

N-S-N Rivers Wild & Scenic Stewardship Council

MINUTES OF MAY 19, 2022 MEETING

By Zoom Video Conference

Voting Member Entities Present:

Towns: Ayer: Beth Suedmeyer; Dunstable: Marijan Andacic; Groton: Stacey Chilcoat; Harvard: Michele Girard and Lucy Wallace; Hollis: Bernadette McQuilkin; Shirley: Heidi Ricci; Townsend: Joan Wotkowicz

NRWA: Elizabeth Ainsley Campbell, Al Futterman

NPS: Emma Lord

MA F&W: Anne Gagnon and Travis Drudi

Guests:

Sarah Widing, Shirley resident and NRWA Board member

Martha Morgan, NRWA Water Program Director

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

Lucy introduced Sarah Widing who was attending the meeting. In addition to being on the Shirley Planning Board, Sarah is a civil engineer, focused on water resources-related activities, and currently employed at Inter-Fluve.

On motion made and seconded, the minutes of April 21, 2022 were approved as presented.

NPS Update

Emma Lord noted her updates would be included in topics to be discussed during the meeting.

Finances

Elizabeth Ainsley Campbell reported that a total of \$8,482.29 had been expended in April, comprised of \$3,075.79 for services rendered by the NRWA and \$5,406.50 in 2021 and 2022 Community Grant disbursements. With respect to the 2022 Community Grants, Elizabeth noted that initial payments had been made to all but one of the grant recipients. Lucy added that she was still waiting for a revised budget from Susan Munyon for the grant to the Lancaster Land Trust in order to issue the Grant Agreement. Al Futterman suggested she contact Bob Lidstone, President of the Lancaster Land Trust.

Elizabeth then shared a chart which showed a balance of \$98,302.01 remaining in FY21 and FY22 funds, \$61,892.25 of which is categorized as Contractual. With \$26,573 of those funds obligated for the 2021 and 2022 Community Grants there would be \$35,319.25 available for projects being considered by the Council, including the Land Protection Grant program. Elizabeth then reviewed the projects to be considered, estimated at \$10,400:

- Invasive Species Workshop: \$1,900
- EZ Dock: ~\$6,000 (still waiting for firmer figure from Paula Terrasi)
- FLP Consultant, Janet Morrison (should the Council approve): \$2,500

Several projects were now either on hold or would not require funding by the Council. One such project is signage at river crossings. Martha Morgan, who has been spearheading this project, reported that a number of factors have put this project on hold for the moment, such as NPS requirements for signage size (too large), the contractor's (MA Department of Corrections) inability to replicate the W&S logo, and issues with getting permission for signs on town roads. Emma added that her contacts at the NPS suggested we pause this project while NPS is reviewing its signage requirements. The NPS is hoping to have the new signage requirements approved and included in the federal highway manual (Manual on Uniform Traffic Control Devices – MUTCD) so that signs could also be put up on numbered state roads and highways, in addition to town roads.

Bernadette McQuilkin, who has been working with Emma on the StoryMap project, reported that we would have access to NPS software and use of its license for posting the StoryMap on our website. Hence, it is unlikely that Council funds will be required for this project.

In response to a question from Elizabeth, Emma reported that she did not yet have new information on funding that may be needed to participate in the Dragonfly Mercury project. She expects to have that amount confirmed in the next week or so.

Pending confirmation of the funding for the Dragonfly Mercury project, Council would have approximately \$24,919 for additional Contractual projects, including the Land Protection Grant applications to be considered later in the meeting.

There is also a balance of \$27,474 remaining in NRWA Personnel, Fringe, Travel and Supplies, plus Fiduciary and Indirect of \$8,936. A certain amount will be expended on supplies for the upcoming Environmental Education series, as well as staff time for this program. In addition, NRWA staff time will be expended on the Water Chestnut pull activities in Pepperell Pond. The remaining funds will be rolled over into FY23.

FY23 Budget

Emma reported that the FY23 Budget is being reviewed by the regional Financial Assistance Team. She expects that it will be approved by July 1st so that FY23 funds will be available on July 1st.

