

N-S-N Rivers Wild & Scenic Stewardship Council

MINUTES OF DECEMBER 16, 2021 MEETING

By Zoom Video Conference

Voting Member Entities Present:

Towns: Ayer: Beth Suedmeyer; Bolton: Rona Balco and Rebecca Longvall; Dunstable: Marijan Andacic and Leah Basbanes; Groton: Stacey Chilcoat; Harvard: Michele Girard and Lucy Wallace; Hollis: Bernadette McQuilkin; Lancaster: Alix Turner; Pepperell: KenHartlage; Shirley: Heidi Ricci; Townsend: Joan Wotkowicz
NRWA: Elizabeth Ainsley Campbell, Al Futterman
NPS: Emma Lord
DEC: Neil Angus

Guests:

Bruce McGregor, Lancaster Conservation Commission
Warren Kimball, former NRWA Director and former MA DEP
Martha Morgan, NRWA staff

The meeting was called to order at 7:00 PM by the Chair, Lucy Wallace. Due to the Coronavirus (Covid-19) pandemic the meeting was held virtually by Zoom.

Introductions

Lucy welcomed new members Marijan Andacic, Representative, and Leah Basbanes, Alternate, from Dunstable. Alix Turner, Lancaster Representative, introduced Bruce McGregor who is considering serving as Lancaster's Alternate. The Council members were then asked to introduce themselves to Marijan, Leah, and Bruce.

Administrative

The minutes of the November 18, 2021 meeting were approved as amended.

NPS Update

Emma Lord shared three items with the Council. First, that the NPS and Hispanic Access Foundation are recruiting for an 11-month "Projects and Communications Fellow" to work with the Partnership Wild & Scenic Rivers. The Fellow will be based in Springfield and supervised by Liz Lacy, but provide communications support to all 16 Partnership Wild & Scenic Rivers. Applications are due January 3rd. Emma offered to send a link to the posting and asked that Council members share it with interested parties.

Second, the final Nashua, Squannacook, and Nissitissit Rivers Wild & Scenic Study Report has been officially transmitted to Congress by the NPS. This represents the final step in our Wild & Scenic study process. Emma offered to send a link to the NPS website where the Study Report and transmittal letters to Congress are posted. Emma confirmed that the Study Report submitted to Congress was the same as the one delivered to the NRWA following Wild & Scenic Rivers designation.

Third, Emma reported that she is working with AI to update the Council's list serve, especially with respect to participants in the Conservation Networking Breakfasts.

Finances

Elizabeth Ainsley Campbell reported on the November finances. Expenses incurred by the NRWA in support of and billed to the Council came to \$2,312.96. The balance of NPS funds after payment of the November invoice as shown on Elizabeth's financial tracking chart is \$153,096.92. This balance does not include payment of Janet Morrison's final invoice of \$15,000, the \$8,000 obligated for the 2021 Community Grants, or the \$20,000 designated for the 2022 Community Grants. Elizabeth is working with Emma and Jim McCarrtney on the annual financial report to the NPS for the fiscal year ending September 30, 2021.

Council Projects Update

Lucy explained the following three items were projects we are tracking. While none is directly located on a section of our Wild & Scenic designated rivers, they could impact downstream surface and ground water resources and, therefore, are of interest to the Council.

Stratton Hill Development, Ayer: AI Futterman reported that the developer has requested, yet again, postponement of the Planning Board and Conservation Commission hearings. He added that the Conservation Commission has – or will shortly – release an RFP for a third-party Conservation Analysis of the proposed development. Heidi Ricci noted that the recently passed Climate Road Map law has added to the MEPA process a requirement Environmental Justice (E-J) communities must be identified and, if within the project area, the Environmental Impact Report (EIR) must assess the benefit and impact of the development on the E-J community.

Beth Suedmeyer questioned whether MEPA review and an EIR would be required as the project site is within the ACEC. However, if an Endangered Species permit is required, that would trigger the need for an EIR. She will look into the need for an Endangered Species permit as a way to require the MEPA review.

