

CRESCENT PROJECT

LIHI APPLICATION

ATTACHMENT D

WATERSHED PROTECTION

MEMORANDUM OF AGREEMENT

Amended April, 2011

FOR
PROMOTING REGIONAL ACTION ON GROWTH MANAGEMENT
AND
VALLEY VISION *UPDATE*, THE REGIONAL LAND USE PLAN *FOR THE PIONEER VALLEY*

By and among
the Municipalities of the Pioneer Valley Region
and the
Pioneer Valley Planning Commission

WHEREAS, the Pioneer Valley region is facing serious problems with development and sprawl, which threaten to degrade community character and natural resources, reduce open space and farmland, *limit housing choice and affordability*, and increase traffic congestion, *greenhouse gas emissions* and air pollution;

WHEREAS, it is vital that the Pioneer Valley region employ growth management strategies and other planning tools to control sprawl and reduce its negative impacts;

WHEREAS, growing smarter can result in more efficient use of land, preservation of open space and community character, less traffic congestion, more compact, *energy efficient* and pedestrian-friendly development, *revitalized village and city centers, mixed use commercial corridors*, redevelopment of Brownfield areas, less costly municipal services, and improved opportunities for affordable housing;

WHEREAS, the Pioneer Valley Planning Commission (PVPC), in cooperation with the Valley Development Council and community planning officials, have developed “Valley Vision *Update*”, an updated and revised Regional Land Use Plan, which includes growth management strategies and tools;

WHEREAS, communities must think and act regionally in order to effectively combat sprawl and promote well-planned growth;

WHEREAS, in order to promote more efficient regional growth and development, it is important to achieve mutual consistency of municipal plans and zoning with regional land use plans;

WHEREAS, Valley Vision Update has been created to assist Pioneer Valley communities in meeting the anticipated requirements of state Zoning Reform legislation, and in securing anticipated benefits of compliance with such legislation;

Now, THEREFORE, IT IS HEREBY RESOLVED that the communities of the Pioneer Valley region and the Pioneer Valley Planning Commission agree to adopt and work cooperatively to implement Valley Vision *Update*, the Regional Land Use Plan for the Pioneer Valley.

IT IS FURTHER RESOLVED that the communities of the Pioneer Valley region and the Pioneer Valley Planning Commission agree to work to promote the mutual consistency of municipal plans and zoning with Valley Vision *Update*, ***and agree that mutual consistency of such plans is beneficial to improved planning and growth management, both for individual communities, subregional areas, and the region as a whole.***

IT IS FURTHER RESOLVED that a regional advisory committee, the Valley Development Council, comprised of public and private sector representatives, shall continue to assist PVPC and the communities in carrying out the goals of this agreement.

IT IS FURTHER RESOLVED that the communities of the Pioneer Valley and the Pioneer Valley Planning Commission agree to work together to promote well-planned growth and implement Valley Vision *Update* in the following ways:

Section 1. Role of the Communities

The communities of the Pioneer Valley region, *signatory to this agreement*, shall have the following roles:

- a. To review, through the Planning Board and/or planning staff, municipal land use or Master plans, zoning and subdivision regulations to determine if they are consistent with Valley Vision *Update*, the Regional Land Use Plan;
- b. To consider the adoption and enforcement of land use regulations or bylaws designed to promote efficient growth consistent with Valley Vision *Update*, *and in particular to consider whether such regulations or bylaws are consistent with recommendations of their community-specific Valley Vision "Smart Growth Community Checklist" and Valley Vision Update maps.*
- c. *To participate in voluntary consistency review to promote consistency of local Master Plans and zoning regulations with the Valley Vision Update regional land use plan. Communities shall submit local Master Plans and zoning regulations to the Pioneer Valley Planning Commission for consistency review, and shall consider recommendations received from PVPC to promote improved consistency of local and regional plans. (Note: consistency review may become mandatory with the passage of state Zoning Reform legislation).*

Section 2. Role of the Pioneer Valley Planning Commission

The Pioneer Valley Planning Commission shall have the following roles:

- a. To review municipal land use or Master plans, zoning and subdivision regulations to ensure that Valley Vision reflects municipal land use planning and growth management priorities as noted in these documents;
- b. To assist the municipalities in meeting their responsibilities under this Memorandum, including seeking grant resources to provide local technical assistance for land use regulations or bylaws designed to promote implementation of Valley Vision.
- c. *To participate in voluntary consistency review to promote consistency of local Master Plans and zoning regulations with the Valley Vision Update regional land use plan. PVPC shall receive and review submittals of local Master Plans and zoning regulations from communities for consistency review, and shall submit recommendations to communities to promote improved consistency of local and regional plans.*

Section 3. Role of the Valley Development Council

The Valley Development Council shall be comprised of municipal planners, planning board members, builders, architects, bankers, realtors, conservation commissioners, state officials and other interested citizens, and shall have the following roles:

- a. To assist the Pioneer Valley Planning Commission in promoting participation in this agreement, and to assist communities in implementing the goals of the agreement;
- b. To assist in implementing Valley Vision, including establishing public-private partnerships to create smart growth development projects in the region, which can serve as models for future growth.

