



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Maura T. Healey
GOVERNOR

Kimberley Driscoll
LIEUTENANT GOVERNOR

Rebecca L. Tepper
SECRETARY

Tel: (617) 626-1000
Fax: (617) 626-1081
<http://www.mass.gov/eea>

DETERMINATION OF NATURAL RESOURCE VALUE

PROJECT: Proposed Disposition of Lands in Marion for the Construction of a Shared Use Path
MUNICIPALITY: Marion
EEA FILE NUMBER: A97_029_169
PROJECT PROPONENT: Town of Marion
DATE: July 21, 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 construction of a shared use path intended to eventually connect to existing paths as part of the South Coast Bikeway. The shared use path, as proposed, would pass through a 2,977 square foot portion of Washburn Park (“Impacted Area”), which is subject to the requirements of a Self-Help Grant and Article 97. As mitigation for the impacts proposed in this Project, the town of Marion is proposing to transfer a 13.38 acre parcel of land, currently held for general municipal purposes (“Replacement Land”), to be held under the care, custody and control of the Conservation Commission

subject to Article 97 and, through a revised project agreement, the Local Acquisitions for Natural Diversity (LAND) grant program (the successor to the Self-Help Grant program).

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 submitted, and EEA's independent analysis. EEA's analysis also included a site walk conducted on October 23, 2025 and 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, which summaries are shown as Exhibits A and B.

Characterization of Impacted Land:

The Impacted Land consists of a 2,977 square foot forested portion of a parcel, with natural resource values typical of that land cover. The Impacted Area is currently held for conservation and passive recreation purposes, and contains existing hiking trails. The Impacted Area connects to a larger corridor of protected land, including land used for conservation, passive recreation and active recreation. The NRSET evaluation shows that the Impacted Area protects wetland habitat and is in the Bristol Lowland/Narragansett Lowland EPA Ecoregion and the FEMA 100-year Flood Zone.

Characterization of Replacement Land:

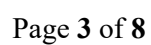
The Replacement Land consists of a 13.38 acre parcel which consists mostly of forested land and wetlands, with natural resource values typical of those land covers. The Replacement Land directly abuts land currently protected for conservation and passive recreational purposes, and contains existing trails which connect to a larger trail network. The NRSET evaluation shows that the Replacement Land is mapped in the same EPA Ecoregion (Bristol Lowland/Narragansett Lowland) and contains Prime Farmland Soils, Prime Forest and multiple types of 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, most notably access to hiking trails for passive recreation, forested habitat, and wetlands. The Replacement Land protects a significantly larger area as compared to the Impacted Land and contains much larger areas of Prime Forest Land, passive recreation and wetland habitat protection.

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.)

Area : 0.11 acres



Shape files are approximate and do not represent exact boundaries of impacted area

Summary

Name	Count	Area(acres)	Length(ft)
Protected OpenSpace other than Article 97 Land	0	0	N/A
OpenSpace Protected with Article 97	2	0.11	N/A
NHESP Natural Communities	0	0	N/A
BioMap - Aquatic Core Habitat	0	0	N/A
BioMap - Wetland Core Habitat	1	0.11	N/A
BioMap - Forest Core Habitat	0	0	N/A
BioMap - Vernal Pool Core Habitat	0	0	N/A
BioMap Critical Natural Landscape - Landscape Blocks	0	0	N/A
BioMap Critical Natural Landscape - Coastal Adaptation Areas	0	0	N/A
BioMap Critical Natural Landscape - Tern Foraging Habitat	0	0	N/A
Long Distance Trails with a 10 meter buffer	0	0	N/A
Hiking Wilderness Trails with 10 meter buffer	0	0	N/A
Bike Trails with 10 meter buffer	0	0	N/A
EPA Ecoregions	1	0.11	N/A
SSURGO Soils: Prime Farmland Soils	0	0	N/A
Prime Forest Land	0	0	N/A
Outstanding Resource Waters	0	0	N/A
Aquifers	0	0	N/A
Sole Source Aquifers	0	0	N/A
Areas of Critical Environmental Concern	0	0	N/A
Surface Water Protection Areas: Zone B	0	0	N/A
Surface Water Protection Areas: Zone C	0	0	N/A
Groundwater Protection Areas: Interim Wellhead PAs	0	0	N/A
Groundwater Protection Areas: Zone I	0	0	N/A
Groundwater Protection Areas: Zone II	0	0	N/A
FEMA 1% / 100 yr. flood zones	1	0.10	N/A
DEP Wetland Areas	1	0.11	N/A

