



May 7, 2018

Wendell Historical Commission
Attn. Lisa Hoag
PO Box 41
Wendell, MA 01379

Dear Ms. Hoag,

I want to thank you for your interest in Wendell State Forest and appreciate your passion for conservation interests in the area. I, too, am passionate about the forest, its history and significance, and the 450,000 acres DCR manages on behalf of the people of the Commonwealth of Massachusetts. An important part of the management of these public lands includes forest management to provide a wide array of ecosystem services. These systems include biological and ecosystem diversity, forest health, habitat enhancement, and forest resiliency as well as the production of sustainable wood products.

This letter serves as a follow up to numerous conversations you have had with DCR staff over the past 21 months. In your statement during the public comment period at DCR's Stewardship Council meeting on April 10, 2018, you stated that DCR has not responded to your letters, leaving the impression that DCR has been unresponsive to you. Since you have requested a written response to the letters, this serves as the response to the February 22, 2018 letter that you sent to Deputy Commissioner Priscilla Geigis and the April 7, 2018 and May 2, 2018 letters you sent to me. This letter also serves to document the numerous occasions that you have interacted with DCR staff since 2016 regarding Wendell State Forest so that you and others have an accurate record of DCR's responsiveness.

Communications Timeline

The following timeline highlights some of the interactions DCR staff have had with you concerning the Wendell project.

February 26, 2016: DCR's Forest Management proposal was posted on DCR's website for public comment pursuant to DCR's protocol.

March 31, 2016: DCR held a public meeting regarding the Wendell forest management proposal at DCR's Amherst headquarters.

April 11, 2016: The formal public comment period closed for the Wendell project.

COMMONWEALTH OF MASSACHUSETTS · EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS

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August 2016: You made contact with DCR and expressed concern about stone features in the forest and requested a walk of the proposed timber harvest area. DCR staff accommodated your request. DCR Management Forester Keith DiNardo (hereinafter Keith DiNardo), DCR State Forests Land Manager Bill Hill (hereinafter Bill Hill) and DCR Archaeologist Ellen Berkland (hereinafter Ellen Berkland) met with you and Sarah Kohler on **August 29, 2016** to walk the proposed project area.

August 30, 2016: Keith DiNardo provided email links to you for the Landscape Designations for DCR Parks and Forests: Selection Criteria and Management Guidelines document.

June 20, 2017: You emailed Keith DiNardo requesting a delay in timber harvesting preparations in order to conduct a formal survey of the site.

July 17, 2017: Keith DiNardo contacted you in response to your voicemail regarding your concerns of the harvest area. Keith suggested that you contact DCR Archaeologist Ellen Berkland if you have further concerns with ceremonial sites.

October 18, 2017: Keith DiNardo and Ellen Berkland attended Doug Harris' Ceremonial Stone landscape presentation at the Wendell Library.

October 26, 2017: Bill Hill, Keith DiNardo and Ellen Berkland met with Doug Harris, Eva Gilbvich and you to look at the stone sites in question. Keith agreed to flag areas to keep equipment away.

January 9, 2018: Keith DiNardo began flagging areas to keep harvesting equipment away.

January 22, 2018: Peter Church, Director of Forest Stewardship, had a phone conversation with you about the Wendell harvest and listened to your concerns.

February 22, 2019: DCR Deputy Commissioner Priscilla Geigis, after receiving the Wendell Historical Commission letter signed by you, asked Bill Hill to respond by phone to you directly which he did.

February 23, 2018: Bill Hill and Keith DiNardo answered your questions at the Wendell Forest project bid opening in Amherst.

April 3, 2018: Patrice Kish, DCR's Acting Chief of the Division of Planning and Engineering had a phone conversation with you about DCR's protection of cultural sites.

April 3-4, 2018: You emailed DCR Archivist Sean Fisher and DCR Acting Director of Cultural Resources Wendy Pearl with various questions about historic preservation. Wendy provides answers to all of your questions in her email of **April 6, 2018**.

April 10, 2018: You attended DCR's Stewardship Council meeting and spoke during the public comment period where I answered your questions.

The above-referenced dates provide a chronology that demonstrates that DCR communicated with you many times since your initial inquiry in August 2016. While you may not agree with DCR's position, it does not negate the fact that DCR has been extremely responsive to you about the process since your initial contact with DCR staff in August 2016.

Response to Letters

The information below is provided as a response to your letters dated February 22, 2018 and April 7, 2018. It provides an overview of Landscape Designations and, in turn, addresses each of the issues you raised in your letter.

Landscape Designations:

As you have identified, the Landscape Designations for DCR Parks and Forests: Selection Criteria and Management Guidelines (LD&G), is one of our principle management tools for practicing sound, sustainable forest management on state lands. This document was the outcome of DCR's Forest Futures Visioning Process, a multiple year effort to balance forest management activities with other uses so that DCR lands can continue to provide a wide range of ecosystem services across the landscape. We take the responsibilities of being exemplary stewards on our lands very seriously and follow our management guidelines document with much thought and deliberation. The Landscape Designations document serves as our tool for forest management planning until Forest Resource Management Plans are developed.

