

**KESTREL  
LAND TRUST**



## **Frequently Asked Questions (FAQ) About the Conservation Restriction on 3,486 acres On and around Brushy Mountain in the Towns of Leverett and Shutesbury**

The Massachusetts Department of Fish and Game (DFG), with the support of Kestrel Land Trust and Franklin Land Trust, purchased from W. D. Cowls, Inc., a Conservation Restriction on 3,486 acres on and nearby Brushy Mountain to provide landscape-level biodiversity and wildlife habitat protection, to guarantee public access for hiking, hunting and fishing, and to promote sustainable forest management of the property. Cowls will continue to own and commercially manage its property, but the CR prohibits residential and commercial development in perpetuity.

The 5.4 square mile area covered under the CR encompasses almost all of Brushy Mountain and includes additional nearby parcels. This project represents the largest Conservation Restriction on private land in the Commonwealth's history.

### **Why is there a Conservation Restriction on Brushy Mountain and surrounding parcels?**

The greater Brushy Mountain parcel is unique for Massachusetts because it is a large block of contiguous, unfragmented interior forest in a densely populated state. According to the Massachusetts Natural Heritage and Endangered Species Program (NHESP) this mountain represent a sizeable and representative portion of the region's biodiversity, which if conserved will allow natural processes to continue.

Brushy Mountain is located between several state-important reserves, including Mount Toby, the Quabbin Reservoir, and Montague Plains, which together provide a critical core and corridor for wildlife living and moving through these protected areas and larger forested regions. Many wildlife species, including wide ranging mammals such as black bear, moose, and bobcat, as well as forest birds such as scarlet tanager, blackburnian warbler, and Canada warbler, require large, intact forest to thrive.

### **Who owns Brushy Mountain?**

W.D. Cowls, Inc., Land Company has acquired and managed the 3,486 acres covered by this Conservation Restriction over the past 125 years. The conserved woodland will continue to be held in private ownership by Cowls.

### **Will Logging Continue?**

The woodlands will continue to be owned and managed for timber production by Cowls. The CR will promote sustainable forestry practices by stipulating that logging must be done following the guidelines of a state approved Forest Stewardship Plan. Like Agricultural Preservation Restrictions (APRs) that

conserve thousands of acres of prime farmland in the Pioneer Valley, this Conservation Restriction allows for and encourages the sustainable harvest of forest products.

**Is the public allowed to go on the property?**

Yes. Public access will be guaranteed for hiking, cross-country skiing, hunting, and fishing. Snowmobiling will be permitted in season on designated trails. However, other recreational motorized vehicle use, including ATVs and jeeps, are prohibited under the terms of the CR. The public will be allowed on the property one hour before dawn and until an hour after dark.

**Can the public go on the property when active forestry is taking place?**

Some areas may be temporarily closed off to the public during forestry operations. The owner retains the right to use motorized vehicles for forestry operations.

**How will I know where the boundaries are? Are there maps available?**

An overview map of the property is attached, and signs identifying the property location will be posted at major entry points on Montague Road, Number 6 Road, Dudleyville Road, and Rattlesnake Gutter Road. As always, the public is welcome to walk on Cowls' logging roads, or come prepared to navigate through the woods off roads for hunting or fishing. Maps of Cowls' interior logging roads may not be printed or distributed without written permission of W.D. Cowls, Inc., and trails, other than existing snowmobile routes on logging roads, will not be named, cut, maintained, or marked.

**Where Did Funding Come From to Purchase this CR?**

Kestrel Land Trust and Franklin Land Trust secured \$5 million toward the purchase of the CR through the United States Department of Agriculture (USDA) Forest Service's Forest Legacy Program. The land trusts also secured \$839,600 from two Open Space Institute funds, the Western Massachusetts Land Protection Fund and Saving New England's Wildlife, which was made possible with a generous grant from the Doris Duke Charitable Foundation. In addition to the Forest Legacy and OSI grant funds, DFG and the land trusts were awarded a \$1,000,000 grant from the Executive Office of Energy and Environmental Affairs Landscape Partnership Grant Program for this acquisition. DFG also invested \$1,460,400 from the Commonwealth's open space bond authorization, and an additional \$500,000 in DFW Land Stamp funds from the sale of fishing and hunting licenses.

**How was the price of the CR determined?**

The value of a CR is determined by a third-party appraiser, who estimates the fair market value of the property minus the value of the protected woodland, which the landowner will retain. The appraised value of this CR was appraised at \$2,524/acre, which at 3,486 acres, brings the total value to \$8.8 Million.

**Does the owner pay taxes now that it is protected?**

Yes. The land will remain under the Chapter 61 tax status, and the landowner will continue to pay taxes at the same rate.