



**MA Department of Conservation and Recreation
Office of Regional Planning
Best Management Practices**

Compliance with MESA

(Massachusetts Endangered Species Act)

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Goal: Compliance with MESA for the protection of rare species and associated habitats while conducting routine or periodic maintenance or management activities.

Guidelines

MESA is administered by the state Natural Heritage & Endangered Species Program (NHESP) within the Division of Fisheries and Wildlife. MESA Regulations establish procedures for the listing and protection of plants and animals that are rare in the state. The rare species locations are mapped in Priority Habitat polygons that are provided in the current Natural Heritage Atlas and are available through an interactive web viewer at <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/natural-heritage-gis-resources.html> or through MassGIS. Please contact one of the DCR Ecologists listed above for assistance with MESA issues.

State listed rare plant and animal species are protected from any harm or “take” and all projects or activities located within Priority Habitat must file with the NHESP and gain approval, unless exempt. Conscientious stewardship is important, as over 260 rare species occur in approximately 50% of DCR’s State Parks. DCR staff must take all measures to avoid damage or injury to any rare species or their habitats.

Prior to conducting a management activity or project on DCR property, it’s important to determine if the site is within Priority Habitat. If it is within Priority Habitat, a MESA review may be required; however, some activities and habitat management plans may be exempt, as described below.

Regulatory exemptions that may apply:

- Maintenance of existing lawns and actively landscaped areas;
- Maintenance, repair or replacement, but NOT widening, of existing paved roads;

- Maintenance, repair, replacement, or additions on buildings within existing paved & lawn areas;
- Surveying activities, wetland delineations, and environmental assessments provided that clearing and soil alterations are minimized or avoided;

Trail Maintenance and Improvements in Priority Habitat:

- Trail work may be exempt **if** covered by the approved DCR/NHESP Trail Maintenance Project,
- If proposed trail work is not already approved by the Trail Maintenance Project, seek assistance;
- Contact Paul.Jahnige@state.ma.us for guidance;

Activities in Priority Habitat that are subject to review by NHESP under MESA:

- Forestry in Priority Habitat: review Conservation Management Practices (CMP's) for species specific guidelines to assist in preparation of Forest Cutting Plans
 - Forestry CMP's are available from your DCR Service Forester and NHESP
- Bike Path or Parking Area maintenance or improvement projects in coastal resource areas
- Dirt road maintenance or improvement projects
- Management & maintenance of fields, campgrounds, and day use areas
- Maintenance of dams, docks, fresh and salt water beaches

Recommendations for Project Planning: Contact Ecology Program for guidance

- Design projects to avoid and minimize impacts to natural vegetation and habitats

Habitat Management Plans: may be written and approved to cover periodic or ongoing active habitat management activities, such as:

- Prescribed burning
- Mowing/Field management/Haying
- Invasive control
- Non-commercial forest management activities (pruning, selective cutting, planting)
 - Plan ahead and contact DCR Ecology Program for assistance;

MESA Filing and Permitting Process, if needed:

Submit to NHESP: Project Review Checklist, Project Description, Plans & Maps of site and project, and required filing fee. Contact DCR Ecology Program for help with filing or fee submittals.

NHESP will issue: Response letter within 30 days; if complete, a Final Determination within 60 days. Please note that most reviews can be completed within the first 30 days.