Section 4. Amendments

This Memorandum may be amended at any time with the approval of all signatories. Any signatory to this Memorandum may rescind their participation through a majority vote of the signatory’s governing body, including the Board of Selectmen for a town and the Mayor for a city.

Section 5. Effective Date/Authorization

This Memorandum will become effective for signatories when it is signed by two or more participating parties.

_____ Mayor, City of Agawam	_____ Date
_____ Chair, Amherst Board of Selectmen	_____ Date
_____ Chair, Belchertown Board of Selectmen	_____ Date
_____ Chair, Blandford Board of Selectmen	_____ Date
_____ Chair, Brimfield Board of Selectmen	_____ Date
_____ Chair, Chester Board of Selectmen	_____ Date
_____ Chair, Chesterfield Board of Selectmen	_____ Date
_____ Mayor, City of Chicopee	_____ Date
_____ Chair, Cummington Board of Selectmen	_____ Date
_____ Chair, East Longmeadow Board of Selectmen	_____ Date
_____ Mayor, City of Easthampton	_____ Date
_____ Chair, Goshen Board of Selectmen	_____ Date

Chair, Granby Board of Selectmen	Date
Chair, Granville Board of Selectmen	Date
Chair, Hadley Board of Selectmen	Date
Chair, Hampden Board of Selectmen	Date
Chair, Hatfield Board of Selectmen	Date
Chair, Holland Board of Selectmen	Date
Mayor , City of Holyoke	Date
Chair, Huntington Board of Selectmen	Date
Chair, Longmeadow Board of Selectmen	Date
Chair, Ludlow Board of Selectmen	Date
Chair, Middlefield Board of Selectmen	Date
Chair, Monson Board of Selectmen	Date
Chair, Montgomery Board of Selectmen	Date
Mayor, City of Northampton	Date
Town Manager, Town of Palmer	Date
Chair, Pelham Board of Selectmen	Date
Chair, Plainfield Board of Selectmen	Date

Chair, Russell Board of Selectmen	Date
Chair, South Hadley Board of Selectmen	Date
Chair, Southampton Board of Selectmen	Date
Chair, Southwick Board of Selectmen	Date
Mayor, City of Springfield	Date
Chair, Tolland Board of Selectmen	Date
Chair, Wales Board of Selectmen	Date
Chair, Ware Board of Selectmen	Date
Mayor, Town of West Springfield	Date
Mayor, City of Westfield	Date
Chair, Westhampton Board of Selectmen	Date
Chair, Wilbraham Board of Selectmen	Date
Chair, Williamsburg Board of Selectmen	Date
Chair, Worthington Board of Selectmen	Date
Executive Director, Pioneer Valley Planning Commission	Date



The Official Website of the Executive Office of Energy and Environmental Affairs

Energy and Environmental Affairs

🏠 EEA Home > Agencies > MassDEP > Water Resources > Laws & Rules > Massachusetts Rivers Protection Act

Massachusetts Rivers Protection Act

Protecting the Commonwealth's rivers, streams, and adjacent lands

The Rivers Protection Act, Chapter 258 of the Acts of 1996, protects nearly 9,000 miles of Massachusetts riverbanks - helping keep water clean, preserving wildlife habitat, and controlling flooding. The law creates a 200-foot riverfront area that extends on both sides of rivers and streams. In certain urban areas, the riverfront area is 25 feet.

According to the law, the riverfront area provides the eight interests of the Wetlands Protection Act: protection of public and private water supply, protection of groundwater supply, protection of land containing shellfish, protection of wildlife habitat, flood control, storm damage prevention, prevention of pollution, and protection of fisheries. The law also establishes the policy of the state to protect the natural integrity of rivers and to encourage and establish open space along rivers.

The Rivers Protection Act is the result of many years of dedicated support from legislators and citizens across the state. Although several different versions of the law were proposed over the years, the final legislation took a measured approach to environmental protection - work in the riverfront area is not prohibited, but applicants must demonstrate that their projects have no practicable alternatives and will have no significant adverse impacts. Existing structures such as single-family homes and accessory uses are exempt from the Rivers Protection Act. The law does not create a new permitting process, but rather builds on the strength of the existing procedures under the Wetlands Protection Act. The local conservation commission or the state Department of Environmental Protection (MassDEP) reviews projects to ensure that the riverfront area is protected for the eight interests in the Wetlands Act.

