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DETERMINATION OF NATURAL RESOURCE VALUE

PROJECT: Proposed Disposition of Commonwealth Land in the Town of West Brookfield for Highway Purposes
MUNICIPALITY: Town of West Brookfield
EEA FILE NUMBER: A97_020_323
PROJECT PROPONENT: Town of West Brookfield
DATE: December 1, 2025

Pursuant to M.G.L. c. 3, § 5A, in order 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 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). This document provides the required 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:

In 2022, the town of West Brookfield sought authorization to acquire certain temporary and permanent easements on land held by the Massachusetts Department of Fish and Game (DFG) and subject to Article 97, for the purposes of reconstruction and improvement of state highway Route 9. This legislation passed and was signed into law as Chapter 132 of the Acts of 2022.

Shortly after this authorization was granted, DFG acquired a parcel of land (at 652 West Main Street) which is within the project area. In order to continue with the Route 9 reconstruction project, the Town of

West Brookfield needs additional easements on this newly acquired land which is now subject to Article 97. The town is seeking to amend the existing legislation to include the new impact.

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 that included 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:

For the purposes of evaluating the Impacted Land, EEA is considering all of the impacts previously authorized under Chapter 132 of the Acts of 2022 (~14,000 square feet) in addition to the new impacts added (~12,000 square feet) in the amended legislation. The Impacted Land consists of multiple small portions of land along the Route 9 corridor, being part of the 866 acre Coy Hill Wildlife Management Area ("WMA"). The NRSET shows that some portions of the Impacted Land are mapped as Prime Forest Land and EPA Ecoregions and directly abut wetlands. While the WMA is open to the public and used for fishing, hunting and passive recreation, the Impacted Land is along the shoulder of Route 9 and is not suitable for such regular public use.

Characterization of Replacement Land:

The Replacement Land is approximately 23 acres and consist primarily of forested land and contains Natural Resource Values consistent with that land cover type. The NRSET shows that the Replacement Land contains large areas mapped as EPA Ecoregions, Prime Forest Land, Prime Farmland Soils and wetlands, including the presence of possible vernal pools. The proposed Replacement Land would abut and expand an existing corridor containing approximately 1800 acres of already protected land. The Replacement Land is suitable for and would permit public access and passive recreation.

Determination:

The Replacement Land is of equal or greater Natural Resource Value as compared to the Impacted Land. Both the Impacted Land and Replacement Land have Natural Resource Value consistent with wooded land cover. Both areas share many of the same characteristics and layers mapped by NRSET. The Replacement Land would protect a significantly larger area as compared to the Impacted Land and contains much larger areas of Prime Forest Land, wetlands and EPA Ecoregions. The Replacement Land directly abuts and expands a corridor of already protected land.

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.)