OpenSpace Protected with Article 97

#	SITE_NAME	FEE_OWNER	Area(acres)
1	Boyd	Town of Marion	< 0.01
2	Washburn Park	Town of Marion	0.10

BioMap - Wetland Core Habitat

#	Wetland Core ID	Total Acres - Wetland Core	Sub Acres - Wetland Core	Integrity	Resilience
1	938	61.28	61.28	N	N

#	Rare Species	Priority Natural Community Wetland	Oxbows	Area(acres)
1	Y	N	N	0.11

EPA Ecoregions

#	Ecoregion	Area(acres)
1	Bristol Lowland/Narragansett Lowland	0.11

FEMA 1% / 100 yr. flood zones

#	Flood zone	Area(acres)
1	1% annual chance of flooding	0.10

DEP Wetland Areas

#	Wetlands type	Area(acres)
1	WOODED SWAMP MIXED TREES	0.11

Replacement Land NRSET Evaluation



A97_029_169 Replacement Land

Area of Interest (AOI) Information

Area : 13.26 acres

Jul 9 2026 10:26:35 Eastern Daylight Time



Note: Shape file is approximate and not an exact representation of the Replacement Land

Summary

Name	Count	Area(acres)	Length(ft)
Protected OpenSpace other than Article 97 Land	1	< 0.01	N/A
OpenSpace Protected with Article 97	0	0	N/A
NHESP Natural Communities	0	0	N/A
BioMap - Aquatic Core Habitat	0	0	N/A
BioMap - Wetland Core Habitat	0	0	N/A
BioMap - Forest Core Habitat	0	0	N/A
BioMap - Vernal Pool Core Habitat	0	0	N/A
BioMap Critical Natural Landscape - Landscape Blocks	0	0	N/A
BioMap Critical Natural Landscape - Coastal Adaptation Areas	0	0	N/A
BioMap Critical Natural Landscape - Tern Foraging Habitat	0	0	N/A
Long Distance Trails with a 10 meter buffer	0	0	N/A
Hiking Wilderness Trails with 10 meter buffer	1	0.17	N/A
Bike Trails with 10 meter buffer	0	0	N/A
EPA Ecoregions	1	13.26	N/A
SSURGO Soils: Prime Farmland Soils	3	10.07	N/A
Prime Forest Land	2	6.74	N/A
Outstanding Resource Waters	0	0	N/A
Aquifers	0	0	N/A
Sole Source Aquifers	0	0	N/A
Areas of Critical Environmental Concern	0	0	N/A
Surface Water Protection Areas: Zone B	0	0	N/A
Surface Water Protection Areas: Zone C	0	0	N/A
Groundwater Protection Areas: Interim Wellhead PAs	0	0	N/A
Groundwater Protection Areas: Zone I	0	0	N/A
Groundwater Protection Areas: Zone II	0	0	N/A
FEMA 1% / 100 yr. flood zones	0	0	N/A
DEP Wetland Areas	2	2.03	N/A

Protected OpenSpace other than Article 97 Land

about:blank

2/3

#	SITE_NAME	FEE_OWNER	Area(acres)
1	Goldovitz Bog	Town of Marion	< 0.01

Hiking Wilderness Trails with 10 meter buffer

#	SITE_NAME	Shape_Area	Shape_Length	Area(acres)
1	GOLDOVITZ BOG	12051.539795	1227.942084	0.17

EPA Ecoregions

#	Ecoregion	Area(acres)
1	Bristol Lowland/Narragansett Lowland	13.26

SSURGO Soils: Prime Farmland Soils

#	Prime category	Area(acres)
1	Farmland of statewide importance	10.07

Prime Forest Land

#	Prime category	Area(acres)
1	Prime 3 Wet	0.39
2	Prime 3	6.36

DEP Wetland Areas

#	Wetlands type	Area(acres)
1	WOODED SWAMP MIXED TREES	0.73
2	OPEN WATER	1.30