Trucking Terminals-North Lancaster/Lunenburg: AI gave a brief overview of the proposed trucking terminals north of Rt 2. He had asked Betsy Colburn, a resident of Shirley who has been monitoring these proposals, to attend our meeting. Unfortunately, she was not able to so AI arranged for a Zoom meeting for Lucy and himself with Betsy. She reported that there are now three (last month we thought there were only two) terminals being proposed in this area: the Rockport warehouse which is to be enlarged, the GFI, and Kraft terminals. AI estimated that these three facilities represent approximately 1.5 million square feet of building coverage (or 35 acres) plus parking for trucks and employees which combined would add a substantial amount of impervious surface areas. Alix Turner noted that the warehouses/trucking terminals located in Lancaster are within an enterprise zone which allows for this type of development. It is also on the edge of the Petapawag ACEC and could have significant impact on groundwater resources and Bow Brook, a cold water fisheries stream. She added that there may be a need for these facilities to have access to a proposed Shirley well located in

Lancaster. Heidi explained that the current Shirley wells are pumping water in excess of the amount allowed under their DEP permits and, therefore, there is a question of whether DEP will permit a new well at the Lancaster site. There is concern that there is not enough water in the Shirley sub-basin to support additional withdrawal. Lastly, there has been a request to tie into Shirley's access to the Devens sewer system. The Select Board is concerned about extending the system beyond the current downtown area, as well as the impact of truck traffic. Alix noted that GFI is looking to have on-site septic disposal, which, due to the ACEC, may trigger a MEPA review.

Capital Group – Rt 70, Lancaster: Al reported that he had asked Victoria Petracca, to speak at our meeting about this project, but she, like Betsy, had a conflict. And, as with Betsy, Lucy and he had instead met with Victoria for an update. As chair of Lancaster's Affordable Housing Trust (LAHT), Victoria has been working with the landowner/developer, Capital Group, to develop a mixed use proposal (as opposed to solely warehousing/industrial use) that would include affordable housing. Should a plan be agreed upon, it would require rezoning the 400+ acre parcel to 40R (state law allowing mixed use/high density residential development). Victoria reported that the LAHT was close to finalizing an MOA with Capital Group regarding the housing portion of the site and that the Select Board was interested in expanding the MOA to cover the entire site. Lucy noted that she and Al were encouraging Victoria to seek to move the large warehouse/trucking terminal away from the disturbed portion at the rear of the site, given its suitability for turtle habitat. It also is largely within the Petapawag ACEC and could have a significant impact on the North Nashua River and McGovern Brook. Alix reported that as this project is such a very divisive one in Lancaster, the Select Board is convening a working group with representatives from the Planning Board, Conservation Commission, etc, to negotiate with the Capital Group. She added that while the area is also an enterprise zone and, therefore, the terminals and warehousing are allowed by right, Capital Group has indicated it might consider a large 40B development (under a state law allowing development, 25% affordable, which bypasses local zoning) if the 40R rezoning fails. Neil Angus asked if we were intending to comment on this, and the other projects. Lucy replied that at this point we are following proposals to monitor potential impacts on resources tied to our Wild & Scenic Rivers.

Squannacook River Wildlife Management Area (SRWMA) Proposed Barrens Restoration Project

Lucy opened the discussion by noting that she had distributed copies of the PowerPoint presentations made by Brian Hawthorne, Habitat Program Manager, and Tom Wansleben, Habitat Biologist, at last month's meeting. As she had received an email from Warren Kimball with his thoughts on the project, she asked him to lead off the discussion. Warren commented that the two MassWildlife presenters clearly were passionate about their work and this project. He also did not doubt their expertise with respect to habitat restoration, which made it difficult for him to form an opinion on the merits of the project. That said, based on his knowledge of the site he felt the location was not suitable for the proposed restoration. He added that he did not think a phased approach would be appropriate either, as once begun it would be hard not to complete restoration of the entire site.

Heidi noted that she had mixed feelings and is somewhat ambivalent about the project. As someone who frequents these woods, she has noticed the deterioration of the pines. Would removing them be

bad? Or should they be allowed to fall and remain? Furthermore, she has noticed in the open areas where the old power line ran there are different plants and other features that are not in the pine woods, which inclined her to believe this area would provide an opportunity for habitat restoration. Her major concern was the scale of the project (200 acres) and the possibility for increased public use with the proposed expansion of the parking area. She noted the Squannacook Rail Trail will be located across the river from this property, which may also lead to further public use. Her final concern was the ability to manage invasives which will surely come in with the clearing of the area. This concern was one shared by several others as well. Contrary to Warren, she felt phasing would be one way to assess the effectiveness of the restoration and site's management.

Lucy asked if a smaller area should be restored, rather than the entire 200 acres, noting the 3-acre restoration in the Dunstable Town Forest for box turtle habitat. Warren felt that the entire site would eventually need to be restored in order to be viable.

Lucy also noted we have not seen the final plan, as it is, apparently, still being developed and reviewed by various departments within MassWildlife.

Al then spoke to his strong opposition to the project. He felt it was proceeding without any public involvement or engagement, to date, which gave him a sense of urgency to notify Shirley officials and abutters. He seriously doubts MassWildlife's ability to manage invasives, given its track record on other restoration sites. In addition, he has serious concerns about the negative climate impact that would result from the removal of approximately 50% of 200 acres of forest land, an initial burn which would remove the upper, nutrient-rich soil layer, and periodic burns. In sum, he did not think this project made "good ecological sense in a time of climate crisis." Furthermore, it seemed contrary to the state's plans to spend \$25 million planting trees in the coming year while simultaneously cutting trees.

