

Town of West Springfield

Municipal Office Building
26 Central Street, Suite 23
West Springfield, MA 01089



(413) 263-3041
mayor@tows.org
townofwestspringfield.org

William C. Reichelt
Mayor

20 July 2020

Brian J. Griffin
Town Council
26 Central Street, Suite 16
West Springfield, MA 01089

Re: Bear Hole Conservation Restriction

Dear President Griffin:

We share a common vision that Bear Hole is a special asset to the community of West Springfield and that it should be protected forever. To that end, we have been working together to find the best solution to meet that objective. Through the hard work of Councilors Kelly, Eger and O'Brien, I believe we have created a draft conservation restriction ("CR") which is now tailored to best serve the needs of the Town and ensure the protection of Bear Hole for generations to come.

The remaining question for the Council to decide is who would be the best steward to ensure the perpetual protection of the property and be the best partner to work with to accomplish the agreed upon purposes set out in the more tailored CR. On one hand, we have a proposal from the Massachusetts Audubon Society, Inc. ("Mass Audubon") and the Massachusetts Department of Conservation and Recreation ("DCR") to hold a CR to protect in perpetuity this treasured natural asset. These entities have made a joint offer of \$1 million to purchase the CR from the Town, plus an additional \$50,000 raised independently by Massachusetts Audubon to begin a stewardship fund for the land. I believe that this option is in the community's best interest and is the only viable option to ensure the protection of Bear Hole forever.

An alternative proposal put forward is to have a local organization, the West Springfield Friends of Parks and Recreation ("FOPAR") hold the CR. FOPAR has been an invaluable partner to the Town supporting activities that enhance Mittineague Park and our ball fields. The leadership of FOPAR unwaveringly has been available to help when asked. As it has done in this case when approached by members of the Council, FOPAR constantly and consistently steps up to the plate when asked by the Town to assist with almost any endeavor. The past work of FOPAR has typically involved physical

improvements to the Park and recreation facilities, raising funds for equipment and generally supporting the Park and Recreation Department in its work.

Holding a CR is a very different role than the activities in which FOPAR has traditionally participated. Although FOPAR is a holder of a historic restriction on the Carnegie Wing of the Library, this is not the same as holding a CR for land protection. Most holders of CRs follow standards set out by the national Land Trust Alliance (“LTA”). These standards and practices require organizations to meet certain criteria and to have the financial capacity to hold and manage a CR. Some of the standards include raising sufficient funds to enforce the provisions of the CR, financial controls for tracking expenses for enforcement and monitoring costs, creating a baseline report and annual monitoring reports, and having written policies and procedures in place.

To my knowledge, FOPAR does not have accreditation from LTA nor do they have a budget for a baseline report or ongoing monitoring. The only way for FOPAR to have such funds would be for the Town to appropriate funds to them for these purposes. In comparison, Mass Audubon has held LTA’s accreditation for over 20 years. Mass Audubon and DCR have been working with the Town to develop an effective conservation restriction option for almost a decade. Over the past six months, several representatives from both organizations have devoted countless hours in support of their offer, often on nights and weekends, to provide resolutions to concerns that were raised by the Council and residents. Through all of this work, Mass Audubon and DCR have consistently demonstrated that they are here to be partners of the Town and to work with the Town to achieve solutions that both meet the end goal of protecting Bear Hole, while respecting the input and desires of the Town when it comes to the use of Bear Hole as an asset. In addition to the nearly \$100,000 they have earmarked internally for the costs related to this project, such as a full survey, baseline report and ongoing monitoring, Mass Audubon and DCR also bring to the table significant staff experience and expertise, which will be invaluable resources to the Town.

A CR represents only one part of the future for Bear Hole. Bear Hole is land that will continue to be owned and managed by the Town, in accordance with the Town’s management plan. I believe that FOPAR would be helpful to the Town in assisting with management of Bear Hole and implementing improvements to the property, which is aligned with the role that FOPAR has played in assisting the Park Department in its management of Mittineague Park and other recreation facilities in Town.

Mass Audubon has been in existence for over 100 years. Mass Audubon holds 120 CRs over 6,000 acres in Massachusetts in addition to its own 30,000 acres of land. DCR is a state agency that has been in existence for over 120 years. DCR holds over 450 restrictions on over 42,000 acres of land statewide in addition to its own land holdings. These are two organizations that have a long and extensive track record of holding conservation restrictions and managing or assisting with land protection endeavors.

Finally, from a sheer financial perspective, it would be difficult to justify the selection of FOPAR to hold the CR over Mass Audubon and DCR as an economically responsible

Brian J. Griffin

20 July 2020

Page 3

decision. Mass Audubon and DCR have offered the Town \$1 million in exchange for the CR, a significant land interest of the Town. FOPAR has not made a financial offer and granting the CR to them would result in the Town Council giving away for free a land interest that runs contrary to the public procurement laws of the Commonwealth.

Thank you in advance for your consideration. I am confident that the Town Council will take its role in this important decision very seriously and make the choice that is in the best interests of the Town.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Reichelt", with a horizontal line extending from the end of the signature.

William C. Reichelt

Mayor

cc: Town Council
Susan Pettazzoni, Clerk of the Council
Mark Noonan, Natural Resource Planner
Kate O'Brien, Town Attorney
Victoria Connor, Park and Recreation Director