

PROJECT APPLICATION FORM – 2020

Applicant: Buzzards Bay Coalition

Submission Date: November 1, 2019

Applicant's Address, Phone Number and Email

Purpose: (Please select all that apply)

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Open Space

Community Housing

Historic Preservation

Recreation

Town Committee (if applicable):

Project Name: Fort Phoenix & Boys Creek Marshes Conservation Project

Project Location/Address: Doane Street & Abbey Street/Washburn Avenue

Amount Requested: \$ 15,000

Project Summary: In the space below, provide a brief summary of the project.

The *Fort Phoenix and Boys Creek Marshes Conservation Project* is an opportunity to leverage a minimal Town investment and expand the state park at Ft. Phoenix and protect saltmarsh along Boys Creek in the Priests Cove watershed. The project involves the fee purchase of forested uplands and wetlands along Doane Street and wetlands, principally saltmarsh, off the ends of Abbey Street and Washburn Avenue thereby enabling the expansion of the state park and filling a gap in the assemblage of protected land along the western side of Boys Creek. Upon completion, the project will protect the scenic vistas at Boys Creek, preserve critical wetland wildlife habitats and increase the publicly accessible land at one of the region's most popular state parks.

Estimated Date for Commencement of Project: Spring 2020

Estimated Date for Completion of Project: Spring 2020

Project Narrative

The *Fort Phoenix and Boys Creek Marshes Conservation Project* is an important chance to add 3 and a half acres to the northern edge of the state park at Fort Phoenix and acquire/protect 6 acres of saltmarsh and some upland associated with Boys Creek. The project involves the fee purchase of forested uplands and wetlands along Doane Street and wetlands, principally saltmarsh, off the ends of Abbey Street and Washburn Avenue thereby enabling the expansion of the state park and filling a gap in the assemblage of protected land along the western side of Boys Creek. Upon completion, the project will protect the scenic vistas at Boys Creek, preserve critical wetland wildlife habitats and increase the publicly accessible land at Ft. Phoenix State Reservation, one of the town's crown jewels of conservation and recreation land. Buzzards Bay Coalition (BBC) has the project lands under agreement and will partner with the state Department of Conservation and Recreation (DCR). BBC will assign the Doane Street component to DCR for a direct purchase and will pre-acquire the Boys Creek component in anticipation of transferring it to the Town Conservation Commission (Con Comm). BBC would be willing to hold a conservation restriction on the saltmarsh to ensure its status as conservation land.

The benefits of protecting this land permanently as open space include:

- Protection of ecologically significant coastal wetlands
- Protection of water quality in Priests Cove and Buzzards Bay beyond
- Maintains fish and wildlife habitat including Mass NHESP designated Rare Species Priority Habitat and Critical Natural Landscape
- Supports the scenic beauty, coastal views and open space character around Boys Creek
- Adds to the growing assemblage of conservation land in the wetlands complex associated with Boys and Girls Creeks
- Adds buffering forest to the popular Ft. Phoenix state park while removing the potential for development in a vulnerable location
- Increases opportunities for passive outdoor recreation

This is a tremendous opportunity to add land to Ft. Phoenix and also protect saltmarsh with high natural resource values. A variety of plans call for the protection of lands including these; the Town's Community Preservation Plan, Open Space and Recreation Plan and the Master Plan, because of their vulnerability to development and their protection creates such a wide variety of benefits. With DCR's involvement, the Town's CPA investment will be leverage significant state money and result in a successful result.

Project Description

The project property is currently owned by Eversource and has been under discussion for many years. The Ft. Phoenix component is woodlands and runs along the south

side of Doane Street backing up to the existing boundary of the state park north of the beach. BBC does not want to see any development occur on the property as land use conversion would impact the state park. BBC was able to secure an agreement with Eversource for the acquisition of the property based on appraised value. Eversource included the Boys Creek component because it was viewed as accessory land better suited as conservation land. As part of the agreement, Eversource would grant an easement to the Town over the Doane Street component to address drainage needs and Eversource would retain an easement over a portion of the Boys Creek Component for utility infrastructure needs. DCR would own add the Doane Street component to its existing ownership at Ft. Phoenix and ownership of the Boys Creek component would ultimately be in the care, custody and control of the Con Comm with BBC holding the conservation restriction over it permanently protecting the conservation values while allowing passive recreation as appropriate.

