



MASSWILDLIFE

DIVISION OF FISHERIES & WILDLIFE

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MASS.GOV/MASSWILDLIFE

December 11, 2025

John Pettis
City of Haverhill
City Hall, 4 Summer Street, Room 300
Haverhill, Massachusetts 01830

Haverhill Conservation Commission
City Hall Room 210
4 Summer St
Haverhill, MA 01830

RE: Applicant: John Pettis, City of Haverhill
 Project Location: Brandy Brow Road over East Meadow River
 Project Description: Culvert replacement
 DEP Wetlands File No.: 033-1591

NHESP File No.: 25-19975

Heritage Hub Form ID: RC-96679

Dear Commissioners and Applicant:

The Natural Heritage & Endangered Species Program of the Massachusetts Division of Fisheries & Wildlife (the "Division") received a Notice of Intent with site plans (dated 11/6/25) in compliance with the rare wildlife species section of the Massachusetts Wetlands Protection Act Regulations (310 CMR 10.58(4)(b), 10.59). The Division also received the MESA Review Checklist and supporting documentation for review pursuant to the MA Endangered Species Act Regulations (321 CMR 10.18).

PROJECT DESCRIPTION (the "Project")

The project, as currently proposed, includes the replacement of the Brandy Brow Road Culvert over the East Meadow River in Haverhill, as shown on the Project Plan.

STATE-LISTED SPECIES

The Project as currently proposed will occur within Priority Habitat of the following state-listed species:

<u>Scientific Name</u>	<u>Common Name</u>	<u>Taxonomic Group</u>	<u>State Status</u>
<i>Emydoidea blandingii</i>	Blanding's Turtle	Reptile	Threatened

This species and their habitats are protected in accordance with the rare species provisions of the WPA and the MESA.

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Wetlands Protection Act (WPA)

Based on a review of the information that was provided and the information that is currently contained in our database, the Division has determined that this project, as currently proposed, **will not adversely affect** the actual Resource Area Habitat of state-protected rare wildlife species. Therefore, it is our opinion that this project meets the state-listed species performance standard for the issuance of an Order of Conditions.

Please note that this determination addresses only the matter of rare wildlife habitat and does not pertain to other wildlife habitat issues that may be pertinent to the proposed project.

Massachusetts Endangered Species Act (MESA)

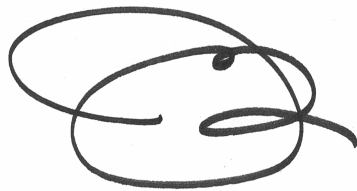
The MESA is administered by the Division, and prohibits the Take of state-listed species. The Take of state-listed species is defined as “in reference to animals...harm...kill...disrupt the nesting, breeding, feeding or migratory activity...and in reference to plants...collect, pick, kill, transplant, cut or process...Disruption of nesting, breeding, feeding, or migratory activity may result from, but is not limited to, the modification, degradation, or destruction of Habitat” of state-listed species (321 CMR 10.02).

Based on the information provided and the information contained in our database, the Division finds that this project, as currently proposed, **must be conditioned to avoid a prohibited Take of state-listed species (321 CMR 10.18(2)(a)). To avoid a prohibited Take of state-listed species, the conditions attached to this letter must be met.**

Provided the attached conditions are fully implemented and there are no changes to the project plans, this project will not result in a Take of state-listed species. We note that all work is subject to the anti-segmentation provisions (321 CMR 10.16) of the MESA. This determination is a final decision of the Division of Fisheries and Wildlife pursuant to 321 CMR 10.18. Any changes to the proposed project or any additional work beyond that shown on the site plans may require an additional filing with the Division pursuant to the MESA. This project may be subject to further review if no physical work is commenced within five years from the date of issuance of this determination, or if there is a change to the project.

Please note that this determination addresses only the matter of state-listed species and their habitats. If you have any questions regarding this letter please contact Tim McGuire, Endangered Species Review Biologist, at timothy.mcguire2@mass.gov, (508) 389-6366.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jesse Leddick', with a stylized, looping flourish.

Jesse Leddick
Assistant Director

cc:

Attachment: List of Conditions

List of Conditions

Applicant: John Pettis, City of Haverhill
Project Location: Brandy Brow Road over East Meadow River
Project Description: Culvert replacement
NHESP File No.: 25-19975
Heritage Hub Form ID: RC-96679
Approved Plan: Replacement of Brandy Brow Road Culvert Over East Meadow River in the City of Haverhill Essex County Commonwealth of Massachusetts
Plan date: 11/6/25

To avoid a prohibited Take of state-listed species, the following condition(s) must be met:

1. **Turtle Protection Plan:** Prior to the start of work (including vegetation clearing or soil disturbance), the Applicant shall submit a Blanding's Turtle Protection Plan to the Division for review and written approval. Said Plan shall detail procedures for protecting state-listed turtles during construction, and be prepared and implemented by a qualified, Division-approved wildlife biologist. The Division is available for consultation on Plan development and can provide contact information for qualified biologists. The Division-approved Plan shall be implemented as written; any proposed changes to the Plan must be submitted to the Division for review and written approval prior to implementation of said changes. By December 31st of any year in which work occurs, the qualified biologist shall submit: a) a summary report to the Division detailing project status and compliance with the Plan; and b) any observations of state-listed turtles at <https://www.mass.gov/how-to/report-rare-species-vernal-pool-observations>.