

Resources REPORT

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BERKSHIRE NATURAL RESOURCES COUNCIL

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Inside:
Conserving Cranberry Pond
JT, Kids, and Cottontails
Hoosac Range Ribbon-Cutting

Mahanna Cobble case ends with conservation & cash settlement

The three-year old legal fight over Mahanna Cobble, the summit of Lenox Mountain above the Bousquet Ski Area in Pittsfield, ended earlier this summer with a settlement that vindicated BNRC's position and ensured permanent conservation for the scenic ridge-line tract.

Under the settlement, Patrick Muraca, Geometry Group, Inc. and Geometry Realty, Inc. (collectively, "Geometry"), dropped their appeals of Superior Court decisions that affirmed BNRC's right to purchase 80 acres around the mountain's summit, and that subsequently ordered Geometry to reimburse BNRC for its legal expenses.

"Mahanna Cobble will be forever green and open to the public," said Tad Ames, BNRC president. "It is the outcome we fought for, and we feel today that justice has been served."

The case had its origins in 2007, when BNRC signed a contract to purchase the mountain land from the Bousquet Ski Area owners. Before the transaction closed, Muraca, backed by Geometry, offered to buy the entire ski area and all its holdings, including the mountain land.

Following extensive back-and-forth, Bousquet told Geometry that it intended to go through with the sale of the mountain land to BNRC after all. Geometry filed suit to block the transaction.

In a 2009 Superior Court decision, Judge Daniel Ford found that BNRC's contract was valid,



The view from Mahanna Cobble includes Lenox Mountain, Monument Mountain (obscured behind branch), Mount Everett, and no buildings.



The cobble has already become a destination for hikers. BNRC member Wendy Robbins (right) celebrated her birthday there this summer with husband Larry and daughter Liz.

clearing the way for BNRC to buy the land in December 2009.

Following a six-day trial in August 2010, Judge Ford ruled that Geometry had interfered with BNRC's contract, and ordered Geometry to reimburse BNRC \$64,500 in attorney's fees.

Under the agreement, Geometry dropped its appeal of the legal fees decision and paid BNRC a negotiated sum of \$45,000.

"Mahanna Cobble is such an important spot on Yokun Ridge, ecologically, scenically and recreationally," said Tad Ames, BNRC President. "That's why we wanted to conserve it, and when Geometry filed suit, we felt compelled to enter into the litigation to make sure the land wasn't dealt away. With the mountain now secure, and an opportunity at hand to recover a significant chunk of our expenses without further litigation, it was time to put this to rest."

"Last fall," he added, "we installed a bench on the cobble to honor George Wislocki, our founding director. I must say that the view from the bench this summer is sweeter than ever."

BNRC's new hand on trails, outreach

BNRC is delighted to announce that Amanda L'Etoile, who has done so much to build and enliven the Hoosac Range Trail, will become a full-time staff member later this year.

L'Etoile started as an intern with BNRC in January 2010, earning credit toward her bachelor's degree in environmental studies at the Massachusetts College of Liberal Arts. She did such a terrific job that we kept her on as a part-time employee.

In addition to countless hours spent on the Hoosac Range, last winter, L'Etoile launched a service-learning program with Drury High School in North Adams, and in the spring she started a program of after-school and summer field trips in cooperation with the city's public schools.

At BNRC, L'Etoile will help build our budding community engagement and outdoor experience programs, and will provide essential help to our land and trail stewardship work.

L'Etoile's hiring represents the first expansion of BNRC's year-round staff since 1990. She will join us full-time in October.



Amanda L'Etoile points out a bear claw scar

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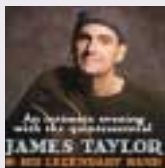
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Taylor, fans, boost BNRC's mission



Thanks to James and Kim Taylor, there's a new way to support conservation in the Berkshires.

At the Taylors' invitation, BNRC has partnered with Tickets-for Charity®, which works with artists and sports teams to offer competitively priced tickets to select events. A percentage of proceeds from each sale through TCF goes to charities, including BNRC.

For his spring and summer tours – including the 4th of July weekend stand at Tanglewood – Taylor picked BNRC as a beneficiary, generating over \$40,000 to help BNRC conserve beautiful land and open it to the public.

