



Commonwealth of Massachusetts

# Division of Fisheries & Wildlife

**MassWildlife**

Wayne F. MacCallum, *Director*

June 28, 2011

Keith A. Bergman, Town Administrator  
Town of Littleton  
37 Shattuck Street  
Littleton, MA 01460

RE: *Town of Littleton letter dated June 24, 2011 to the NHESP*

Dear Mr. Bergman:

The Natural Heritage & Endangered Species Program (NHESP) of the MA Division of Fisheries and Wildlife in receipt of the town's letter dated June 24, 2011 requesting clarification and additional information about the proposed project at 15 Great Road relative to the MA Endangered Species Act ("MESA"). As indicated in the NHESP's previous letters dated 4/24/2008 and 3/2/2011, the Applicant elected to engage in pre-filing consultations with the NHESP in advance of filing for a formal MESA review pursuant to 321 CMR 10.18. No formal determinations have been made pursuant to the MESA at this time.

**LITTLETON QUESTION #1:** The NHESP does not have copies of all of the materials and plans provided to the town and are unable to compare the limits of work in the different figures and plans. We refer the town to the Applicant on this matter.

**LITTLETON QUESTION #2:** The NHESP letter referenced the more northerly access point labeled as "Contingent Access" in the Oxbow Associates, Inc. letter dated March 18, 2008 with attachments (see figures 4 & 5 ("Habitat Impact Analysis" and "Conceptual Plan", respectively). In our 4/24/2008, we incorrectly referenced the portion of the road in question as "Durkee Lane", but appears to be called "Westford Lane" within Littleton. The road name changes to "Durkee Lane" once it crosses into Westford.

To minimize mortality of Blue-Spotted Salamanders travelling between the Forested Wetland and the forested habitat to the north, the NHESP required that the Applicant continue to seek options to limit vehicular traffic in this area. Options may include removing the "Contingent Access" to Westford Lane/Durkee Lane, limiting access to emergency traffic, and/or providing an adequate design to ensure safe passage for salamanders (e.g., underpass crossing structures, wildlife barriers).

**LITTLETON QUESTION #3:** It is our understanding that all work at the site is being conducted in accordance with 321 CMR 10.14(14), "performance of customary land surveying activities, wetland resource area delineations, percolation tests, environmental assessments and investigations performed in accordance with M. G. L. c. 21E, and other customary preliminary site investigations or customary property due diligence activities, provided that vegetation clearing and soil alteration are avoided or minimized to the maximum extent practicable."

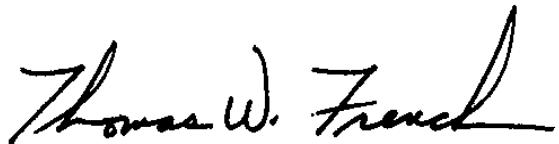
[www.masswildlife.org](http://www.masswildlife.org)

Division of Fisheries and Wildlife

Field Headquarters, One Rabbit Hill Road, Westborough, MA 01581 (508) 389-6300 Fax (508) 389-7891  
*An Agency of the Department of Fish & Game*

Please do not hesitate to contact Misty-Anne R. Marold, Endangered Species Review Biologist, at (508) 389-6356 ([misty-anne.marold@state.ma.us](mailto:misty-anne.marold@state.ma.us)) with any questions or comments you may have.

Sincerely,

A handwritten signature in black ink that reads "Thomas W. French". The signature is fluid and cursive, with "Thomas" on the first line and "W. French" on the second line.

Thomas W. French, Ph.D.  
Assistant Director

CC: David Hale, Omni Properties  
Brian Butler, Oxbow Associates, Inc.