

## **N-S-N Rivers Wild & Scenic Stewardship Council**

### **MINUTES OF SEPTEMBER 16, 2021 MEETING**

By Zoom Video Conference

#### Voting Member Entities Present:

*Towns:* Ayer: Beth Suedmeyer; Bolton: Rebecca Longvall; Groton: Stacey Chilcoat; Harvard: Michele Girard and Lucy Wallace; Pepperell: Ken Hartlage; Shirley: Heidi Ricci; Townsend: Joan Wotkowicz

*NRWA*: Elizabeth Ainsley Campbell, Al Futterman, Martha Morgan

*NPS*: Emma Lord

*MA F&W*: Anne Gagnon

#### Guests:

Warren Kimball (NRWA Director and former MA DEP)

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.

#### Welcome

As the Council had not met since July, Lucy asked members if they would like to share any news or updates. Rebecca Longvall reported that Bolton had received a 2-year MVP (Municipal Vulnerability Preparedness) grant, in partnership with Clinton and Lancaster, to develop best management practices with respect to flooding on agricultural lands. Ken Hartlage reported that Pepperell had received three grants, totaling approximately \$1 million, for culvert replacement and dam removal on Sucker Brook. It was noted that some of remaining funds (~\$5.3 million) the state had received through the American Rescue Plan may be directed to culvert assessment and replacement, perhaps to be distributed through the MVP program.

#### Administrative

The minutes of the July 22, 2021 meeting were approved as presented.

#### NPS Update

Emma Lord reported on that the next quarterly Partnership Wild & Scenic Rivers (PWSR) meeting will be held in late September or early October. She added that the PWSR now includes 16 rivers.

#### Council Projects

*Forest Legacy Program Project:* Al Futterman reported that the Forest Legacy Program (FLP) application had been reviewed by the MA Forest Legacy Committee and approved for submission for national consideration. There will be a mock review of the application at the end of September, followed by submission to the Forest Service in October. The national review panel will consider the application in November. The only remaining task is to gather letters of support from the partner towns, private and public conservation entities, and state and federal legislators to submit with the application.

At this point we have received approximately 95% of the requested letters and expect the remaining ones shortly. Lucy asked Heidi Ricci about the status of the letter requested from Mass Audubon. Heidi expects it to be signed in the next few days. Ken will follow up with a letter of support from the Squannacook Chapter of Trout Unlimited.

Al raised the possibility of a Phase 2 FLP, noting that while it may seem premature to consider it now, it will take a full year to pull together a good application. Anne Gagnon asked how many acres might be needed for a Phase 2 submittal; Al reminded her that the initial target for Phase 1 had been 1,000 acres and we had ended up with 2,400. Anne noted she has two large tracts in mind that together might qualify as an application. Elizabeth Ainsley Campbell noted that the Forest Service might not fully fund the current application, in which case the properties not covered in this round could be part of Phase 2.

*Squannacook River WMA (SRWMA) Proposed Barrens Restoration Project:* Al provided an overview of the proposed restoration project in the SRWMA along the Squannacook River in Shirley. It will involve clearing (through tree removal and burning) approximately 60% of forest canopy on 180 acres within the Wildlife Management Area (WMA) to restore habitat suitable for rare and declining species such as the Whip-poor-will. He reported on a walk led by Tom Wansleben of MassWildlife, which was joined by members of the Council, Shirley town committees, and neighbors. Al had since prepared and forwarded to Tom a list of questions and concerns that arose after the walk; to date he has not received a response. He added that Tom is seeking answers from others involved in the project. The following questions or comments were offered during the ensuing lengthy discussion:

- Michele Girard asked if this project was similar to the one undertaken at Muddy Brook several years ago. She added that Whip-poor-wills have started returning to the site as a result of the restoration as a barrens.
- Heidi Ricci felt we needed more information on the historic use of the land (had it been cleared and farmed by colonial settlers?) and underlying character of the soils. While there is pitch pine as well as sand and gravel features apparent on the site, there are also American chestnut and other hardwoods which raises the concern if it would be sustainable in the long run as a barrens.
- There was concern expressed about the long-term management of the site once cleared and burned, especially given the threat of invasives.
- Beth Suedmeyer noted that Sudbury Valley Trust (SVT) had successfully undertaken a similar barrens restoration on its “Memorial Forest” lands bordering Marlborough and Sudbury. The success, however, was due to diligent management, including periodic burns. It was her sense that SVT was pleased with the results of this effort.
- Heidi raised concern that clearing this large forested area would add to fragmentation of forested corridors along the Squannacook River and between Shirley, Groton, and Townsend.
- There was concern expressed about the state’s plan to improve the parking area which would result in greater use by the public (and perhaps bikers and ATVs) of this relatively unused area.
- Martha Morgan suggested Al reach out to Pat Swain Rice, recently retired from MA Natural Heritage and Endangered Species program, who is an expert in natural communities. Al agreed to do so.