Riverfront areas may contain wetlands and floodplains, as well as what have traditionally been considered upland areas. As a result, the features of the riverfront area vary by location: from asphalt and landscaped greenways in urban areas to woods, lawns, and farm fields in suburban and rural areas. Riverfront areas protect water quality, stabilize stream banks, reduce flood peaks and downstream flooding, support fish and wildlife habitat, and protect groundwater. Even in urban settings, riverfront areas may provide flood control, storm damage prevention, and wildlife travel corridors.

The riverfront area

The riverfront area is a 200-foot wide corridor on each side of a perennial river or stream, measured from the mean annual high-water line of the river. However, the riverfront area is 25 feet in the following municipalities: Boston, Brockton, Cambridge, Chelsea, Everett, Fall River, Lawrence, Lowell, Malden, New Bedford, Somerville, Springfield, Winthrop, and Worcester; and in "densely developed areas," designated by the Secretary of the Executive Office of Environmental Affairs.

A river is any natural flowing body of water that empties into any ocean, lake, or other river and that flows throughout the year. The definition includes all perennial rivers, including streams and brooks that flow throughout the year. Rivers end where they meet the ocean, a lake, or pond. Intermittent streams are not subject to the Rivers Protection Act.

Riverfront areas prevent pollution by:

- Filtering and trapping sediments, oils, metals, and other pollutants; and
- Cleaning water through toxic chemical breakdown in soils and plant roots.

Riverfront areas protect public and private water supply and groundwater supply by:

- Removing pollutants that are carried in runoff from nearby land uses, such as commercial areas, roadways, housing developments, and parking lots, before they reach surface water and/or groundwater; and
- Allowing water to infiltrate, or seep down into the ground, to replenish groundwater supplies and maintain base flows in streams and wetlands.

Over 60% of Massachusetts communities are dependent in whole, or part, on surface water as their primary source of drinking water. There are almost 200 public drinking water supply wells within riverfront areas.

Riverfront areas protect fisheries and land containing shellfish by:

- Maintaining water quality by moderating stream temperatures, reducing erosion, and filtering sediments and pollutants, such as excess nutrients, toxins, and pathogens, before they reach rivers, and fisheries and shellfish beds that are important for recreational and commercial harvesting; and
- Providing food sources to support the aquatic food chain.

Riverfront areas protect wildlife habitat by:

- Providing food, shelter, and water for many plants, birds, and animals, such as black duck, eagle, deer, raccoon, otter, and beaver;



- Serving as critical wildlife travel corridors, year-round and during seasonal migrations; and
- Harboring rare or endangered plants and animals, such as the wood turtle.

Riverfront areas control flooding and prevent storm damage by:

- Absorbing and storing water during storms and releasing the water slowly back to the river;
- Reducing peak runoff during storms; and
- Preventing erosion and sedimentation.

Please contact the following MassDEP offices with questions about the Massachusetts Rivers Protection Act:

MassDEP Regional Offices wetlands staff:

- Northeast Region: Rachel.Freed@state.ma.us - 978-694-3258
- Central Region: Philip.Nadeau@state.ma.us - 508-767-2728
- Southeast Region: Elizabeth.Kouloheras@state.ma.us - 508-946-2810
- Western Region: Robert.J.McCollum@state.ma.us - 413-755-2138
- Boston: Alice.Smith@state.ma.us - 617-292-5854; Andrea.Langhauser@state.ma.us - 617-348-4084

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National Park Service

National Park Service
U.S. Department of the Interior



Partnership Wild & Scenic Rivers



WESTFIELD RIVER WILD & SCENIC RIVER

Eightmile River, CT

Farmington River, CT

Great Egg Harbor, NJ

Lamprey River, NH

**Lower Delaware
River, NJ/PA**

Maurice River, NJ

**Musconetcong River,
NJ**

**Sudbury, Assabet &
Concord Rivers, MA**

Taunton River, MA

**White Clay Creek,
DE/PA**

Wekiva River, FL

Westfield River, MA

STUDY rivers

**More on Wild &
Scenic Rivers**

PWSR Home

Designated: November 2, 1993 and October 29, 2004

Location: November 2, 1993. The designated segments include: the West Branch from a railway bridge 2000 feet downstream of the Becket Town Center to the Huntington/Chester town line; the Middle Branch from the Peru/Worthington town line downstream to the confluence with Kinne Brook in Chester; Glendale Brook from Clark Wright Road bridge to its confluence with the Middle Branch; the East Branch from the Windsor/Cummington town line to a point 0.8 miles upstream of the confluence with Holly Brook in Chesterfield.

