



MassWildlife

Commonwealth of Massachusetts

Division of Fisheries & Wildlife

Wayne F. MacCallum, Director

Stephen R. Pritchard, Secretary
Executive Office of Environmental Affairs
Attention: MEPA Office
Holly Johnson, EOE A No. 13844
100 Cambridge St.
Boston, Massachusetts 02114

2 January 2006

RECEIVED

JAN 4 2007

PLANNING BOARD

Project Name: Wayland Town Center
Proponent: Twenty Wayland, LLC
Location: 400 Boston Post Road
Document Reviewed: Draft Environmental Impact Report
NHESP Tracking No. 06-20298

Dear Secretary Pritchard:

The Natural Heritage & Endangered Species Program (NHESP) of the Massachusetts Division of Fisheries & Wildlife (Division) has reviewed the Draft Environmental Impact Report (DEIR). At this time, the NHESP would like to offer the following comments in regard to state-listed rare species.

This project site, or a portion thereof, is located **within** *Priority Habitat 107* (PH 107) and *Estimated Habitat 765* (EH 765) as indicated in the 12th Edition of the Massachusetts Natural Heritage Atlas (effective October 1, 2006). Our database indicates that the following state-listed rare species have been found in PH 107 and WH 765:

<u>Scientific name</u>	<u>Common Name</u>	<u>Taxonomic Group</u>	<u>State Status</u>
<i>Ixobrychus exilis</i>	Least Bittern	Bird	Endangered
<i>Botaurus lentiginosus</i>	American Bittern	Bird	Endangered
<i>Podilymbus podiceps</i>	Pied-Billed Grebe	Bird	Endangered
<i>Gallinula chloropus</i>	Common Moorhen	Bird	Special Concern

The eastern portion of the project site, is located **near** *Priority Habitat 107* (PH 107) as indicated in the 12th Edition of the Massachusetts Natural Heritage Atlas (effective October 1, 2006). Our database indicates that the following state-listed rare species have been found in the vicinity of the site:

<u>Scientific name</u>	<u>Common Name</u>	<u>Taxonomic Group</u>	<u>State Status</u>
<i>Bolboschoenus fluviatilis</i>	River Bulrush	Plant	Special Concern

These species are state-listed in accordance with the Massachusetts Endangered Species Act (MESA, MGL c131A) and its implementing regulations (321 CMR 10.00) and therefore requires a direct filing with the NHESP in compliance with MESA (321 CMR 10.18). Please visit the

www.masswildlife.org

Division of Fisheries and Wildlife

Field Headquarters, One Rabbit Hill Road, Westborough, MA 01581 (508) 792-7270 Fax (508) 792-7275

An Agency of the Department of Fisheries, Wildlife & Environmental Law Enforcement

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NHESP website, www.nhesp.org, for more information regarding the MESA filing requirements, regulations, and other resources.

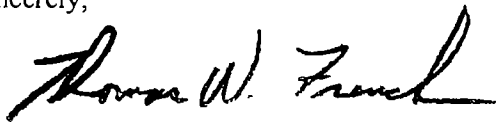
Marsh birds, such as those listed above, nest in wetlands which provide the necessary cover and food resources for survival. They can be sensitive to auditory and visual disruptions, particularly in spring and summer during breeding and nesting. Alterations to the hydrology of the marsh can impact the habitats necessary for successful nesting and feeding.

The NHESP is concerned with the extent of the proposed development along the west side of the project site, west of the parking lot. The applicant should explore alternatives to reduce the impacts to the areas west of the parking lot. Any proposed trails should be located away from the marsh areas and must be disclosed in the MESA Filing.

If you have further questions regarding this letter please contact Rebecca Skowron, Endangered Species Review Assistant at (508) 792-7270, ext 148.

We appreciate the opportunity to comment on this project.

Sincerely,

A handwritten signature in black ink that reads "Thomas W. French". The signature is written in a cursive, flowing style.

Thomas W. French, Ph.D.
Assistant Director

cc: Twenty Wayland, LLC
Wayland Planning Board
Wayland Board of Selectmen
Laura Rome, Epsilon Associates, Inc.
DEP Northeast Regional Office, Wetlands Program