The Purchase and Sale Agreement with Eversource is for \$293,000 (the appraised value). Closing is expected in 2020. DCR has agreed to acquire the Doane Street component for \$285,000 and is currently performing its due diligence and regulatory procedures in anticipation of acquisition. The requested CPA funds would be directed to BBC for the pre-acquisition cost of the Boys Creek component (\$8,000) and project costs (\$7,000) including appraisal, environmental assessment, legal fees and closing costs.

While discussions between the Town, Eversource and BBC have taken place in past years, BBC has recently discussed the project with the Town Administrator, Planner and Conservation Agent and will brief the Conservation Commission in the near future. The requested CPA funds will complete the fundraising need, are critical to its success and will leverage significant outside (DCR) funding for the protection of almost 10 acres, completing a long-term goal for the town.

Community Preservation Benefits

The *Fort Phoenix and Boys Creek Marshes Conservation Project* supports several listed goals in the Town's most recent Open Space and Recreation Plan (OSRP). It calls to, among other goals, "set aside more land for conservation [and] open space", "preserve/protect forests/woodlands, habitat and native inland and coastal vegetative communities", "provide quality, life-long recreational opportunities for all citizens" and "increase awareness and stewardship of our conservation, recreation and open space assets". A successful conclusion to this project would help reach each of those stated goals.

The 2020 Town of Fairhaven Community Preservation Plan (CPP) provides a number of open space preservation goals that the Town seeks to support through the use of monies awarded by the Community Preservation Committee (CPC). Many of those goals are supported by the project as highlighted below. (References to CPP goals are in **bold**.)

- Success with the project would result in **prevent[ing] development in an inappropriate (e.g. coastal) area** of Fairhaven.
- This project would preserve the Town's **existing character** through **protecting inland and coastal wetlands and wildlife habitat** which **lessens coastal property impact** and helps **maintain water quality** in the Priests Cove watershed.
- By working with BBC and DCR, the Town **works with conservation partners** to acquire lands that are **significant to state recognized Critical Natural Landscapes**, Priority Habitat and **climate change resilient land**.

The project is clearly consistent with the goals of the CPP. As outlined in the plan, a proposed project should benefit the **community character** which this one does by **preserving open space and recreational opportunities**; all of which are **consistent** with the **Town's Open Space and Recreational Plan**. In addition, the project addresses **community needs** by **expanding passive public recreational opportunities** and **benefiting Town residents**. The project provides positive **fiscal impact** in that it will leverage other sources of funding, keeping the **financial impact on taxpayers at a minimum**.

The project supports the Town's CPP, OSRP and Master Plan in a variety of ways. The project as proposed offers great value as CPA funds will be significantly leveraged with other sources of funds. This project offers the opportunity to add forest to Ft. Phoenix thereby buffering it from existing residential land use and enables protection of saltmarsh and its critical habitat and natural resource values.

Site Control

BBC currently has the property under a Purchase and Sale contract and a copy of the contract is attached.

Project Scope/Cost Estimate

The proposed project involves the acquisition of forested uplands abutting Fort Phoenix on Doane Street and saltmarsh on Boys Creek off Washburn Avenue to expand the State Reservation and protect Boys Creek and its critical habitats. We respectfully request \$15,000 in Community Preservation funds to be applied toward the overall project and which leverage funds from the State Department of Conservation and Recreation.