Forest Legacy Program

Lucy reported that the outreach to landowners made by members of the Steering Committee resulted in all but a few being willing to stay in the program for another year. Anne Gagnon requested withdrawal of the Hollingsworth & Vose property in Groton as she will seek state funding to acquire it this year. Given the willingness of landowners to continue, the Steering Committee was looking at options for improving our application and would come back to the Council with a recommendation. Lucy then referred to the proposal from Janet Morrison to provide consulting services at her discounted rate of

\$75/hour at a total cost not to exceed \$2,500. The services she would be providing would be similar to those she provided last year in preparing the application. On motion made and seconded, the Council approved retaining Janet's services.

Land Protection Grants

Lucy opened the discussion noting we had received two applications for funding, each for the maximum of \$10,000 stated in the Request for Proposals. The Council reviewed each application.

- Brookline Conservation Commission: \$10,000 to be applied to the acquisition of four parcels, either abutting protected town land or within a corridor designated for protection. While the Town Meeting has approved borrowing the balance of funds for this acquisition (\$1,177,500), any additional funds the Council might make available would be appreciated to help offset the borrowing. The Council approved an award of \$10,000.
- Townsend Conservation Land Trust (TCLT): \$10,000 to cover the cost of surveying 3 properties currently owned by TCLT which are to be transferred to the North County Land Trust. As the total cost for surveying is \$15,000, TCLT will be providing \$1,500 in personnel in-kind and \$5,000 in cash match. The Council approved an award of \$10,000.

Circling back to the budget discussion led by Elizabeth, Lucy noted there is approximately \$24,919 remaining in Contracts budget category. With the full award of these two grants, there would be a balance of \$4,919 remaining. The Council could either award one or both applicant additional funds to zero out this balance or wait to see if other projects arose. Elizabeth suggested waiting until June when she will have an even more precise accounting of account balances, at which time the Council could consider awarding the applicants additional funds.

Squannacook River WMA

Lucy announced that the Shirley and Townsend Conservation Commissions would be holding hearings in the coming weeks on the Notice of Intent (NOI) filed by MassWildlife. The schedule suggested by MassWildlife was as follows:

- Shirley: Hearings on May 24th and June 14th; site walk on May 31st
- Townsend: Hearings on June 8th and June 22nd; site walk on June 13th

She had recently learned that the Shirley hearing, scheduled for May 24th, was to be opened and then immediately continued to June 14th due to an "administrative error" in documents included in the filing. She was not sure how that would impact the proposed site walk on May 31st nor when the second hearing would be held. In addition, Al Futterman had notified the two towns that a 9-acre parcel owned by Townsend which abuts the SRWMA was not shown on the map included with the NOI filing.

Heidi Ricci shared the gist of an email she had sent, as a private citizen and not as an associate of the Shirley Conservation Commission or affiliation with MassAudubon, to Chalis Bird, MassWildlife Biologist, and Mike Fleming, Shirley Conservation Agent, in which she expressed her concerns with the NOI. Some of these concerns included:

- The NOI is essentially incomplete as it does not contain plans showing wetlands delineation, sites of stream crossings, method for sedimentation control, etc.
- The zone 2 for the Shirley well heads is not included on the site maps.
- There is no information on other local permits that may be required, such as one from the Shirley Planning Board under the town's stormwater discharge bylaw.

Heidi acknowledged her respect for the professionalism and dedication of the MassWildlife staff to its work but felt the scope of this project was too large and the NOI and other information provided to date too general and lacking in specificity. Furthermore, this project stands to destroy one of the most pristine areas in this area.

