

N-S-N Rivers Wild & Scenic Stewardship Council

MINUTES OF JULY 21, 2022 MEETING

By Zoom Video Conference

Voting Member Entities Present:

Towns: Ayer: Beth Suedmeyer; Brookline: Drew Kellner (by phone); Groton: Diane Carson;
Harvard: Michele Girard and Lucy Wallace; Hollis: Bernadette McQuilkin; Lancaster: Justin Smith;
Pepperell: Paula Terrasi; Shirley: Heidi Ricci
NRWA: Elizabeth Ainsley Campbell, Al Futterman
NPS: Emma Lord
MA F&W: Anne Gagnon
DEC: Neil Angus

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 June 16, 2022 were approved as amended.

NPS Update

Emma Lord reported one two items. First, the FY23 NPS funds have been released and the first quarter payment made to the fiscal agent, NRWA. Second, the second of the Partnership Wild & Scenic Rivers speaker series will be held by Zoom on August 31st during the regular quarterly PWSR meeting (noon to 1:30 PM). The topic will be “Tribal Engagement with Wild & Scenic River Councils.” Emma will send a link to the meeting to Council members.

Finances

Elizabeth Ainsley Campbell reviewed the Council’s fiscal year-end finances as of June 30, 2022 through three lenses. First, cash expenditures made on behalf of the Council in June which came to \$25,671.72. This represents disbursements from the Contractual category for community and land protection grants, and Council projects, and NRWA Program Support category for NRWA staff program support, travel, three family-oriented environmental education programs, and the 10% fiduciary fee.

Second, a more detailed review of expenditure of funds remaining in the FY22 Contractual category. Adding to the Contractual category funds disbursed in June 2022 (\$17,400) obligated funds to be held for 2021 and 2022 Community Grants (\$4,800 and \$19,773, respectively), land protection grants (\$10,000) and other projects (EZ Dock - \$6,319; Invasives Workshop -\$1,150; and Janet Morrison, if approved - \$1,750.25) there are no FY22 Contractual funds to carry forward into FY23.

And third, a summary of combined FY21 and FY22 funds as of the end of the fiscal year. Elizabeth reported that \$43,792.25 cash obligated in Contractual category to cover approved projects and the 2021 and 2022 community and land protection grants. Once disbursed, this category will be zeroed out. On

the other hand, the \$18,740.46 remaining in the NRWA Program Support category (\$11,507 of which is for NRWA staff support), will not be fully expended/obligated and, therefore, will carry forward into FY23. Elizabeth asked Emma if this level of funding to be carried forward would be a problem for the NPS Finance Team. Emma will check with Jim McCartney, but believes this should not be an issue. In addition, there needs to be an understanding that these funds will be spent in FY23. She reminded the Council that the NPS tends to view the several fiscal year appropriations as a single pot to which funds have been added over the 5-year term of the Cooperative Agreement. There is some flexibility in when specific fiscal year funds are expended, as long as these funds have all been spent by the end of the Agreement term.

With the FY22 Contractual category zeroed out, Heidi asked how we would be able to retain the services of a consultant for the Squannacook River Wildlife Management Area's proposed restoration. Elizabeth assured her that this expense could be covered by FY23 funds as of the start of our current fiscal year on July 1, 2022.

Forest Legacy Program

Al Futterman reported that the application had been submitted to the MA Department of Conservation and Recreation's Forest Legacy Committee on July 11th and reviewed the following week on July 20th. Al and Janet Morrison had presented our application to the Committee; it was unanimously approved (it also was the only one) to proceed to the National Review level. Al noted that the Committee offered several comments which we will incorporate into the application before it is submitted to the National Review in September. We now have a little over a month to make these edits before there is the mock panel review by past members of the National Review Committee. This review will provide us with another chance to refine the application.