In addition, he reported that he was following up on Heidi's suggestion that we reach out to the Nipmuc tribe. He has identified a couple of tribal leaders and members whom he will try to reach.

Lucy suggested that rather than just say no to this project we look for alternative sites to recommend to MassWildlife, either held by local public entities or land trusts, which would be suitable for this type of habitat restoration. She added that the need for this project was to provide habitat for state species of concern, such as whippoorwills, pollinators, and certain flora. Leah Basbanes pointed to a tract owned by MassWildlife in Dunstable along the Nashua River. Several years ago the property had been purchased by a developer and an 18-lot subdivision developed in the upland area. However, most of the site (~ 120 acres) adjacent to the river had been so extensively mined for gravel that it was not possible to build on it. Therefore, as part of the subdivision permit, the land was conveyed to MassWildlife. It has since been taken over by Russian Olive and extensively used by dirt bikers. That said, perhaps it would be a good alternative site for this particular habitat restoration effort.

Al noted that MassWildlife owns approximately 70 acres upstream of the SRWMA in Townsend (closer to Townsend Center) which might also be an appropriate location for this restoration.

Heidi again expressed concern that public support for the many good programs and work undertaken by MassWildlife will be diminished by lack of public outreach and engagement on this project. She offered to make sure the Shirley Select Board is made aware of it. Joan Wotkowicz suggested we visit Pumpkin Brook in Shirley to learn what has gone wrong since it was cleared, especially with respect to invasives species management.

Council Activities

Update to Town Select Boards: The following is the status of the presentation of our annual report to the town select boards:

- Ayer – will be done in January
- Bolton – report has been submitted to the Select Board
- DEC – was given at DEC meeting
- Dunstable – Lucy will send the report to Leah
- Groton – will do in January
- Harvard – was given at a Select Board meeting
- Lancaster – will be given in January
- Shirley – was given at a Select Board meeting
- Pepperell – will be done in January

Lucy will contact the other town representatives who were not at tonight's meeting regarding their making a report to their respective select boards.

Possible Council Projects in 2022: Lucy noted that there will be close to a year before we will be focused on our Forest Legacy Program (FLP), assuming we are awarded a grant from the Forest Service. In the interim, we could be looking at other projects we would like to undertake; the following are some of the suggestions.

- Al noted that in the process of developing the FLP application several towns and land trusts mentioned they did not have the capacity to monitor CRs. He suggested we consider providing that service by creating a CR Monitoring Circuit Rider.
- Ken Hartlage will reconvene the Land Stewardship Committee to review potential projects.
- Al reported there is interest in extending the John Tinker Trail along the Nashua River in Groton and improving it with signage explaining its ecological, historical, and cultural significance. Lucy suggested he look at the signage Bolton has prepared for the Forbush Mill Trail.
- Elizabeth noted that an early project proposal had been to install signs at the road crossings of our Wild & Scenic Rivers.
- Educational programs which could be done in conjunction with the NRWA's Education Team.
- Elizabeth noted there had been a suggestion that the Council undertake FLP – Phase 2, given the amount of time it takes to identify, meet with, and get commitment from landowners.

Conservation Networking Breakfasts: Al reported that Betsy Colburn had given a presentation on "Thoughts on the Resurgence of Agriculture with the Nashua River Watershed" at the December 7th

meeting. He hopes to have another agricultural-focus program, “Farmland of Local Importance,” at the next meeting (in late January or early February) possibly led by Al Averill, a representative of the Natural Resources Conservation Service. He is working with Michele to put together a program on invasives in March.

Community Grants: Lucy reported that she has reached out to the 2021 grantees regarding the status of their projects. They seem to be on track for completion by the end of June. To date she has received only one inquiry about the 2022 grants, but as applications are not due until February 1st, that is not a concern. Reminder emails and press releases will be sent after the first of the year.

Beth reported that applications for funding under the Mass Trails Grant program will be due February 1st. These grants require a 20% match, which perhaps the Council could provide through our Community Grants program. Lucy noted we would have to be certain no federal funds were included in the Mass Trails Grant, as we cannot match federal funds with our NPS funds. Beth noted there are 2 types of grants offered through this program: for 1 year projects which would receive only state funds, or for 2 year projects, which do receive some federal funds as well.

There being no further business, the meeting was adjourned at 8:55 PM.

Next meeting: Thursday, January 20th, at 7 PM by Zoom