

February 2016 Meeting Summary
Conference Call convened by USFWS and MassWildlife
February 1, 2016

Draft Call Summary

The U.S. Fish and Wildlife Service (FWS) and Massachusetts Division of Fisheries and Wildlife (MassWildlife) convened a conference call for beach managers and members of the Working Group of municipalities, land managers, and affected stakeholder groups participating in the development of the statewide Habitat Conservation Plan for Piping Plover. The purpose of the call was for the FWS to update stakeholders on the status of the draft HCP and EA and for MassWildlife to discuss coordinating submissions of Certificates of Inclusion (COI) for individual towns/beach operators that would be issued by MassWildlife under the HCP.

Regarding the USFWS process, the following was noted.

- The public comment period is open and scheduled to close on February 22nd for both the MA Habitat Conservation Plan (HCP) and the accompanying draft FWS Environmental Assessment (EA). Please note: on the call, USFWS initially stated the comment period closes on February 19th.
- There are several documents that will need to be produced after the public comment including: 1) a final EA and final HCP including responses to comments on the two documents; 2) a findings document; 3) a response to the EA, be that a Finding of No Significant Impact (FONSI) or a call for a full environmental impact statement (EIS); and, 4) a Biological Opinion.
- There have been requests for extending the public comment by a number of weeks. The USFWS will determine soon whether to grant such a request, and if so, for how long.
- Beach managers noted the following media coverage and/or public response they have experienced to date.
 - Some public may believe that there will be no or little fencing after this HCP is approved, which is not likely true.
 - The media and public need to understand that the changes will be very site specific and limited.
 - Some public believe from the *Globe* story that nests will be moved, maybe frequently, though this is a measure of last resort.
 - It was noted that FWS/MassWildlife may want to reach out to key reporters/outlets to provide understanding and clarification and might also create a Frequently Asked Questions (FAQs) fact sheet.

Regarding the MassWildlife process, the following was noted.

- Applicants for a Certificate of Inclusion (COI) would need to have a draft in by March 21.
- MassWildlife will follow this call with a guidance document for COI applicants (completed).
- MassWildlife noted that the COI would need to include: 1) a site description; 2) key personnel and qualifications; 3) a impact avoidance and minimization plan (IAMP); and; 4) a mitigation plan.
- Submittal of the application will be for both the COI under the Incidental Take Permit, should one be granted, and for the Massachusetts Endangered Species Act (MESA).
- MassWildlife noted that the IAMP will need to include current activities to meet the FWS guidelines for plover recovery, any specific actions currently undertaken such as beach raking and pet control, and current monitoring. Since least terns are a state-listed species, they will need to be accounted for as well if proposed activities will impact them. Covered activities will include the activities seeking coverage, the amount of take requested, broods exposed, and a compliance monitoring plan
- The following questions were raised with answers from MassWildlife in *italics*.
 - If we have three separate beaches we manage, can we submit one application?
Yes, though we may end up granting three COIs, depending.
 - What will you do to ensure that applicants have up-to-date wetlands plans.
Applications will have to show they are in compliance with applicable MA and federal environmental rules and regulations including having a valid Order of Conditions.

Next steps include:

- MassWildlife will distribute a summary of the COI process via the email list (complete).
- FWS will notify all as soon as they determine if and until when they will extend the public comment.
- Another call will be held in approximately 1 month.