues. Andy Finton wondered if the F&W Board is considering accelerating land protection in light of climate change and state priorities. Emma said that the F&W Board had been discussing increased collaboration and participation with other land trusts. The biggest obstacle at the moment is land prices, which have decreased their capacity to line up potential projects. She noted that 70% of land in the state will be changing hands in the next 5 years and that solar and broadband development is also increasing pressure on land availability.

Jesse Leddick wanted members of the Committee to understand the two ways the Department of Fish and Game protects land: fee purchase and conservation easement. Land purchased by MassWildlife becomes part of the Wildlife Management Area (WMA) program. Generally, land is purchased for hunting, fishing and / or biodiversity and rare species values. They try to purchase land that is contiguous to land that they already own. For conservation easements, the land remains privately owned but it can have a public access component. Strict stewardship constraints remain in place. Jesse added that easements are purchased by the Department of Fish and Game, but thereafter stewarded by MassWildlife staff. He says that stewarding conservation easements can be challenging, and that purchasing land provides MassWildlife with the ability to directly manage and restore habitats for fish and wildlife.

He also said that the process of evaluating lands for either purchase or easement is very thorough. Land agents for each of the five districts are responsible for developing the projects for ranking by the Land Committee. The Committee, which meets twice a year, evaluates and ranks potential projects into a fair, balanced assessment to determine if acquisition is recommended. Jesse also said that if the land acquisition goals expand, one land agent per district may not be enough to shepherd all the projects through the process.

4. NHESP Report & Assistant Director's Report – Jesse Leddick

- a. Signed summary of the Conflict of Interest law is due by 30 April.
- b. Staffing Update: In late February, Alex Entrup was promoted to Prescribed Fire Project Leader. He joins Caren Caljouw, Prescribed Fire Program Manager for MassWildlife. Before being hired by MassWildlife, Alex worked for both The Nature Conservancy and Northeast Fire and Management.

There has been a recent staff loss in Regulatory Review: Alexandra Echandi has taken a position at the Department of Conservation & Recreation (DCR). There is approval to fill her position. Andy Finton asked how the hiring "freeze" (instituted last week by the Governor's

office) is affecting this hiring. Jesse said the hiring “freeze” won’t affect this position, and that it shouldn’t affect the Natural Heritage Program. It is not clear yet how or if it will affect the whole of MassWildlife.

- c. MESA list changes process: NHESAC voted on listing changes last fall, and these changes went to F&W Board who approved them going out for a public hearing; this was subsequently approved by the Executive Office of Energy & Environmental Affairs (EEA) and the Department of Administration & Finance. A public hearing was held on April 9. At that hearing they provided a ½ hour presentation on the list changes along with their recommendations on how to proceed. Next steps: At the meeting, attendees provided verbal comments and they have two weeks to submit written comments on the proposed regulatory changes. All of the verbal comments were related to the horseshoe crab listing. There were approximately 10 verbal comments on the 3rd party proposal to list horseshoe crab under MESA, with some for the listing and some against. Support for all other proposed changes to the list was voiced.

Staff will review the written comments and any additional data which might affect staff recommendations. Staff will then provide a summary of the comments they received and final recommendations to the F&W Board in May. Mark Mello asked if there was a common thread among the people against listing the horseshoe crab. Jesse said three of the four commentors appeared to be associated with horseshoe crab fisheries or the biomedical industry (in particular, harvesting for medical uses), and that these commentors expressed concern about current data being misapplied or not being presented in full. Commentors also referenced the recent regulatory changes made by the Division of Marine Fisheries, which voted to approve banning of hand harvest of horseshoe crabs during spawning season (April – June). This ban should have considerable conservation benefits to the species.