- There was some concern about the impact clearing would have on the river, given it supports cold water fisheries. Will the project go before the Shirley Conservation Commission for review? Will the MA Department of Environmental Protection review it? In addition, Shirley has a zoning bylaw which requires Planning Board review of site work which may alter surface water run-off, which the proposed clearing and burning could do.
- Council members felt it would be appropriate to submit its comments to MassWildlife. However, it was felt we needed to gather more information, review the response to questions already submitted to MassWildlife, and invite Tom to a Council meeting (hopefully in October) before the Council comments on the project.

*Stratton Hill Subdivision, Ayer:* Al presented an overview of the project, a 36-lot subdivision off Wright Road in Ayer on a parcel that abuts Groton and the Mass Audubon Rocky Hill conservation area to the north. He noted this parcel is part of the largest remaining forested tract in Ayer, which includes the Moore property, Snake Hill, and the Ayer Rod & Gun Club. The proposed development abuts Long Pond, part of a chain of ponds in Ayer that are hydrologically connected to the Nashua River. The first permits for this subdivision were issued about 15 years ago which enabled the developer to put in the subdivision road. Since then, there has been no activity. Anne reported that in the past the owner has been approached by MA Division of Fish and Game (DFG) regarding the possible sale of this land to DFG. At one time there was some interest in such a sale, but it did not come to fruition. The owner is now again actively pursuing approval of the current plan, going before both the Conservation Commission and Planning Board for permits. Al reported that the site is noted for its large Blanding's turtle population, a species called out in the Council's Wild & Scenic River Stewardship Plan for protection. There are many nesting areas scattered throughout the site and abutting lands, and the turtles are known to travel extensively throughout them, as documented by tagging done 15 years ago. Al also pointed out that the subdivision is bisected by a large power line, with lots on both sides of the line. He expressed concern that this would attract off-road dirt bikers and ATVs to use the power line as a trail, further putting the Blanding's turtles at risk. Finally, given the steepness of the site there will be considerable blasting required. This, too, will negatively impact the Blanding's turtles.

Lucy asked about next steps. Al suggested public attendance at the Conservation Commission and Planning Board meetings would be important for the town boards and owner to understand the extent of concern about the project. He also felt it would be appropriate for the Council to submit a comment to the boards outlining our concerns about the impact on critical resources we are charged with protecting through our Wild & Scenic Rivers designation and Stewardship Plan. Meetings continue to be postponed, but he will try to keep the Council informed so members can attend.

Lucy wondered if the owner was going through this exercise to increase the value of the land and, therefore, the amount DFG or a conservation buyer would need to pay to acquire it. Anne Gagnon added that she is working with Jo-Anne Crystoff, Ayer's Conservation Agent, to protect this part of Ayer which is the most forested and undeveloped area in the town.

Heidi noted that this property abuts the Robin Hill subdivision in Groton along Route 119, which was developed by the same developer several years ago. At that time, the permit issued by Groton required

the developer to mitigate impacts of the project on Mass Audubon's Rocky Hill Sanctuary, including the creation of two turtle nesting areas, in accordance with a plan approved by MA Natural Heritage and Endangered Species. To the best of her knowledge, that work was never completed. She suggested Al look into that plan and contact Nick Rossi, Mass Audubon's lead on Rocky Hill.

*Cold Water Fisheries:* Ken reported that the Land Stewardship Committee is looking into tools and activities that could enhance our management and protection of the shoreline and flow of the cold water fisheries resources in streams, such as Sucker and Gulf Brooks, which feed into the Nissitissit and Squannacook Rivers. He noted that remote assessments have been greatly improved through tools such as geospatial software that employs high resolution aerial mapping which can be manipulated to show different angles and enable close-up assessment of stream banks, abutting land use, canopy, and impediments to water flow. Along with Al, Ken has been experimenting with one such product, EagleView (formerly called Pictometry). As they become more versed in its application, this could be a service offered to the towns for monitoring areas of concern or interest. It is also a tool that assessors can use in tracking improvements to properties. Ultimately, it would be extremely useful if it could be transferred to on-line maps.