We're grateful to Taylor and his fans, and encourage all BNRC supporters to use the link below when searching for tickets. From Katy Perry and Taylor Swift, to Broadway and the Boston Red Sox, your entertainment purchase can translate into a healthier, greener Berkshires.

<http://bit.ly/oP9swv>

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Our new interactive map is part of a major overhaul that we hope will make our website more useful and informative. Take a look, and let us know what works, and what doesn't.

Hot dogs and hikers mark Hoosac Range trail opening

Mayor Richard Alcombricht welcomed a crowd of about 75 friends to the Hoosac Range Trail on Saturday, June 18, and four women who played key roles in the project honored BNRC by cutting the ribbon and officially opening the three-mile trail to the public.

The ceremony capped an initiative that started four years earlier, nearly to the day. In that time, BNRC purchased six separate parcels, comprising 730 acres, and created the new trail from scratch.

Amanda L'Etoile received the "Golden Sledgehammer" award for her extraordinary role in building both the trail, and a community of enthusiastic volunteers and hikers ranging from North Adams school kids to senior citizens.

Other ribbon-cutters included Jennifer Howard, Director of Land Acquisition with the state's Department of Conservation & Recreation, which purchased a conservation restriction over the entire reserve; Ellen Hand, BNRC board member and early supporter of the effort; and Mary Walden, the landowner who agreed to put the "last piece of the puzzle" in place.

After opening remarks, many took inaugural walks on the trail, and/or indulged in the guilty pleasure of a late morning hot dog served up by Guys and Dogs.



(L to R) Amanda L'Etoile, Jennifer Howard, Ellen Hand, Mary Walden



Tom Curtin on cliff steps



Steve & Karen Andrews

Contributors to Hoosac Range land acquisition and trail creation

Lead supporters for Hoosac Range land acquisition and trail creation included:

N. Robert Thieriot Foundation
Open Space Institute
Pamela Weatherbee
Scott & Ellen Hand
Bafflin Foundation
Fields Pond Foundation
Ruth E. Proud Charitable Trust
Alice Shaver Foundation
Bobbie Hallig
Geoffrey C. Hughes Foundation
Prospect Hill Foundation
MA Department of
Transportation
U.S. Department of
Transportation, Federal
Highway Administration
MA Executive Office of Energy
and Environmental Affairs
MA Department of
Conservation and Recreation

The following parties made gifts to support the trail's creation:

Peter & Ellen Acl
Ginny Akabane
Elizabeth Ames
Tad & Trudy Ames
Sam & Pat Anderson
Robert Armao
Sibylle Baier
Robert Beaudry
Suzanne King & Richard Berlin
Ed & Eleanor Bloom
William Bodinger
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Michael & Ellen Martin
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Susan Gold
Faith Menken
Mark Miller
John Morse
Jim Murray
Dick & Beth Nesbitt



On Spruce Hill's summit. (L to R) Steve Andrews, Jennifer Howard, Tom Curtin, Karen Andrews, Narain Schroeder.



Mary Walden



Trail Designer Peter Jensen



Judy Katz and Hobbes



Tommy Brooks-Stevens

Ray Newton III
 Gary Oggiani
 Robert Pachas
 Dr. & Mrs. Richard Perera
 Peterson Family
 Frieda & Neal Pilson
 Doug & Marie Pierce
 Andrew Pincus
 Charles Popper
 Andrew Potler
 Jim Porowski
 Sandy Pratt
 John Pryzby
 Robert Race
 Richmond Land Trust
 Jeff & Karen Ross
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 Robert Youdelman
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 Harvey Waller
 Roberta Waller
 Pam Weatherbee
 Raina Weber
 Ellen Weiden
 David Wilson
 Ellen Wineberg



Guys and Dogs,
 David Lewis and
 Vincent Melito

Photos by Roman Iwasiwka

Youth groups enjoy and enhance BNRC properties

From North Adams to Mount Washington, hordes of young people descended on BNRC properties this field season, doing everything from geocaching to trailbuilding. A Student Conservation Association crew spent the summer rehabilitating the Burbank Trail on Yokun Ridge... Overland Travels helped us touch up the Hoosac Range Trail, and gave us a jumpstart on a new trail in Williamstown... Greenagers invested time at Alford Springs... interns with The Nature Conservancy painted boundaries on Mount Darby... a group from the Massachusetts College of Liberal Arts broke ground on a section of the Hoosac Range Trail, and students in the North Adams Public Schools have engaged in field trips and service learning. BNRC thanks all these hard workers and our institutional partners.