Lucy reported that the Steering Committee, and particularly our consultant Janet Morrison, had spent considerable time revising last year's application to strengthen our case. The number of tracts has dropped from 25 to 20 due to a couple of landowners dropping out in the spring and the decision to drop 3 tracts in Bolton and Harvard which are outside the Nashua River watershed and more expensive than the average cost of the remaining tracts. The application now covers roughly 2,000 acres of forested lands. In addition, the value of these tracts was increased by approximately 8% to account for inflation and rising land values. She noted that the Forest Service has added two new criteria to the FLP application: addressing benefits to Environmental Justice (EJ) communities and mitigating the impacts of climate change.

Lucy then presented an amendment to Janet's May Proposal (contract), which currently caps compensation at \$2,500 and terminated with submittal of the application to the state (on July 11th). Given the time needed to complete the application and suggested revisions, she was proposing that Janet's contract be amended to extend to the time the application is submitted to the National Review Committee (late September) and the compensation be increased up to \$17,000. She explained that Janet's time had increased significantly in the last few weeks as the application was prepared for submittal to the state. Anne Gagnon asked if the \$17,000 included the \$2,500 in the May Proposal. Lucy acknowledged it did. Heidi Ricci asked if the Steering Committee really needed so much of Janet's

time, given she is an attorney. Lucy explained Janet is not only an attorney but also a conservation consultant, providing, for example, information on adjusting land values, updating the maps, and providing new sections to the applications to include the new Forest Service criteria. Elizabeth added that her time and expertise has been critical to our work and will continue to be needed. Heidi thanked Lucy and Elizabeth for clarifying Janet's role.

Lucy asked for a motion to approve the Amended Proposal dated July 21, 2022. A motion was made, seconded, and passed unanimously. Lucy also asked for approval to pay Janet's invoice dated June 30, 2022 in the amount of \$1,750.25. The Council so agreed.

Squannacook River WMA (SRWMA)

As reported at the last meeting, our next opportunity to engage in this project will be when there is notice of MassWildlife's filing of an Environmental Notification Form (ENF) with MEPA. Notices are published bi-weekly in the Environmental Monitor which AI has been checking bi-weekly. Elizabeth reported that Warren Kimball, a member of the NRWA's SRWMA working group, has suggested we retain the services of a forestry consultant (perhaps David Foster of the Harvard Forest), as well as experts in the MEPA process.

Lucy asked Heidi if she would have the time to help AI draft our response to the ENF. Heidi agreed to, so long as AI took the lead. She noted she will be on vacation the week of August 22nd. She also concurred with Warren's suggestion to reach out to David Foster and consultants on the various characteristics attributable to the site (soils, geomorphology, habitat, etc) and the impact of the proposed restoration on them. AI added that the Squannacook River's designation as a Coldwater Fisheries Resource could be jeopardized by not only removal of the canopy shading the river, but also the warmer interior surface waters that will flow into the river. Heidi stated that her biggest concern is the lack of detail provided on the site by MassWildlife, such as detailed soil maps and consideration of the impact of segmentation of these forested corridors on wildlife. AI added the on-going cost of maintaining the restored acreage has not been detailed.

There followed discussion on setting aside funds for consultant services and authorizing the Executive Committee to expend them. Elizabeth asked Emma if this would be an allowed use of the funds held in the FY23 Budget's Contractual category. Emma confirmed that the \$83,175 in this category is broadly defined as being for projects that advance implementation of the *Stewardship Plan*, and that consultants to advise the Council on this matter would be an appropriate use of these funds. Suggested amounts to set aside ranged from \$15,000 to \$30,000. Given the uncertainty of expert services we may require, a motion was made, seconded, and unanimously supported to authorize the Executive Committee to expend up to \$30,000 for consultants to assist in the Council's response to the ENF.

Two additional topics raised in connection with the SRWMA. First, AI reported that he had spoken with Nik Gualco, Groton's Conservation Agent, regarding the 15-acre Groton in-holding in Shirley opposite Bertozzi Conservation area. The Groton Conservation Commission does not intend to give the land to the state, but has not decided if it will allow the land to be used by MassWildlife for this project.