- d. Biodiversity Executive Order: A working group meeting between the Department of Fish & Game (DFG) and a suite of conservation partners was held (at the end of March) to discuss and facilitate recommendations on DFG’s effort to develop a framework of biodiversity goals for the Commonwealth. Russ Hopping said the meeting was good and had large numbers of participants (50+ people). The meeting broke out into four working groups. (Russ was in the coastal habitat group and they had a good open discussion). Andy Finton said the meeting was a six-hour session and working groups were about three hours of the session. The stage was set really well for future discussions. Andy was pleased that BioMap is likely to play a large role in developing goals. DFG is leading the effort to develop this strategy and will work with other agencies to facilitate incorporation of biodiversity goals and metrics into their plans. This will be a theme of the NEAFWA conference in a couple of weeks.

Following up, Jesse said that in early May they will meet with other EEA environmental agency partners to discuss the executive order and developing biodiversity goals. Eve Schlüter or Commissioner O’Shea will provide feedback to our Committee in or before July. Emma Ellsworth added that land trusts have been focused on acquiring lands with biodiversity, but are now focusing more on management, which is exciting. She also said that other states don’t have a BioMap like Massachusetts, and we are lucky to have BioMap as a shared goal. Kudos to Eve and Andy for their work.

- e. Follow up on the Forest as Climate Solutions Report and our Committee’s comments: MassWildlife is working with EEA on a response to the Report. Caren Caljouw says a response is being put together now, and MassWildlife is also coordinating with the DCR to develop recommendations that will hopefully provide consistency across agencies.

5. ***Building a Prescribed Fire Program Through Partnership*** – Alex Entrup, Prescribed Fire Program Leader, NHESP

- Program overview: Their mission is to conserve and restore fire influence of natural communities through safe and structured prescribed burns. There is a big focus on oak forests and woodlands.
- Why burn? Over 40% of rare species depend on burning to restore and maintain their habitat. Heterogeneity of habitat supports all phases of life cycles. Resprouting shrubs and trees can contain many more nutrients.
- Prescribed fire is primarily focused on the southeastern part of the state, but also in the CT valley and central part of the state. There are many public and protected lands and partners. Since 2021, they have performed 81 prescribed burns and burned 3,684 acres. They change burn areas within each site to vary burn years and locations to facilitate habitat heterogeneity. There are only two dedicated staff, but many MassWildlife staff and staff from other agencies (particularly DCR) collaborate extensively.
- Key example sites: Frances Crane WMA in Falmouth – large sandplain grassland
 - Southwick WMA – one of biggest in the state and New England and adjoins Connecticut: 375 acres – has many grassland birds and oak woodlands
 - Muddy Brook – in central Hardwick – fire influenced plants and whippoorwills emerged after many years' absence. Also increased bee species and lepidoptera.
 - Montague Plains – 1800 acres with 1300 acres in pine barrens. This site was thinned for fire danger and to increase lupine.
 - Karner Brook WMA/Jug End Fen is representative of fens they burn. It was historically burned by indigenous people and later had cattle grazing. Rare reptiles are present here.
- Caren Caljouw, Prescribed Fire Program Manager: MassWildlife's Prescribed Fire Policy Handbook was adopted in 2017 by the F&W Board. This allowed us to increase capacity for burning with sound planning and safety. Our fire crew members each have other jobs but are all are trained and certified. In addition, they must meet other internal and external qualifications, take refresher courses, pass a fitness test, etc. MassWildlife's handbook can be viewed online. They are proposing changes to the handbook and to update the physical fitness standard to match differing jobs on the crew, i.e., light to arduous qualifications will be required depending on the position. New positions require different standards.
- Challenges and opportunities – Challenges: weather is changing, and this changes conditions for burning. Other challenges include mitigating hazardous fuels and smoke. Opportunities include partnerships and adding monitoring for target species.
- Dave Small commented that they have really professionalized the system. He is excited at how well it is going.
- Kevin Powers said that this was an impressive presentation; the scope of work being done is an eye-opener. With many wildfires raging in other areas like Colorado and Canada, he wondered if large wildfires could be expected here in Massachusetts. Alex says that there are certain areas (on Cape Cod mainly) that have potential for a large fire, but any fire here is likely to be smaller and not last as long as the big fires out west. We actually have too little fire here. Caren says that some insects may change our landscapes drastically in the future (pine beetle and hemlock looper, for example). Rhode Island had recent big fires that lasted hours. Historically big fires have followed large insect infestations. The same prescriptions that promote biodiversity reduce the big fire potential.