Since 2012, the Landscape Designations document has been used and outlines our comprehensive internal and public process for forest management activities on state lands. As part of our vetting process, timber harvesting projects are thoroughly reviewed by a series of professionals including wildlife experts from Division of Fisheries and Wildlife, our DCR Ecologist, DCR park operation managers and our Cultural Resource Office's Archaeologist. Once the internal review has been completed and changes made where appropriate we then start the public process. A regional public meeting is held to present the forest management projects and comments are solicited. There is also a 45 day written comment period that coincides with the public meeting. Public comments are reviewed and changes made where appropriate. The field forester then will start the forest stand inventory and write the forest prescription. The final part of the public process is a public forest tour of the harvest area.

Specific Issues: The following are responses to the issues you raised:

1. Lack of Compliance with DCR Guidelines and Policies

The Department has met and fulfilled its guidelines and followed cultural resource policy,

based on the existing record of historic and archaeological resources. The Bureau of Forestry followed its process and guidelines for cultural resource protection contained in the "Landscape Designations for DCR Parks & Forests: Selection Criteria and Management Guidelines.

2. DCR has failed to address the fact that this is a large area of sensitive, fragile, cultural resources in this parcel of land that do qualify as a Zone 1 classification

As noted above, the DCR and its Bureau of Forestry has followed guidelines and policy and throughout that process it was determined that the Brook Road Timber Sale Area did not have areas to exclude from the timber sale area that have not already been excluded in the prescription preparation and the timber sale preparation process. The process of internal review and comment includes requesting input from Massachusetts Department of Fish and Game, Division of Fisheries regarding wildlife habitat, and endangered species, Department of Conservation and Recreation Upland Ecologist on local ecological issues, DCR Parks Operations Staff on infrastructure management, and the DCR Archaeologist regarding cultural resources. The threshold for excluding cultural resources is listing on or eligibility for listing on the National Register of Historic Places.

3. Failed to Comply with Appendix G. DCR Cultural Resource Policy: 4 Emergency Scenarios/Procedures

DCR has not responded to the Emergency Scenario/Procedures because it was determined after multiple reviews by the DCR Archaeologist within the Office of Cultural Resources that, based on the current archaeological record and inventory of cultural properties, there is not a site of archaeological or cultural significance present in the Brook Road Timber Sale Area. However, based on possible sites identified by Eva Gilovich and Doug Harris, out of an abundance of caution, DCR agreed to modify places within the harvest proposal by putting up flagging to avoid certain areas with equipment. This is not an emergency, as you brought these stone features to DCR's attention almost two years ago.

4. No Eastern Connecticut Valley Forest Resource Management Plan

The Eastern Connecticut Valley Forest Resource Management Plan is currently in draft. Per the LD & G "Upon finalizing the Woodlands designations, DCR will undertake projects to demonstrate excellent forestry according to the Woodlands guidelines included in this document" The Brook Road Forest Management Project from its inception has followed the LD &G as well as other applicable DCR policies. A Forest Resource Management Plan is not a prerequisite to a timber sale.

5. Ceremonial Stone Landscape 6 miles from Wendell State Forest Brook Road

The federal determination regarding the National Register eligibility for the referenced Turners Falls site, which was found not eligible by the Massachusetts State Historic Preservation Officer, does not specifically identify resources within Wendell State Forest, and no sites are currently

inventoried within Wendell State Forest. Based on the current record, the Cultural Resources Office of DCR has determined that the area of the timber sale does not have the significance that would require its removal from the project. DCR has continued to follow its guidelines and policies in place.

6. Lack of protection of site location

In the spirit of cooperation with the Wendell Historic Commission, the DCR agreed (at the request of the Commission) to mark areas of concern to prevent tree felling and logging equipment disturbance. These areas were noted in the timber harvesting permit so that, in fact, disturbance will be avoided. No public notice was given of what feature was being protected by flagging the areas of concern; instead flags have been used to delineate large areas to be avoided by equipment operators. Using flagging is a common practice to protect small isolated areas within a timber sale area and are not specific to archaeological sites.

7. Resource Management Guidelines to be determined by the resource specialist who identified the resource.

Per the LD&G document, the DCR Archaeologist within the Office of Cultural Resources, the resource specialist, was consulted at the initiation of planning for the Brook Road Forest Management Project and then subsequently consulted on multiple occasions throughout the planning of the project.

8. Appendix G of the Cultural Resource Policy states that DCR shall provide for the stewardship of all known and potential cultural resources on DCR property.

Utilizing the existing records of cultural and archaeological resources and professional standards for predictive analysis and site evaluation, DCR has provided protection to the known and potential cultural resources as well as natural resources present on the Brook Road site. By following guidelines and policy established, as well as cooperating with you after following all guidelines and procedures, the DCR believes that it has fulfilled its charge and mission. The evidence presented and scientific evidence available to DCR about this site is not adequate to support a determination that the site is eligible for listing on the National Register of Historic Places.

In conclusion, DCR has followed its guidelines and policies, and intends to proceed with the timber harvest.

Sincerely,



Leo Roy,
Commissioner

CC: Whitney Hatch, DCR Stewardship Council
Wendell Board of Selectmen
Attorney General Maura Healey
Priscilla Geigis
Patrice Kish
Ellen Berkland
Wendy Pearl
William Hill
Peter Church
Keith DiNardo