Lucy then opened the discussion to others, beginning by reminding the Council that the NRWA Board of Directors had requested a 3-year moratorium. She added that the Council's area of concern could be considered limited to a buffer along the river, perhaps up to 200 feet, or cover more of the site, noting that the first goal of the Chapter on Biological Diversity in the *Stewardship Plan* is to “sustain and enhance existing biological diversity along and within the rivers and their tributaries.” The proposed restoration and on-going management could negatively impact not only the river but also the range of species dependent upon the present forested habitat. Al added that approximately 2 miles of the 16.4-mile Squannacook River (or 12%) borders this portion of the SRWMA

A lengthy discussion followed with questions and comments ranging from:

- the amount of cutting near the river
- the concern over lack of delineation of work area adjacent to the river
- lack of performance standards for work near resource areas – the river and vernal pools
- cutting too close to the river, which could destabilize the sandy banks, increase erosion of the banks and lead to sedimentation downstream of the site
- the health of the remaining trees and ability to withstand strong wind events, given evidence of blow downs at other MassWildlife restored sites
- uncertainty of future expansions to restoration of other MassWildlife lands in this area, given this project is referred to as Phase 1
- management of invasives
- apparent unwillingness of MassWildlife to engage the public

Al shared an email from David Foster, Director of Harvard Forest, regarding this project which he considered “the antithesis of sustainability” beginning with the removal of trees, followed by burning and repeated application of herbicides and periodic burning to maintain this “restored” habitat. He added that MassWildlife has a goal of restore 20% - 25% of its holdings statewide for open habitat to support globally rare species, most of which are associated with coastal but not inland areas.

Lucy asked Emma what the NPS concerns might be with this project. Emma responded that under Section 10a of the Wild & Scenic Rivers Act, the NPS's interest is in protecting and enhancing the values for which the rivers was designated. Even though the project may include federal funding

because there is no proposed work below the ordinary high-water mark, an NPS review of the project under Section 7 of the Wild and Scenic Rivers Act would not be required.

The Council agreed it would like to present a position at the Conservation Commission hearings. Given the time constraints and the fact that hearings would begin before our next Council meeting, Lucy suggested, and members agreed, that the Executive Committee draft a position and circulate it via email for Council input. Heidi suggested keeping our comments succinct and to the point, as the NRWA Memorandum had done. Elizabeth noted that MassWildlife had referred to the goal of biological diversity in the *Stewardship Plan* as justification for this project. She suggested that we include in our comments the broader context of biological diversity that is being addressed in the *Stewardship Plan*. This would be an effective way to counter MassWildlife's assertion and raise concerns with the appropriateness of the proposed restoration on this site.

Joan Wotkowicz asked if the hearings before the Conservation Commissions were the only opportunities for public input, which would be limited to the Commissions' jurisdiction under the Wetlands Protection Act. She wondered if this project would be subject to a MEPA review as it is within an Area of Critical Environmental Concern. Martha noted that under a MEPA review, alternative analyses are required which could include consideration of another site.

Other Updates

Networking Gatherings: Al announced that this program will resume this summer at a date to be determined. The topic will be Nature Based Solutions and will be presented by Gillian Davies and Keith Zaltsberg-Drezdahl, both of BSC Group.

Invasives Workshop: Michele reported on the virtual (Zoom) workshop was held on May 17th, noting there were approximately 16 participants. The next element will be field workshops, to be held in June. She is looking for sites and will offer several dates in June to participants. She intends to open the field workshops to those who did not attend the first virtual workshop, as she thinks each field exercise could accommodate between 15 and 20 people.

Signage Project: Martha explained the obstacles encountered in advancing this project and the decision to postpone it for now. The hope is that the revised NPS signage criteria will be accepted in the updated Manual for Uniform Traffic Control Devices which would enable signage to be placed on state and federal highways. She also hopes the state Department of Corrections would be able to produce the signs using the new criteria.

Earth Day in Ayer: Beth Suedmeyer reported that the Earth Day event, sponsored by the Town of Ayer, the US Fish & Wildlife Service, and the Devens Enterprise Commission, was a great success. She thanked Emma for manning a table offering information on the NPS and Wild & Scenic Rivers, and Martha for a table with information on the NRWA. Beth felt it would be good to continue to do these types of outreach events.

There being no further business, the meeting was adjourned at 8:45PM.

Next meeting: Thursday, June 16th at 7 PM by Zoom