Location: October 29, 2004. Headwater tributaries of the East Branch including Drowned Land Brook from its headwaters in Windsor to the confluence with the East Branch in Savoy; Center Brook from its headwaters below a pond near Savoy Center to its confluence with the East Branch; and Windsor Jambs Brook from the junction of Phelps Brook and Clear Brook to its confluence with the East Branch in Windsor. The Upper East Branch from the confluence with Drowned Land Brook in Savoy to the Windsor/Cummington Town Line. The Lower East Branch from Sykes Brook in Huntington to the confluence with the West Branch. Lower Middle Branch from the Goss Hill Road Bridge downstream to the confluence with the East Branch. Headwater Tributaries of the West Branch including Shaker Mill Brook from Brooker Hill Road in Becket to its confluence with the West Branch; Depot Brook from its headwaters near Beach Road in Washington to the confluence with Shaker Mill Brook in Becket; Savery Brook from the headwaters off Pittsfield Road in Washington to the confluence with Shaker Mill Brook; Watson Brook from the headwaters off Stanley Road in Washington to the confluence with Shaker Mill Brook; and Center Pond Brook from Center Pond to its confluence with the West Branch. Lower West Branch from Chester/Huntington town line downstream to the confluence with the Main Stem. Main Stem from the confluence with the East Branch and Middle Branch in Huntington Center downstream until the Huntington/Russell town line.

Outstanding Resources: Local, regional, and nationally-significant scenic, recreational, geologic, fish & wildlife, historic, and cultural resource values.

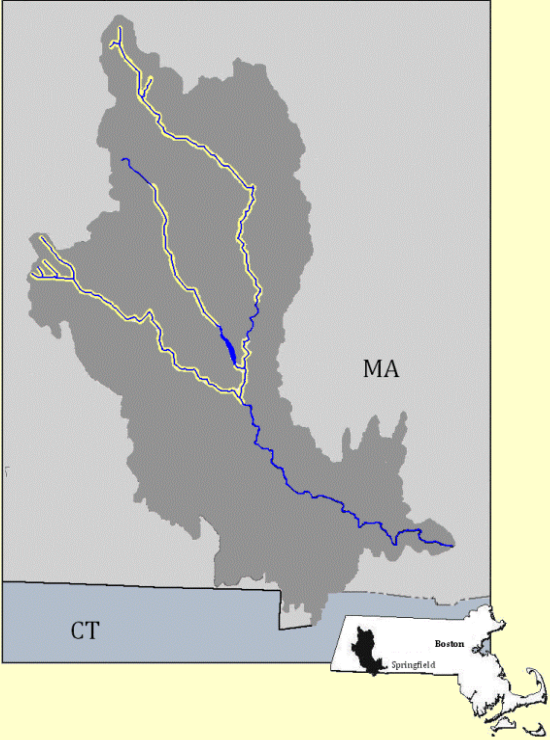
Classification/Mileage: Wild - 2.6 miles; Scenic - 42.9 miles; Recreational - 32.6 miles; Total - 78.1 miles

Management Approach: A partnership between the Commonwealth of Massachusetts, the National Park Service, and the Westfield River W&S Advisory Committee.

Overview: From its origins in the Berkshire Hills in western Massachusetts, the Westfield River links together historic villages, prime farmland, pristine wilderness areas, and waterfalls and gorges of remarkable quality. The river features native trout fishing, rugged mountain scenery, and a historical mill town settlement. The Westfield River provides over 50 miles of the Northeast's finest whitewater canoeing and kayaking. The river corridor also contains one of the largest roadless wilderness areas remaining in the state and is home to several endangered species.



The Westfield River is different from many other partnership rivers in that it was designated through the 2 a ii process of the WSRA. It is a state-administered, locally-initiated designation. But like other PWSRs, community members, municipal officials, conservation organizations, and federal and state agencies have come together to manage and protect this national treasure in partnership. Members of the Westfield River Wild & Scenic Advisory Committee lend their eyes, ears and voices for the river. Serving as liaisons to their respective communities and organizations, committee members raise awareness about the Westfield River and its resources and advocate for their preservation and protection.