1. SCA on Burbank Trail.
2. MCLA at Hoosac Range.
3. Summit spirits.
4. Overland clears brush.
5. Boundary marking.
6. At the Yoda Tree.
7. Sign up.

BNRC and DFW conserve Cranberry Pond together

On June 30, a six-year public-private partnership between the Massachusetts Division of Fisheries & Wildlife and BNRC came to fruition with the permanent conservation of 290 acres of ponds, wetlands and farm fields around Cranberry Pond in West Stockbridge.

Located in the southwest corner of West Stockbridge, the new parcel includes 273 acres just north of the Massachusetts Turnpike, which will be named the Flat Brook Wildlife Management Area. The acquisition incorporates an additional 17 acres south of the Turnpike into the existing Maple Hill Wildlife Management Area.

Both properties are owned and managed by DFW, and are open to the public for hunting, fishing, trapping, hiking, and nature observation. The acquisition provides public access to Crane Lake, Flat Brook, and Cranberry Pond, which will greatly improve fishing opportunities in the area.

Public access is located on Route 41, northwest of the village of West Stockbridge across the road from the cemetery.

The Commonwealth expended \$1,115,800 on the purchase, using a combination of open space bond funds and Land Stamp revenue derived from the sale of fishing and hunting licenses. BNRC served as a



Cranberry Pond. Below, aerial view of the conserved area, looking south. Access drive and cartop boat launch located on Route 41.



project facilitator for the multiple landowners and state officials, and privately raised \$237,200 to augment the state's investment.

"This is a huge win for the Berkshires," said BNRC Director of Land Conservation Narain Schroeder, who first met with landowners in 2005. Schroeder worked closely with DFW land agent Peter Milanesi to structure and manage the deal.

George Darey, chairman of the state Fisheries and Wildlife Board, and a longtime friend and director

of BNRC, said, "This project is an example of forward-looking partnership at its very best."

Landowners involved in the sale are the H. George Wilde 1989 Trust, Heirs of Arthur P. Gennari, Sr., Balgen Machine, Inc., and JDL Nominee Trust. The project's private funders include The Open Space Institute through its Saving New England Wildlife Fund, the Nion Robert Thieriot Foundation, Pamela B. Weatherbee, and the Trustees of the Natural Resources Damages Fund for the Housatonic River.

Fight pests: Don't move firewood!

Homeowners with shade trees, forest owners, and all nature lovers should be aware of the devastation threatened by the Asian long-horned beetle and the emerald ash borer. These invasive beetles kill the trees of our towns and forests. Not mere alarmism: see what happened to Worcester, MA in "Lurking in the Trees" (dntmovefirewood.org). Please help the USDA track the insects' spread at www.beetledetectives.com.



Melody Keena, USDA

Asian Longhorn Beetle



Howard Russell
Michigan State University

Emerald Ash Borer

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Cottontail to benefit from Sandisfield habitat work

Last fall BNRC learned that the New England cottontail will be considered for listing as a federally-endangered species in 2014. To help avert that drastic step, we agreed to work with the Natural Resources Conservation Service on a habitat-improvement project for the benefit of this scarce rabbit.

The bold bunny raiding your garden is the common eastern cottontail; the New England cottontail (NEC) is found in the densest, least accessible undergrowth. The cover provided by this dense growth is the NEC's best defense against predators. Factors including houses encroaching on open lands, fields reverting to forest, and the suppression of beaver-related flooding are making his cover scarce. The rabbits are following suit. The

most recent surveys found NEC in Massachusetts only in the southeast and in the southern Berkshire Plateau (Sandisfield and surrounding towns).



Anne Brown

In the winter of 2011-12, BNRC will create a clearing at its Clam River Reserve in Sandisfield for the benefit of the NEC. We will remove 9 acres of mature forest on the periphery of 11 acres of old field. The new 20-acre field will grow for 7 years before it is mowed again. Keeping the field in this earlier-successional stage will benefit the NEC and other animals that depend on shrub habitat.

Join BNRC at our Clam River Reserve in Sandisfield at 10 a.m. on October 8th for a discussion with BNRC staff and state wildlife biologists about the importance of protecting this declining habitat type and the disappearing New England cottontail.