The cost estimate is as follows:

| <u>Item</u> | <u>Expense</u> | <u>Income</u> |
|-------------------------------------|----------------|-------------------|
| Purchase Price | \$ 293,000 | |
| Projects Costs | \$ 7,000 | |
| Community Preservation Funds | | \$ 15,000 |
| State DCR | _____ | <u>\$ 285,000</u> |
| TOTALS | \$ 300,000 | \$ 300,000 |

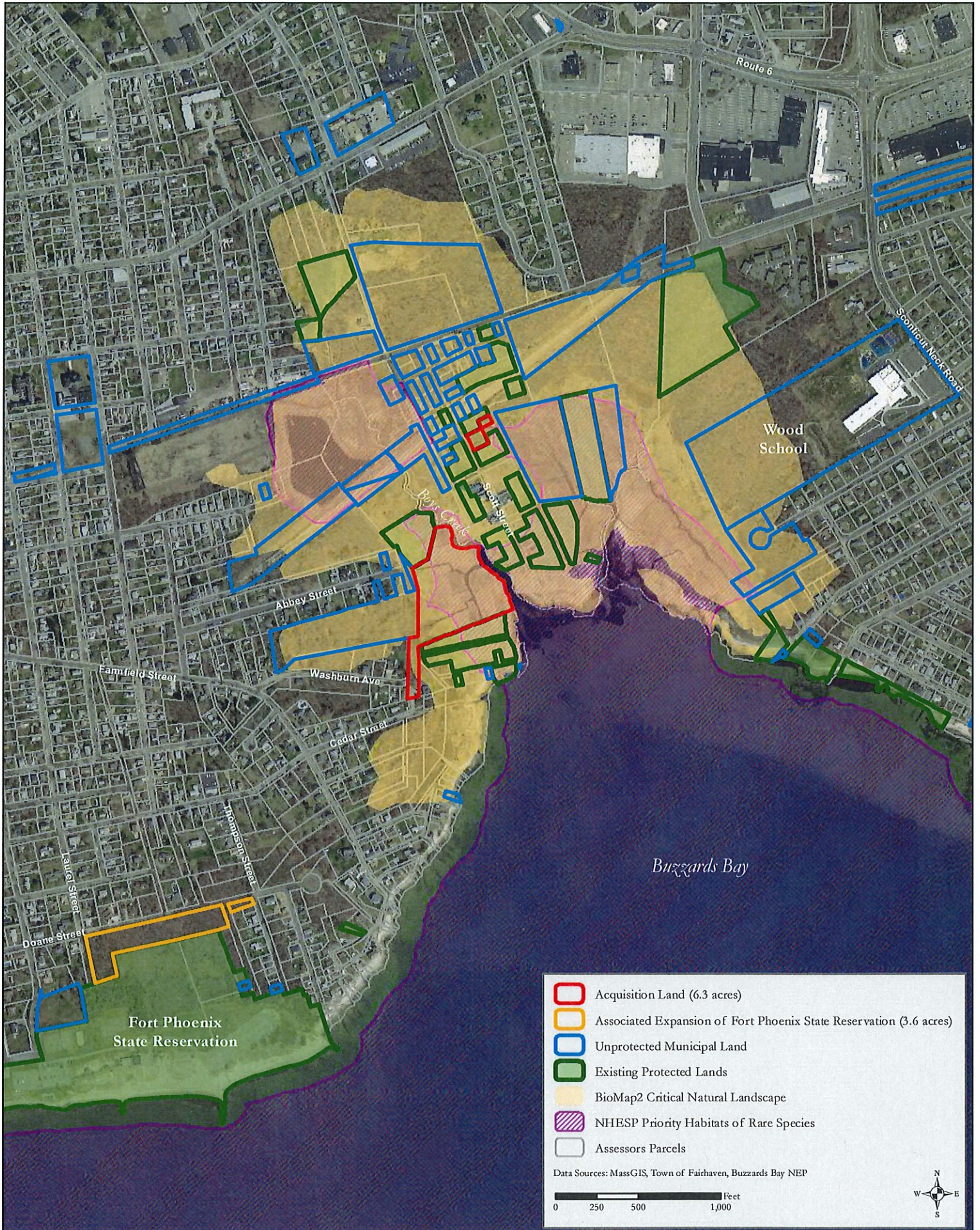
Attachments

- Project Maps
- Copy of Purchase and Sale Agreement
- Copy of Appraisal

Fort Phoenix and Boys Creek Marshes - Locus



Fort Phoenix and Boys Creek Marshes - Natural Heritage & Endangered Species Program Data



Fort Phoenix and Boys Creek Marshes - Water Resources



Fort Phoenix and Boys Creek Marshes Resilient Coastal Sites for Conservation - Tidal Complex Migration Space

