



MassWildlife

Commonwealth of Massachusetts

Division of Fisheries & Wildlife

Wayne F. MacCallum, *Director*

March 9, 2009

Financial Assistance Programs Division
Natural Resources Conservation Service
Wildlife Habitat Incentive Program Comments
P O Box 2890
Room 5237-S
Washington DC 20013

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**RE: DEPARTMENT OF AGRICULTURE Natural Resources Conservation Service 7 CFR Part 636
RIN 0578-AA49 Wildlife Habitat Incentive Program Interim final rule with request for comment**

To Whom It May Concern:

The Massachusetts Division of Fisheries and Wildlife (DFW) is submitting this comment letter to address the Wildlife Habitat Incentive Program (WHIP) interim final rule published in the Federal Register Vol 74, No. 11 on January 16, 2009

1) §636.1 Applicability (a) The purpose of the Wildlife Habitat Incentives Program (WHIP) is to help participants develop fish and wildlife habitat on private agricultural land, nonindustrial private forest land, and Indian land."

The Commonwealth of Massachusetts has relied upon the Wildlife Habitat Incentives Program to implement habitat restoration projects on DFW lands throughout the state. Over the past three fiscal years, with WHIP funding DFW managed 500 of a targeted 1,053 acres of shrubland/grassland habitat including mechanical restoration and invasive species treatment. In addition, in fiscal year 2008, 91 of 300 targeted acres of pitchpine/scrub oak have been managed through mowing, prescribed fire, and herbicide treatment. These management practices benefited 22 species dependent on a fire community. Biological monitoring efforts at managed sites clearly indicate positive response from species in greatest need of conservation. On average, these sites need to be treated once every six years to maintain desired habitat characteristics and inhibit the persistence of invasive species.

The Massachusetts Division of Fish and Wildlife has concerns about how the proposed rules will impact the state's ability to meet its wildlife goals as outlined in the Comprehensive Wildlife Conservation Strategy (CWCS). In CWCS the DFW identified 257 species in greatest need of conservation. The strategies identified in the CWCS to ensure the conservation of populations of these species include habitat restoration and management. The NRCS set as an objective in its Wildlife Habitat Incentives Program Massachusetts State Plan to work as part of a coordinated effort with the state to help accomplish the goals of the Massachusetts Comprehensive Wildlife Conservation Strategy. This plan includes primary strategies that can be employed through the Massachusetts WHIP to further the goal of the CWCS in 10 of the 22 habitat types on which the species of greatest conservation concern depend. The DFW and NRCS have successfully entered into a Memorandum of Understanding (MOU) resulting in the hiring of DFW staff person to provide wildlife technical assistance to implement the WHIP on private lands.

From a landscape perspective DFW tends to have larger parcels and from a habitat standpoint a greater opportunity to meet the goals of the Comprehensive Wildlife Conservation Strategy than do private landowners. In §636.1 Applicability, state land would no longer be included under WHIP. This will greatly decrease the number of acres on which habitat restoration, development, and enhancement for species at

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risk can be addressed, the ability of the DFW to meet the goals of the CWCS, and the ability of WHIP to implement its MA state plan.

In addition, DFW WHIP projects serve as models for the public and successful implementation of habitat management sets an example for private landowners who may be considering improving wildlife habitat by enrolling in WHIP. Wildlife habitat management can be relatively intensive and private landowners who observe this work successfully completed on state land can be encouraged to participate in the process on their own private land. DFW engages in public outreach and education using sites on state land to inform the public about wildlife habitat management practices.

Restricting WHIP to only productive agricultural lands would reduce its use to less than 10 percent of the total acreage of the state, 518,570 acres of farmland (2002 data) in a state of 5,284,480 acres. In summary, we believe that limiting WHIP applicability to private agricultural land, nonindustrial private forest land, and Indian land is too restrictive and would make it difficult for NRCS to deliver WHIP effectively in Massachusetts. Thank you for considering our comments on the Wildlife Habitat Incentive Program interim final rule.

Sincerely,

A handwritten signature in cursive script that reads "Wayne F. MacCallum".

Wayne MacCallum, Director