

<http://www.mass.gov/dcr/stewardship/acec/nominate.htm>

Why are ACECs nominated?

Although the designation of an Area of Critical Environmental Concern (ACEC) is a state decision, the nomination and ultimate stewardship of the area is firmly based in local and regional goals and community commitment. An ACEC designation gives communities an important tool to preserve and manage areas they identify as having natural and cultural resources of regional or statewide significance. These environmental resources are an essential part of the history and character of a community and help provide the basis for its continued sustainability. If these unique areas are nominated and designated as ACECs, communities can receive additional support and assistance through state environmental reviews of development projects, stricter state regulations for wetlands and waterways protection, technical assistance from ACEC Program staff, and grants or other proactive ways to protect and manage their resources.

The nomination and designation process highlights the environmental significance of an ecosystem and its resources, calls attention to the need for collaboration and stewardship, and helps create a planning and management framework to achieve these goals. Nominators have decided that an ACEC designation can be a constructive part of their long-term efforts to preserve these resources and their community. They are prepared to commit long hours over months of time to prepare a nomination and shepherd it through a sometimes arduous public review process, and to follow-up this process by establishing a stewardship group to meet the goals and objectives of long-term resource management.

How do you nominate an ACEC?

People interested in preparing a nomination should first consult ACEC Program staff from the Department of Conservation and Recreation (DCR). DCR administers the ACEC Program on behalf of the Secretary of Energy and Environmental Affairs. ACEC staff will provide information and general guidance during the early nomination stages. Prior to the completion and submission of a formal nomination to the Secretary, ACEC staff will attend local meetings and site visits, provide guidance as to the eligibility of an area and the completeness of the nomination document being prepared, and answer questions about the nomination process and the purpose and effects of ACEC designation. An ACEC nomination is usually prepared by citizens and communities and involves extensive public input and discussion even during these early stages. A potential area must meet certain eligibility requirements and the nomination must undergo a formal public review conducted by DCR on behalf of the Secretary. If the nomination is ultimately successful, the ACEC is designated by the Secretary of Energy and

Environmental Affairs according to the established criteria described below.

Who may nominate an area for ACEC designation?

Any 10 citizens of the Commonwealth of Massachusetts, board of selectmen, city council, mayor, planning board, conservation commission, state agency, regional planning agency, the Governor, or any member of the legislature may make a nomination by submitting a document with detailed resource and boundary information to the Secretary of Energy and Environmental Affairs.

What must be included in an ACEC nomination?

- As further described below, detailed information about the area's resource features, ecological relationships, and their regional or statewide significance must be provided.
- A suggested boundary that clearly delineates the area needed to protect and preserve the resources must be drawn on a USGS topological map. If roads or other features used to delineate the proposed boundary do not appear on the USGS map, additional maps (e.g., copies of tax assessors' maps) must also be included.
- The nomination must include a detailed written description of the proposed boundary (see below). In addition, a written explanation must be provided that describes how the proposed boundary is based upon the resources and ecology of the nominated area.
- Potential benefits of ACEC designation, goals and objectives for stewardship, and strategies for public education and outreach efforts regarding the nomination should also be described.

What features must an area contain to be eligible for an ACEC nomination?

An ACEC must contain at least four of the following eleven features in an ecosystem of regional or statewide significance:

- **Fishery Habitat** – anadromous/catadromous fish run, fish spawning area, fish nursery area, or shellfish bed
- **Coastal Features** – barrier beach system, beach, rocky intertidal shore, or dune
- **Estuarine Wetlands** – embayment, estuary, salt pond, salt marsh, or beach

- **Inland Wetlands** – freshwater wetland, marsh, wet meadow, swamp, or vernal pool
- **Inland Surface Waters** – lake, pond, river, stream, creek, or oxbow
- **Water Supply Areas** – surface water reservoir, reservoir watershed, groundwater aquifer, or aquifer recharge area
- **Natural Hazard Areas** – floodplain, erosion area, or unstable geologic area
- **Agricultural Areas** – land of agricultural productivity, forestry land, or aquaculture site
- **Historical/Archaeological Resources** – buildings, site, or district of historical, archaeological, or paleontological significance
- **Habitat Resources** – habitat for threatened or endangered plant or animal species, habitat for species of special concern, or other significant wildlife habitat
- **Special Use Areas** – undeveloped or natural area, public recreational area, or significant scenic site.

Nominators summarize as much information about these resources as is available from existing sources, including municipal reports, academic research, local bird and plant lists, as well as state or federal information such as rare species and vernal pool inventories, shellfish surveys, water quality reports, or other environmental assessments. Resources can be described separately, but clear information should also be presented about their ecological relationships. The regional or statewide significance of these resources needs to be substantiated.

What guidelines should be used to propose a boundary for a nominated area?

The minimum area necessary to protect and preserve the critical resources should be included in the ACEC boundary. For example, if a wetland is part of the critical resource area, then adjacent uplands necessary to preserve the wetland should be included in the nominated area. The proposed boundary must be justified and described based on both the resource features in the area and how the boundary will help protect those resources. A proposed boundary should also be easily recognized by the general public and local and state regulatory agencies working in the area. Roads or other rights-of-way are easily understood as identifiable boundaries (e.g., “the proposed boundary follows X road in a northerly direction to the intersection of X road and Y road; the boundary then follows Y road in a westerly direction ...”). Nominators should realize that the boundary represents a suggested

delineation of the proposed ACEC and can be altered by the Secretary if a different boundary configuration would provide more effective or consistent protection for the resources of the area.

What criteria does the Secretary use in reviewing a nomination?

A nomination is reviewed for the quality and uniqueness of the natural resources, regional or statewide significance of those features, threats posed to the resources, economic benefits, and stewardship commitments identified by the nominators and local community. Nominators should describe not only how these criteria are met, but also the public education and outreach efforts taken during the nomination process including public meetings, notices to local landowners, and press releases. Commitments to stewardship should include management goals and objectives and proposals for local and regional actions for implementation. Other supporting documents may be included, such as excerpts from professional reports and letters of support and commitment from municipal or regional agencies, environmental organizations, resource professionals, or public advocates.

What steps are involved in a formal nomination and designation procedure?

Once an ACEC nomination is formally submitted to the Secretary of Energy and Environmental Affairs, the following steps are taken:

- 1) On behalf of the Secretary, DCR conducts an **initial review** of the nomination. The Secretary may request additional information, decline to review the nomination, or accept it or full public review.
- 2) Upon acceptance, DCR proceeds with a **full review** of the nomination. This process includes coordinating with nominators to hold public information meetings, gathering additional environmental information, and receiving public comment. The nomination review culminates in a public hearing.
- 3) The **Secretary's decision** whether to designate the nominated area is made within 60 days of the public hearing. The decision is published in the EOEEA Environmental Monitor, and is further explained and discussed at a public meeting.

The preparation of a nomination may take a year or more, while the formal review process usually takes about six months. In addition to gathering and synthesizing the natural and cultural resource and mapping information required, nominators are strongly encouraged to carry out community outreach and education about the nomination and the proposed goals of

long-term resource management. Landowners and residents, municipal boards, commissions, and departments, and community and environmental organizations should be included in this outreach. The successful stewardship of an ACEC is a long-term commitment that cannot be sustained without strong community understanding and support in cooperation with regional and state agencies and other partners.

These guidelines are a summary of the minimum requirements for the nomination, review, and designation of ACECs described in the ACEC Regulations (301 CMR 12.00) and are based on over 25 years of state agency experience in conducting the review of ACEC nominations. Please [contact ACEC Program staff](#) and review other ACEC Program materials and the ACEC Program website for more information.