

Evaluation Summary Memorandum

Application ID: 013

Project Name: Berkshire Conservation Agent Program

Consensus-Based Score: 229

Method Used to Reach Consensus: Average individual scores.

Review Team Members: United States Fish and Wildlife Service (2) (USFWS), Massachusetts Executive Office of Environmental Affairs (EOEA) Department (1), and Woodlot Alternatives, Inc. (1)

Criteria Discussed:

- Criterion A3 (Sustainable Benefits): Considerable discussion focused on what the sustainable benefits of the proposed project might be. Review Team members noted that the project was essentially to fund the Berkshire Conservation Agent Program for four more years.
 - Review Team noted that the applicant stated that additional funding would be needed after the four years and that Towns were either unwilling or unable to fund the full cost of using a Conservation Agent.
- Criterion A4 (Magnitude of Ecological Benefits): Team thought that it would be difficult to quantify the magnitude of the ecological benefits potentially resulting from implementation of the project. Program is mainly focused on ensuring adequate review of proposed development projects. Review team noted, therefore, that any mitigation resulting from such projects would be intended to offset permitted impacts (i.e., there would be no net gain in ecological benefits).
- Criterion C1 (Relationship of Expected Costs to Expected Benefits): Some Team members viewed the overall cost of the project as being somewhat high.

Additional Review Team Comments and Recommendations:

- Review Team noted that the premise of the project – notably that Conservation Commissions typically lack the staff or expertise to adequately review permit applications – was sound.
 - There was some discussion regarding whether the problem was one that DEP should address or whether it was appropriate to address it locally via the Conservation Agent Program.
 - To some degree the program covers topics already addressed by the MADEP Wetlands Circuit Rider Program (<http://www.mass.gov/dep/water/compliance/cridr.htm>) and the Team recommends that the Trustees contact Alice Smith (alice.smith@state.ma.us), who coordinates the program, to discuss the potential overlap between the Circuit Rider Program and the Berkshire Conservation Agent Program.

- Although the Berkshire Conservation Agent Program (BCAP) is run through the Berkshire Regional Planning Commission (BRPC), some Team members noted that the proposal was essentially a no-bid four-year contract to Ms. Eucker's consulting company.
 - The Berkshire Regional Planning Commission's web-site notes: *"BCAP is available through BRPC, which, as a municipal body can contract with municipalities without going through the bidding process of the Uniform Procurement Act. Therefore, a Conservation Commission does NOT have to request bids from several outside consultants in order to use the services of the Program. The Program services are available without the delay of bidding. BCAP is a "fee for service" with municipalities only paying for the services that are used."*
 - If the project is funded, the Team recommends that the Program funding structure be independently evaluated to ensure compliance with applicable procurement regulations.
- Review Team recommends that the project include efforts to evaluate alternatives for making the program ultimately self-sustaining.
- Review Team noted that the majority of the program is to be accomplished by one person and concern was expressed over the potential for the described work being too much for an individual to achieve.
- Performance goals are not explicitly described in the proposal and the Review Team had some concern regarding how the success of the program would be monitored over a four-year period. Review Team also noted that it might be difficult to address problems in the program, should they arise.
- Some Review Team members noted that some members of the public might view the program as an effort to curb development and economic growth (i.e., a socio-economic impact).
- Review Team felt that the aspects of the project dealing with Conservation Commission training and outreach were potentially a more appropriate use of NRD funds in comparison to funding technical reviews of individual projects. The caveat remains that the Trustees should ensure that the proposed program doesn't duplicate services provided by the DEP's Circuit Rider Program.
- The consensus was that, given the concerns expressed above, the program was likely beneficial to the communities that chose to use it.

Consensus Based Review Evaluation Summary

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Total Score: 229

A. RELEVANCE AND APPLICABILITY OF PROJECT					
1. Natural Recovery Period	9	15	15	9	12
2. Location of Project	15	15	9	9	12
3. Sustainable Benefits	9	9	9	9	9
4. Magnitude of Ecological Benefits	9	9	9	9	9
5. Human Health and Safety	10	10	10	10	10
6. Benefits to Multiple Restoration Categories	6	10	10	10	9
7. Enhancement of Remediation/Response Actions	0	5	3	0	2
Subtotal (max=85)	58	73	65	56	63

B. TECHNICAL MERIT					
1. Technical/Technological Feasibility	9	15	15	15	13.5
2. Technical Capacity of Applicant and Project Team	15	15	15	15	15
3. Potential for Adverse Environmental Impacts	10	10	10	10	10
4. Measurable Results	6	6	6	6	6
5. Contingency Actions	6	6	10	6	7
6. Administrative Capacity of Applicant and Project Team	3	5	5	5	4.5
Subtotal (max=65)	49	57	61	57	56

