



Commonwealth of Massachusetts

Division of Fisheries & Wildlife

Wayne F. MacCallum, *Director*

November 17, 2005

Dear Environmental Professional:

I am writing to inform you about important changes to the Massachusetts Endangered Species Act Regulations (321 CMR 10.00) (MESA) that took effect July 1, 2005. These changes provide a clearer, faster review process for project proponents, without weakening rare species protections.

Under MESA, the Natural Heritage & Endangered Species Program (NHESP) of the Massachusetts Division of Fisheries and Wildlife reviews projects and activities for impacts to state-listed rare species and their habitats when these projects and activities occur within Priority Habitat. The NHESP has mapped Priority Habitats of Rare Species throughout Massachusetts, and published the maps online and in the *Massachusetts Natural Heritage Atlas* (see www.mass.gov/dfwele/dfw/nhesp/nhregmap.htm). Project proponents must file project plans with the NHESP for proposed work within Priority Habitat (some exemptions may apply, see www.nhesp.org). This direct filing with the NHESP is required whether or not a project occurs within wetlands and whether or not a Notice of Intent is required.

We need your help to successfully implement the revised MESA review process. As environmental professionals you are in a unique position to insure that project proponents file with the NHESP as required under MESA. By assuring MESA compliance and working to address rare species permitting issues early in the project design process you will help project proponents avoid costly delays and the potential for criminal and civil penalties that could arise from a failure to comply with MESA, e.g. having construction destroy known endangered species habitat.

We are very excited about the new streamlined MESA review process. The regulatory changes that we have implemented are benefiting developers and other project proponents who are experiencing a clearer process and improved service as their projects are reviewed. The MESA changes are also benefiting rare species by assuring consistent review of projects within Priority Habitat. I am attaching a fact sheet that provides additional information about the revised MESA regulations. Please distribute and photocopy this fact sheet. I hope that you will help us to publicize the new changes to MESA. If you have any questions, please feel free to contact us at (508) 792-7270, ext. 154. Thank you.

Sincerely,

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Division of Fisheries and Wildlife

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