

TO: Hubbardston Board of Selectmen  
FROM: Wendy Howes & Alan Rawle  
November, 2012

## **REQUEST FOR CHANGE IN TOWN'S HAY MANAGEMENT PLAN (Part of Mt. Jefferson Conservation Area Land Use and Management Plan, June 2008)**

### **REASON FOR REQUEST**

#### **Protection of Bobolinks and other grassland nesting birds, as well as other wildlife using the hayfields for shelter and/or protection during the breeding season.**

Bobolink populations are precarious in Massachusetts and other states, and the species is on the "endangered" list in some parts of the country.

Bobolinks are protected by U.S. Migratory Bird Protection Act which prohibits "taking" (killing) birds, or destroying nests and/or young

Managed hayfields, which Bobolinks prefer for breeding, are a population sink or "black hole" for this species due to more accelerated modern haycropping.

Bobolinks need protection throughout June and early July, sometimes until July 20<sup>th</sup>.

#### **Bobolink protection on this property a long-standing concern**

MassAudubon letter of support for Self-Help Grant 2002. Letter from MA Audubon directly highlights desirability of management for grassland birds and assume this management will occur.

Some members of OS Committee, who are consistently told nothing can be done

Other concerned citizens who are unwilling to engage politically

#### **Mt. Jefferson property can be used for hay production and support grassland birds**

Delayed first-cut mowing allows successful nesting of grassland birds and other wildlife.

Hay harvested after July 20th has some value and is marketable, although of reduced feed quality.

Late hay harvest has occurred at Mt. Jefferson in past years due to farmer's schedule, weather, or other factors and has not resulted in farmer deciding not to mow.

#### **The OS Committee Chair has determined that the farmer's interests outweigh the wildlife and other open space interests.**

Chair wrote all Plans associated with property.

Farmer mowed this property before it became public and was asked to continue. He has always had the contract.

Farmer wishes to cut hay when he determines conditions are suitable, no matter the phase of nesting birds. Farmer wants best hay quality so that hay provides more nutrients and is more valuable.

Farmer doesn't seem amenable to working on alternative management strategies.

Contract, fees have remained fairly static.

?Other bids

?Determination of fees

?Review of contract by ConComm or OS Committee every 3 years as stipulated—no indication this has occurred

Chair states that she has decided that a "compromise" is late mowing (after July 1) of one field (Field 5, corner Malone & Mt. Jeff). 1) Not a protective management date. 2) Bobolinks use other fields. 3) Not a compromise, as farmer always mows this field late because field is low & wet

#### **Ensure that use of town-owned Open Space & Recreation property is balanced and fair to all residents.**

Currently being managed with the economic needs of farmer being prioritized.

Enjoyment by other users denied.

Economic benefit to town questionable.

### **ATTEMPTS TO ADDRESS CONCERNS**

#### **Communications/meetings with OS Committee**

OS Meetings (while on Committee) and informal communications

Formal proposal/position letter July 2012

Meeting with OSComm August 2012

Offers to help specifically with observation/management of birds

Offer to help financially

**Attempt to talk with farmer about cooperative management options**

**Communication with Conservation Commission:**

Member David Klinch said: ConComm hasn't been involved and "has no capacity at this time" to deal with this issue

**SUPPORTING STATEMENTS**

**THIS PROPOSAL IS CONSISTENT WITH EXISTING LAND USE AND HAY MANAGEMENT PLANS**

Section 2a of the current Plan states ". . .the open fields are excellent habitat for birds including Eastern meadowlark\* and Bobolink, which are declining in population."

Hay Management Plan states that fields be restored . . .to "enhance the beauty of the fields and ensure adequate ground protection for wildlife."

**THERE IS NOTHING IN THE MOWING CONTRACT WHICH SPECIFIES TIMES OF CUTTINGS; NOTHING THAT WOULDN'T BE CONSISTENT WITH CHANGING MOWING SCHEDULE.**

Contract can be modified with language to specify mowing times.

Contract can be renegotiated.

**THE PLAN AND ANY AMENDMENTS TO IT ARE SUBJECT TO APPROVAL BY MDC (DCR) AND TOWN OF HUBBARDSTON.**

According to Caroline Raisler, Watershed Preservation Restriction Coordinator, Division of Water Supply Protection, Massachusetts Department of Conservation and Recreation

- "the Conservation Restriction itself would not need to be changed, just the hay management plan. A revised hay management plan would need to be reviewed by our committee, but I don't think our committee would have any objections to changing the mowing schedule to accommodate grassland birds."

**THE PROPERTY RECEIVED FUNDING FROM ONE OF THE DIVISION OF CONSERVATION SERVICES GRANT PROGRAMS, (SELF-HELP, NOW CALLED LAND) AND IS COVERED UNDER THE PROGRAM REQUIREMENTS, WHICH INCLUDES MANAGEMENT OF THE PROPERTY IN SUCH A WAY AS TO PRESERVE THE VALUES FOR WHICH IT WAS ACQUIRED.**

The land was acquired for open space and recreational values, which should be supported. Agricultural use should not have priority over other community open space needs.

According to Celia Riechel of the Executive Office of Energy and Environmental Affairs, ". . . towns do often have considerable latitude in determining what specific management and recreational activities may take place." I spoke to her by telephone and asked about changing the hay management plan to accommodate nesting birds. She said that **balanced use** of properties obtained with Self-Help/LAND grants was important and that **agricultural uses do not preclude wildlife interests**. To her it seemed "a reasonable trade-off" to continue to allow haying with a delayed cutting date. She noted also that it is important for ConComm/OSC to allow **for regular public input** regarding the use of the property.

**THE PROPOSED CHANGE FITS WITH COMMONLY-ACCEPTED DEFINITIONS OF OPEN SPACE**

**One general definition:**

Any land area in which the preservation in its present use would:

- ❖ Protect streams or water supply
- ❖ Promote conservation of soils, wetlands, beaches or tidal marshes
- ❖ Enhance the value to the public of abutting or neighboring parks, forest, wildlife preserves, nature reservations or sanctuaries or other open space
- ❖ Enhance recreation opportunities
- ❖ Conserve and enhance natural or scenic resources
- ❖ Preserve historic sites

- ❖ Preserve visual quality along highway, road, and street corridor or scenic vistas; or
- ❖ Retain in its natural state tracts of land not less than one acre situated in an urban area and open public use on such conditions as may be reasonably required by the granting authority.