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Colossal deal preserves land in Leverett, Shutesbury

W.D. Cows Co. sells development rights to Brushy Mountain

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LEVERETT — A Texas developer of resort communities once called the W.D. Cows Co. to ask about the 2,820 acres it owns on Brushy Mountain east of Montague Road, president Cinda Jones recalled last week.

"They wanted to buy the whole mountain," she said. "We laughed and said Leverett wouldn't like that and hung up."

The company also received calls over the years from conservationists who wanted to protect the mountain by buying the development rights. Jones said she scoffed at these attempts as well.

"What do you think we're doing? We're conservationists and we have no



A view of Brushy Mountain in Leverett, part of a nearly 3,500-acre tract of land owned by W.D. Cows Co. that is now preserved from development. It is seen from Teawaddle Hill Road.

intention of developing it," she said in response.

But a week ago, Cows did sell the development rights, not only to Brushy Mountain in Leverett but to 666 adjacent acres, much of it in Shutesbury. In exchange for \$8.8 million, the company agreed to give up its right to erect any structures on the land, including cellphone towers and windmills, and to manage the land under a state-approved Forest Stewardship Plan.

The Jones family, which owns the Cows company, has allowed the public to hike, hunt and fish on Brushy Mountain, and those activities will continue under the deal, Jones said. The only change is that all-terrain vehicles, motorcycles and dirt bikes will no longer be allowed.

Fateful phone call

This is the largest conservation deal

See LAND/ Page A7

Land deal preserves property in Leverett and Shutesbury

Continued from Page A1

involving a contiguous block of privately owned land in Massachusetts history, according to state officials. Cows has owned the 3,486 acres for 125 years, and will continue to pay taxes on them at the same rate. The company will also continue to harvest lumber and firewood from the land.

Why did the Jones family change its mind?

Four years ago, Cinda Jones received a phone call from Kristin DeBoer, executive director of Kestrel Land Trust, asking if they could talk. Although DeBoer has engineered many deals to protect land from development, her organization had never attempted a transaction of this size. The trust, based in Amherst, has been working since 1970 to conserve land that sustains the quality of life and ecological integrity of the Connecticut River Valley.

The national economy was heading into recession, which often motivates property owners to consider selling their land or its development rights. And Cows was not immune to the financial challenges that most businesses faced. Two years ago, it closed its sawmill, which had been running at a loss for years and had accumulated almost \$1 million in debt, Jones said.

"Many family farms have to make decisions to keep them whole through different generations," Jones said. "They often sell house lots or subdivide part of it to keep the land. We want to sustain the family business over the generations and the way we find most compatible with our



Cinda Jones, president of W.D. Cows in Amherst, left, and Kristin DeBoer, executive director of Kestrel Land Trust, stand in front of Brushy Mountain in Leverett.

mission of sustainable forestry is not to do those options, but to sell the development rights."

About \$2 million of the \$8.8 million will be used for capital gains taxes, Jones said. Some of the money will go toward paying off debt and renovating the 14,400-square-foot sawmill to make it rentable, Jones said. The company also plans to buy more timberland, she said. Cows already owns land in 28 towns, and most of it is not covered by the terms of the new conservation restriction on Brushy Mountain.

Future vision

Cows' income is derived from log sales, residential and commercial rentals, cellphone tower leases and sand and gravel sales, Jones said. It is the 12th-oldest family business in the United States, dating from 1741, and is the biggest private landowner in Massachusetts, she said. The company thinks in terms of generations, not years, Jones said.

"This is what we had to do to sustain our family business,"

she said. "We're on the ninth generation and I want nine more, and this will help guarantee that. If we don't continually change our business model and reinvest, it won't survive."

DeBoer called the price of \$2,524 per acre, which was arrived at by several independent appraisals, "a bargain." Kestrel Land Trust has helped owners sell development rights to farmland for between \$10,000 and \$20,000 an acre, she said.

