

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

### **MINUTES OF OCTOBER 20, 2022 MEETING**

By Zoom Video Conference

#### Voting Member Entities Present:

*Towns:* Ayer: Beth Suedmeyer; Groton: Diane Carson and Stacey Chilcoat; Harvard: Lucy Wallace and Michele Girard; Hollis: Bernadette McQuilkin; Lancaster: Justin Smith; Pepperell: Paula Terrasi; Townsend: Joan Wotkowicz  
*NRWA:* Elizabeth Ainsley Campbell and Al Futterman, Martha Morgan  
*MA F&W:* Anne Gagnon  
*Guest:* Martha Morgan, NRWA Director of Water Programs

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.

#### Administrative

On motion made and seconded, the minutes of September 15, 2022 were approved as presented.

#### NPS Update

In Emma Lord's absence, Lucy provided Emma's report which was to remind Council members of the upcoming gathering of the Partnership Wild & Scenic Rivers (PWSR). The event, last convened in the fall of 2019, will be held in Florida December 7 – 9, 2022. Lucy reminded the Council that there are funds in the Council's budget to cover travel and that up to two representatives are invited from each PWSR. In addition, Emma will also be attending and, therefore, provide a report if representatives from the Council do not attend. Lucy will send information on the event to the Council members and urged anyone interested in attending to contact both Emma and her.

#### Finances

Elizabeth Ainsley Campbell reported on the August and September expenditures as follows:

- August total expenditures came to \$10,308.30, comprised of a \$5,000 contract payment and \$5,308.30 for NRWA staff support and NRWA fiduciary and indirect charges.
- September total expenditures came to \$2,468.27, being \$2,243.88 for NRWA staff support and \$224.39 for NRWA fiduciary and indirect charges.

Elizabeth also reviewed a summary of Council funds as of September 30, 2022 showing a balance of \$247,571.87, \$27,923 of which is obligated for Community and Land Protection Grants and other contracted services.

#### Forest Legacy Program (FLP)

Lucy reported that the application was submitted to MA Department of Conservation and Recreation (DCR) in late September and was to be submitted by DCR to the Forest Service for national review in mid-November. The earliest we might know if we have been funded will be when the President's

Budget is released next February/March. Al Futterman added that prior to final submittal of the application to DCR, it was afforded a “mock panel review” in mid-September by several state and Forest Service personnel who are familiar with the FLP application process. Based on this review, additional edits were made before submitting our application to DCR.

Lucy reported that Janet Morrison had submitted an invoice dated October 11, 2022 for her consultant services in support of this project. She reminded the Council that it had authorized a contract with Janet up to \$17,000; the invoice submitted by Janet was for \$15,374.50. On motion made and seconded, the Council unanimously approved payment of the invoice.

### Squannacook River WMA (SRWMA)

*Proposed Oak Woodland Restoration.* Lucy confirmed that an Environmental Notification Form (ENF) had not yet been published in the Environmental Monitor.

She then asked Heidi Ricci to report on her recent conversation with Pat Huckery to get an update. Pat noted that she does not have all the details on the current status and recommended that we contact Brian Hawthorne as point of contact for this project.

It seems the ENF is on hold for now, perhaps pending approval of the proposed amendments to the MEPA regulations which, if finalized, will exempt some ecological restoration projects from MEPA review. Heidi is not certain if this project would qualify for such an exemption; an exemption will apply only if the project is considered a regular (not limited) ecological restoration project under the state Wetlands Regulations. However, she noted that on the current Notice of Intent (NOI) filed last summer with the Townsend and Shirley Conservation Commissions by MassWildlife they had checked that this was a limited project, in which case it would not be affected by the proposed change to MEPA regulations. Another round of MEPA revisions may occur next year, potentially expanding eligibility for this MEPA exemption, but the details on that are still to be determined. (Comments on the current proposed changes to MEPA are due by November 14<sup>th</sup>.)

In addition to the Wetlands permitting question, the project area is within an Area of Critical Environmental Concern (ACEC), another threshold that might trigger MEPA review.

Elizabeth recalled that MassWildlife’s plan for the project refers to the current SRWMA restoration proposal as Phase 1 of a multi-phase project. Given that, wouldn’t MEPA regulations require review of all phases (pursuant to the “anti-segmentation” clause)? Heidi confirmed that MEPA has anti-segmentation provisions that require project filings to cover all proposed phases.

