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DETERMINATION OF NATURAL RESOURCE VALUE

PROJECT: Proposed Disposition of Land in the Town of Hingham for Highway Improvement Purposes
MUNICIPALITY: Hingham
EEA FILE NUMBER: A97_033_131
PROJECT PROPONENT: Massachusetts Department of Transportation
DATE: July 20, 2026

Pursuant to M.G.L. c. 3, § 5A, in order to file a petition with the legislature to use for another purpose or otherwise dispose of land or an interest in land subject to Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts (“Article 97”), a public entity in most cases must, *inter alia*, “identify replacement land or an interest in land, which is not already subject to said Article XCVII, in a comparable location and *that is of equal or greater natural resource value, as determined by the secretary of energy and environmental affairs . . .*” (emphasis added), unless an exception applies. This document provides the determination of natural resource value as to the above-referenced proposal (“Project”).

This determination constitutes solely a determination of natural resource value pursuant to M.G.L. c. 3, § 5A(a)(ii) and does not indicate that the Secretary of Energy and Environmental Affairs takes any position on the Project or on whether it complies with the Executive Office of Energy and Environmental Affairs (“EEA”) Article 97 Land Disposition Policy. This determination reflects the independent analysis of EEA for advisory purposes and does not create any right, benefit, or duty, substantive or procedural, enforceable at law or equity by any party in any judicial or administrative matter.

Project Description:

The Project involves the transfer of permanent easements to the Massachusetts Department of Transportation for the purpose of improving Route 3A to address public safety concerns and drainage. The Project is intended to meet complete street design standards and incorporate bicycle access, improved accessibility, pedestrian safety features and access to the waterfront.

In order to accommodate these improvements, the town of Hingham is proposing to transfer approximately 25,000 square feet of permanent easements on land subject to Article 97 (“Impacted

Land”). As replacement land to address the proposed permanent impacts the town of Hingham is proposing to transfer an 8-acre portion of a parcel, currently held by the town for general municipal purposes, to the Conservation Commission to be held for Article 97 Purposes (“Replacement Land”).

The Project is described in more detail in the Alternatives Analysis and Supplemental Materials which are posted on EEA’s website¹.

Information Considered:

This determination is based on a review of the Alternatives Analysis, other materials received by EEA in relation to the project, and EEA’s independent analysis. EEA’s analysis also the use of GIS and EEA’s Article 97 Natural Resource Site Evaluation Tool (“NRSET”) to characterize the Natural Resource Value of the Impacted Land and Replacement Land.

Characterization of Impacted Land:

The Impacted Land consists of 25 small permanent easements on 14 separate parcels of land held for park, conservation, and recreation purposes along Route 3A totaling approximately 25,000 square feet of permanent impact. The easements range from 43 square feet to 3,713 square feet and are mostly slivers of land along the roadway. Some of the Impacted Land contains forested portions, but the majority consist of roadside vegetation, lawn, and pavement.

Characterization of Replacement Land:

The Replacement Land consists of an approximately 8-acre portion of a 10.78 acre parcel. The Replacement Land directly abuts land already held by the Conservation Commission and contains existing hiking trails that connect to a large trail network that spans over 250 acres of protected land. The Replacement Land is mostly forested, including areas suitable for wildlife habitat such as Prime Forestland and shrub swamp wetlands.

Determination:

The Replacement Land is of equal or greater Natural Resource Value as compared to the Impacted Land. The Impacted Land and Replacement Land share similar natural resource values and Article 97 purposes, however the Replacement Land protects a much larger area as compared to the Impacted Land and expands a corridor of already protected lands. The Replacement Land protects a critical link to a large stretch of trails used for passive recreation and larger areas of wildlife habitat including Prime Forest and wetlands.

¹ [https://www.mass.gov/info-details/article-97-an-act-preserving-open-space-in-the-commonwealth-mgl-c-3-ss-5a#:~:text=97\)%20establishes%20a%20right%20to,or%20easements%20subject%20to%20Art.](https://www.mass.gov/info-details/article-97-an-act-preserving-open-space-in-the-commonwealth-mgl-c-3-ss-5a#:~:text=97)%20establishes%20a%20right%20to,or%20easements%20subject%20to%20Art.)