"The forests of the Pioneer Valley are part of our quality of life," DeBoer said. "This maintains one of the largest tracts of forest as forest. This is an outstanding opportunity to create the largest conservation restriction on private land ever in Massachusetts, right here in the Valley."

Hadley and Amherst have the largest and the second-largest number of acres in the state's Agricultural Preservation Restriction program, DeBoer said, adding that she would like to see local Hilltowns become the leaders in forest conservation.

The land will be known as the

Paul C. Jones Working Forest, after Cinda Jones' father, who died on Nov. 21.

"It's so gratifying to name it for him," she said. "But it's hard to do without him enjoying it with us."

'Valley secret' revealed

The \$8.8 million purchase price includes \$5 million from the U.S. Forest Service's Forest Legacy Program, which protects environmentally important forestlands threatened by conversion to nonforest uses. The Kestrel Land Trust secured \$839,600 from the Western Massachusetts Land Protection Fund and Saving New England's Wildlife, and another \$1 million came from the state's Executive Office of Energy and Environmental Affairs' Landscape Partnership Grant Program. The state's Department of Fish & Game contributed \$1.46 million from an open space bond authorization and \$500,000 from the sale of fishing and hunting licenses.

Hiking, cross-country skiing, hunting, fishing and bird-watching have been allowed on the 3,486 acres, and the new conservation restriction continues this public access. Bicycling and horseback riding on designated roads, camping for seven days or less, rock climbing and snowmobiling are allowed, but could be restricted if they prove detrimental to the land, Jones said.

Public use of the land has been a "Valley secret," said Jones, but she expects more people to visit because of publicity about the conservation restriction. There are small parking areas off Rattlesnake

Gutter, Number 6, Dudleyville and Montague roads, and signs identifying the property's location will be posted at these four entry points. But the trails will not be marked or maintained, and no maps will be printed, she said.

The land provides habitat for moose, black bears, deer, turkeys and bobcats, as well as birds such as scarlet tanagers, Blackburnian warblers, wood thrushes, Canada warblers and Louisiana water thrushes, according to Mary Griffin, commissioner of the state's Department of Fish & Game. The village centers of North Leverett and Shutesbury, where three wells are located, are less than a half mile from Brushy Mountain.

Deal praised

Eva Gibavie of Leverett has lived near Brushy Mountain all her life and hikes there several times a week. She also does research on Native American history.

"I'm thrilled with this," she said. "It is an amazing mountain, with a great deal of local early Leverett and Native American history. To have it protected has been a dream of mine forever."

"This is a major guarantee to the town of Leverett that we will have open space that will be preserved in perpetuity," said Peter D'Errico, a member of the Leverett Select Board.

Select Board member Julie Shively said the possibility that Brushy Mountain — with its wilderness and scenic views — could be developed has long hung over the town.

"This is huge," she said. "Ever since I moved to Lever-

ett, this has been a concern, and now that it's not going to happen, we're all pretty excited."

Joe Larson of Pelham, who has hunted on Brushy Mountain, was involved in the land deal as a member of the state's Fisheries & Wildlife Board.

"I think this is really a tremendous achievement," he said. "It sets an outstanding example of how private ownership and stewardship of natural resources can be joined with valuable public access."

The deal was big enough to bring an official comment from Gov. Deval Patrick.

"This successful and historic land conservation initiative is the result of a unique partnership that will protect this treasure for generations," he said.

"This land will forever be home to iconic wildlife, while remaining a productive working forest that supports local jobs and allows hunters, anglers and hikers to enjoy the great outdoors."

U.S. Rep. John Oliver, D-Amherst, who helped secure the federal funding, said he has hiked Brushy Mountain. "Millions of people live within an hour or two of this rare and special place," he said in a statement. "It's gratifying to know that it will always remain both a recreational and an economic asset in the Valley."

State Sen. Stan Rosenberg, D-Amherst also praised the public-private partnership that resulted in the deal. "Preserving these wilderness and scenic areas for all to enjoy can only be achieved when government agencies and private concerns continue to work together," he said.