<p>Contact Information:</p> <p>Massachusetts Field Office Westfield State University 413-579-3016</p> <p>Liz Lacy National Park Service 100 East River Road P.O. Box 395 Pleasant Valley, CT 06063 (work) 860-379-0282 (cell) 860-670-5881 liz_lacy@nps.gov</p>	
<p>Related Links:</p> <p>Westfield River Wild & Scenic Advisory Committee</p> <p>MA Department of Fish & Game</p> <p>Westfield River Watershed Association</p> <p>More about the Westfield River</p>	

Challenge Cost Share Program | Federal Lands to Parks | Hydropower Relicensing Program
Land and Water Conservation Fund | Conservation and Outdoor Recreation | National Trails System
Partnership Wild and Scenic Rivers | Rivers and Trails Program | Urban Park and Recreation Recovery

Webmaster 

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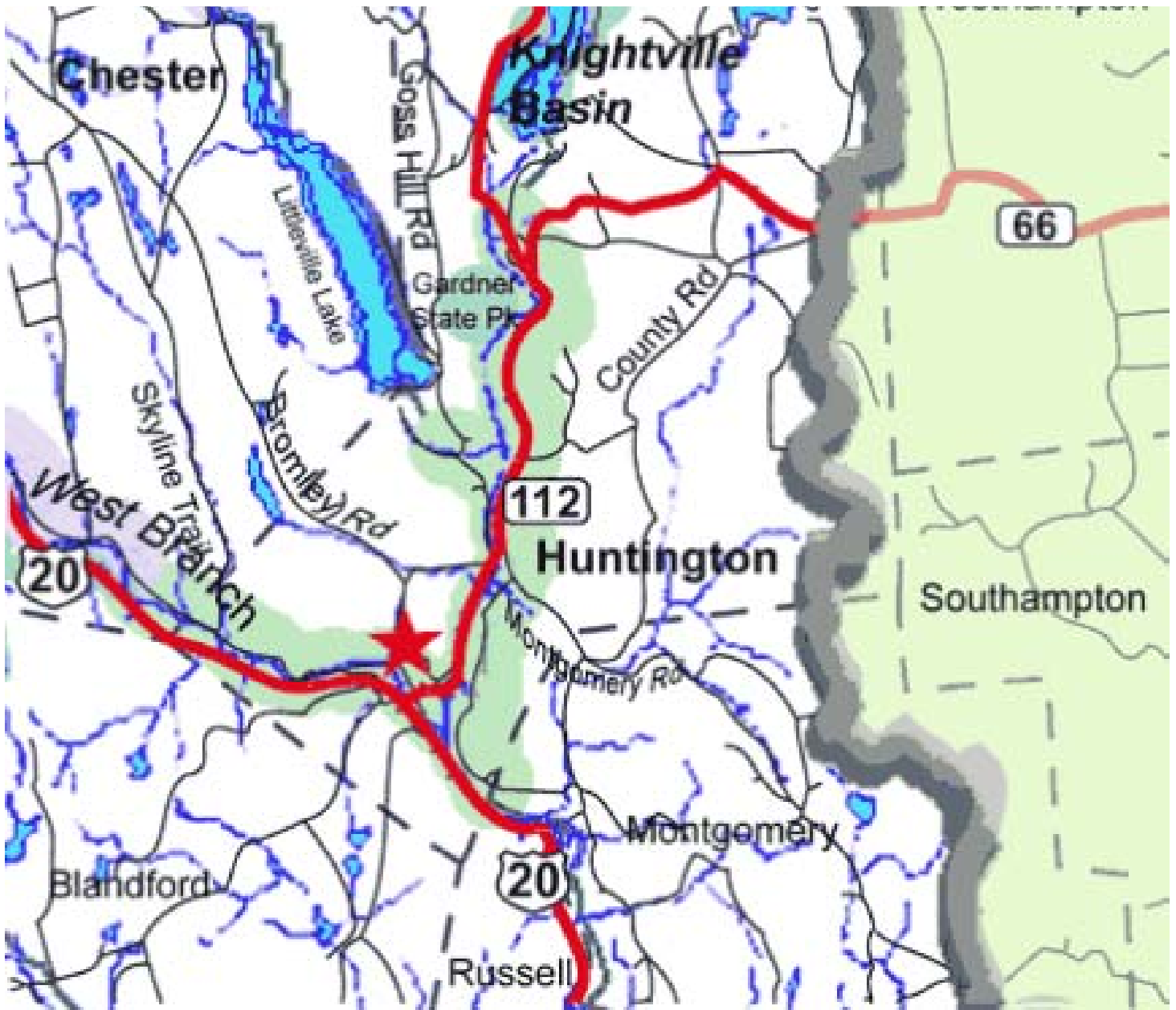
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- Designated Nov. 2, 1993
- Designated Oct. 29, 2004
- Watershed Boundary

Source: Wild and Scenic Westfield River Committee- Interactive Map