- Russ Hopping thanked the speakers for the presentation. He's thinking about the Biodiversity Executive Order. With so many rare species dependent on fire-rich habitat, and because much of this habitat doesn't exist on state land, he wants to think about how to expand the success that the state has had with fire to land trusts and other protected lands. The speakers replied that to increase burning to other lands, you need crews and burn bosses, and now, most training is geared toward government employees. They would like for there to be a prescribed fire training system that doesn't have to go through the federal process. The entire east coast has this issue with training and crew availability, and it is severely limiting habitat restoration and management efforts.
- Emma Ellsworth was thrilled to hear about the work, particularly with indigenous partners, and particularly around Atlantic white cedar restoration. She is proud that we send MassWildlife staff to other parts of the country. She is, however, worried about hemlock looper damage; there is a lot of standing pine damage at Mount Grace Land Trust properties. She asked about the difference between prescribed fire and the bigger burns. The speakers replied that a burn plan facilitates low and or moderate intensity fire. In a prescribed fire, you are not burning into a stand of dead and down trees because that will produce a high intensity fire. They can mitigate the size and intensity of the fire by canopy thinning, burning at right time of year, not burning when the soil is too dry or the air is too humid, and other actions. They worry most about smoke— it's their biggest issue in the northeast.
- There was also a comment about deer predation limiting oak regeneration. After burning, oak regenerates, but deer can affect this regeneration. Also, some plants are more affected by deer after fire than others: lupine is more threatened by deer than *Baptisia*. It's an issue they have to contend with. After burning, there are lots of nutrients in the fresh leaves of the trees and shrubs. If the leaves are not burned off, and thus there is no resprout, the deer will hit the herbaceous plants harder.
- Mark noted that Noquochoke wetlands (Westport River) is on the burn schedule for this year. Which of those areas will be burned? The speakers commented that two or three areas were burned in late fall last year. Burn plans for this year include the pine barrens and the *Scirpus longii* areas. Mark says that some rare insects will be helped by the fires, including frosted elfin and brown elfin, both of which have dropped out from the area.

6. Member's and Associate Member's Comments

Wayne Petersen – Reports on an interesting discovery in Plymouth: a cooter turtle, probably a coastal plain cooter. This turtle was the size of an army helmet. It is common in the south and Florida and has several different races. The northernmost extent of the population is along the coast of Virginia. It is a basking turtle, like a slider, but a good deal larger. It is thought to have been recently dropped off or transported to this site, and it is not clear if the winter is now warm enough for them to live here. It was found in the Foothills Preserve across from the Tidmarsh Sanctuary in Plymouth. They will probably try to remove it from the state.

Bill Brumback – No comment

Mark Mello – Recent series of storms hitting Nantucket has affected the sewage plant at Miacomet. Sludge was being spread from the sewage plant, but now the leading edge is on the other side of the primary dune.

Dave Small – White pine seed crop from last winter is still prominent. He had seen over 60 Pine Siskins at his feeder, but the numbers are now down to around 20. Pine Siskins are gathering nesting material and doing some seed sharing indicating that spring is coming.

Kevin Powers – Right whales are in Cape Cod bay within this past week.

Andy Finton – No comment

Russ Hopping – Picking up on the observations at Horseneck Beach, the last nor'easter caused a lot of beach damage at Crane Beach. All of the shorebird fencing was gone and is now replaced. He thinks we'll see a lot more of this sort of damage, and noted that these events reset the ecological clock pretty dramatically.

Kevin Powers motioned to adjourn, and Dave Small seconded.

– The meeting adjourned at 3:19 P.M. –

Drafted & Submitted by: William Brumback