*Conservation Networking Breakfasts:* The next event, which is scheduled for September 21<sup>st</sup>, will feature Paul Somers, a retired state botanist who is an expert in invasives. No other breakfast speakers are currently scheduled.

### Finances

Elizabeth reviewed the status of both FY21 and FY22 funds. She reported that the Council had been invoiced by and paid the NRWA for services rendered in July and August in the amount of \$8,698.71 and \$5,818,48, respectively. These services were primarily staff support of the FLP project.

She then shared a series of charts. The first, for FY21, showed a balance of \$20,056 to carry forward to FY22. She reminded the Council that \$10,000 of those funds are obligated for the current community small grants. The second chart showed the current balance for FY22, including the carry-over from FY21, to be \$175,207.19. The last chart showed the amount expended on restricted appraisals for the FLP application and the source of funds to cover them, as follows:

|              |                                  |
|--------------|----------------------------------|
| \$31,036     | MA DCR contract                  |
| 15,000       | Fields Pond grant                |
| 2,500        | Townsend Conservation Land Trust |
| <u>3,264</u> | No specified funding source      |
| \$51,800     | Total                            |

Noting the \$3,264 in unspecified funding source, Lucy asked if the Council would provide the needed funds. On motion made and seconded, it was unanimously supported that the remaining \$3,264 would be paid for with Council funds.

Elizabeth asked if these charts were useful and, if members wanted more information, to let her know. She added that she has asked Rebecca and Lucy for their input as well.

### Council Business

*Officers:* Lucy explained that the Council Bylaws require that officers be elected annually in September or at the first meeting thereafter. Last year, absent a policy on nominating officers, nominees were sent to Lucy to be shared with the Bylaws and Policies Committee which would prepare a slate to bring to the Council. The Committee also committed to developing a policy for nominating officers to bring to the Council for approval. Unfortunately, the Committee had failed to do that, and, therefore, Lucy was recommending the same process be used this year as last year. Anne nominated the current officers as the slate for the coming year, which was seconded. Lucy then asked the current officers if they would be willing to continue; all agreed they would. On motion made and seconded, it was unanimously voted the following officers for the coming year:

|                |                  |
|----------------|------------------|
| President      | Lucy Wallace     |
| Vice President | Heidi Ricci      |
| Treasurer      | Rebecca Longvall |
| Secretary      | Joan Wotkowicz   |

Lucy thanked them for their willingness to continue to serve. She also noted that meetings had been set up with the Bylaws and Policies Committee to develop a draft policy on nominating officers to bring to the October Council meeting.

*Reports to Town Selectmen:* Lucy noted that last year Council representatives had met with their respective Boards of Selectmen to provide an update on our activities and suggested we should do so again this year. It was suggested we include in the report an update on the Community Small Grants Program, both in the case of towns having received a grant and to make others aware of this opportunity in the coming year. Joan offered to draft the report to the Selectmen and, along with Michele, to reach out to the current grantees for an update on their work. It was suggested the representatives meet with their respective Conservation Commissions too.

### Other

*River Gauges:* Martha reported that the Nashua Area Kayak Expedition Destinations, a paddling group, would like to have a stream gauge installed in the Nissitissit River so paddlers would know if it is safe to run. Lucy suggested they apply for a Community Grant next year for funding to acquire one.

*Oxbow Trail:* Beth reported that she and Jo-Anne Crystoff have been working with the US Fish & Wildlife Service on creating a trail off McPherson Road along the Nashua River. In addition to the trail, the existing parking area is being improved and a kiosk installed. She hopes that in the future a pedestrian bridge will be built to link this trail to the Esker trail on the west side of the River in Shirley.

*Ayer 40B Development:* Beth reported that Ayer is working with a developer on a “friendly” Chapter 40B development on Fitchburg Road (Rt 2A) near the Shop & Save. It will be a rental project.

There being no further business, the meeting was adjourned at 9:20 PM.

Next meeting: Thursday, October 21<sup>st</sup> at 7 PM by Zoom