Second, Anne met recently with the Shirley Greenway Committee to discuss open space conservation. A concern about future sales or donations to the state should the use or management of the property be changed was raised. Heidi noted that the Groton piece had use restrictions, and suggested we look at the deeds for the other parcels within the proposed project area to see if they also contained restrictions.

Nominations

Lucy reported that pursuant to our Bylaws, officers are to be elected before the start of the fiscal year. She asked that members send suggested candidates to the Executive Committee (which acts as the nominating committee) by the end of the month. Should there be multiple candidates for a given office, a vote will be held at our next meeting. If there are no contested positions, there can be a vote by email. She added that she had reached out to the current officers to see if they were willing to continue. Joan had emailed Lucy that she would, if no one else wanted to serve, and both Heidi and Lucy offered to continue if there were no other candidates. Lucy encouraged Council members to put themselves or others forward.

Community Grants

The Brookline Conservation Commission's final report on its tree planting project had been sent to Council members prior to the meeting for review. Lucy asked for comments on the project. Drew Kellner reported that they were able to purchase 3 slightly smaller, but significantly healthier trees than the 2 larger ones the grant funding would have covered. The trees were planted the end of June and are doing well. On motion made and seconded, the report was unanimously accepted. The remaining grant funds can now be paid to the grantee.

Other Business

Networking Gatherings: Al reported that the last gathering had been held yesterday as a joint meeting with the NRWA's Climate Impact Committee. Gillian Davies of the BSC Group and Keith Zaltsberg-Drezdahl of Regenerative Design gave a presentation on the tri-community Apple Country MVP project on Nature Based Solutions. The three communities were the towns of Bolton and Harvard, and the Devens Enterprise Commission which oversees planning for Devens. The topic and date for the next gathering is to be determined.

Letter of Support to NOAA: The Merrimack River Watershed Council (MRWC) has asked the Council and the NRWA to submit a joint letter of support to NOAA's Office of Habitat Conservation for the MRWC's "Restoring Fish Passages at the Watershed Scale in the Merrimack River Watershed" project. This project would support the installation of a natural stone fish passage at the outflow of Lake Potanipo, thereby allowing the migration of river herring in and out of the Lake. Drew added this would allow the herring to travel further north and upstream to streams that flow into the Lake. The Council concurred with sending a joint letter of support. Lucy asked Al to draft a paragraph to insert in the letter highlighting implementation of the Council's *Stewardship Plan* through this project.

Brookline Senior Housing: A 17-unit senior housing project is being proposed along the Nissitissit River. The NRWA has submitted comments to the Brookline Town Planner. The Council took no action.

Hollis Development: Bernadette McQuilkin reported on a planned residential development on approximately 40 acres of an abandoned sand and gravel quarry along the Nashua River in Hollis. While this run of the river is downstream of the Wild & Scenic designated Main Stem, it could have a significant impact on public use and enjoyment of the river. There are 2 informal canoe put in/take out sites: one near Runnels Bridge and the other on land owned by the now-defunct Lone Pine Rod and Gun Club. There is also a trail used by the public that runs along the river that could be impacted by the proposed development and future use of the Rod and Gun Club land. Bernadette added that the Hollis Town Planner had reached out to the NRWA for an assessment of the site's suitability for this development. She thanked the NRWA staff, particularly Jessica Veysey Powell, for a very comprehensive memorandum. Beth Suedmeyer suggested that, if allowed in Hollis, the Planning Board ask the developer to pay for the town to retain the services of a consultant to review the plans. Bernadette reported that the Conservation Commission is looking for funds to acquire some of these properties and asked for any suggestions for grants.

There being no further business, the meeting was adjourned at 8:35PM.

Next meeting: Thursday, August 18th at 7 PM by Zoom