Heidi also reported that in her conversation with Pat, Pat had noted that MassWildlife has studied this area for several years and has significant information on its existing conditions (hydrology, soils, seed bank, etc) and its value for restoration. In the discussion that followed it was agreed that it would be beneficial to see these studies, if MassWildlife would be willing to share them, perhaps in redacted form (or to a limited number of people who sign Non-Disclosure Agreements) to protect sensitive information such as the presence and location of rare species. The Council could then use its resources to retain a consultant to comment on the studies and/or proposed project once its scope is finalized. The Council

acknowledged the importance of its relationship with MassWildlife, noting the request to MassWildlife should be made in the context of this partnership. In this spirit, a fuller understanding of the information MassWildlife considered in deciding to undertake this project would be beneficial. It was noted that the MassWildlife lands are part of extensive conserved lands in this area resulting from the collaboration of local land trusts, municipal, and state partnerships over the years; the Council would like these partnerships to continue and grow. Lucy will follow up with a call to Brian Hawthorne to learn when a public hearing may be held and ask if we could see studies done to date on this site. It would be beneficial if a small group meeting could be held with Brian and other MassWildlife staff as well, similar to one held last spring.

*Groton Conservation Commission Meeting.* Al reported that he, Stacey Chilcoat and Diane Carson had attended the September 27<sup>th</sup> meeting of the Groton Conservation Commission regarding the town's inholding of land in Shirley across the river from the Bertozzi Conservation Area. The Commission is reconsidering its previous thought to allow this parcel to be used in conjunction with the proposed restoration project and is seeking a closer tie to the Council. To that end, Alison Hamilton, one of the commissioners, was named liaison. Diane felt it would be beneficial if other conservation commissions also had liaisons to the Council.

*Townsend Response to NOI.* Al had been in touch with Matt Matos, the Townsend conservation agent assistant, regarding the status of the NOI filed with the Townsend Conservation Commission. He was advised that the NOI is still considered incomplete for several reasons, including inaccuracies with the map showing municipal lands. He added that it seems a resident has elevated this matter to one of politics as ultimately it may become a public policy issue. Joan Wotkowicz reported that some of the commissioners have walked the Townsend portion of the site and are aware of growing public concern and opposition to the proposed restoration.

### Community Grants

Lucy reported that two grants seem to be stalled and asked for guidance on how best to proceed. The first is a 2021 grant to the Townsend Historical Society to restore the Spaulding Cooperage. She was aware there had been challenges in securing funding, so had suggested our funds be used for a specific aspect of the project. Joan will reach out to the Historical Society and see if there is a way to move it along.

The second one is a 2022 grant to the Lancaster Conservation Trust for phase 1 of a two phase project to improve the parking at the Cook Conservation Area. She has been in touch with the grantee and knows part of the issue is determination of in-kind services being provided by John Farnsworth, the project engineer. Justin Smith will look into this matter.

Lucy turned to the 2023 Community Grant Program, notice of which should be finalized at our November meeting. She noted that Joan has started updating the 2022 RFP and Grant Application, and had suggested clarifying the requirement for matching funds. Joan added the budget and accounting for match had been a problem these last two grant cycles and suggested we either drop the requirement or keep it, but edit the phrase "match, if any" to "match: in-kind/cash." The consensus was to require a match. Lucy noted that there is a standard value given for volunteers, which is often a stumbling point for grant applicants. Beth Suedmeyer commented that the current state rate for volunteers is \$28/hour. Joan and Lucy will bring a revised RFP and Grant Application to the November meeting.

## Other Business

*Stratton Hill Development, Ayer:* Al reported on the BSC Group Conservation Analysis of the site, noting their finding of “significant differences” from the proponent’s assessment. Beth added that the Ayer Conservation Commission was recommending that the existing Natural Heritage & Endangered Species management permit be amended, as opposed to withdrawing it and seeking a new one, as more land would be included for protection. She also believes there will be a recommendation that the project be subject to a MEPA review as it is within an ACEC and contains significant habitat rare species noted in BioMap 2.

*River Access Workshop:* Lucy asked if we will be hosting the proposed River Access Workshop and, if so, when. Al replied that plans are moving forward and potential sites have been identified. The workshop is planned for late April/early May 2023.

*Story Map:* Lucy asked Bernadette McQuilkin about the status of this project. Bernadette responded that mapping would be done using ARC GIS which Jackie Dias and Emma Lord are able to use and she cannot. She will reach out to both of them and give an update at our next meeting.

*Letter to DCR -Water Chestnut Management in Pepperell Pond:* Martha Morgan reported on the status of seeking additional funding through the DCR grant supporting removal of water chestnut in and upstream (to the Marion Stoddart Conservation Area) of the Pepperell Hydro Dam impoundment. She is working with Paula Terrasi on resolving this matter.

*Forest & Climate Change Walk:* Al announced an upcoming NRWA walk, “Forests and Carbon,” to be held on Tuesday, October 25<sup>th</sup>, from 4 – 5:30 PM in Brookline, NH. Those interested in attending should contact Al.

There being no further business, the meeting was adjourned at 8:30 PM.

Next meeting: Thursday, November 17th at 7 PM by Zoom