

Nashua River Wild & Scenic Study Committee
Notes from the Committee Meeting
NRWA's River Resource Center, 592 Main Street, Groton, MA
January 21, 2016
3rd meeting

INFORMAL NOTES

Attending: Lancaster: Bill Flynn; Harvard: Lucy Wallace (chair); Ayer: Beth Suedmeyer & Robert Pontbriand; Shirley: Heidi Ricci & Betsy Colburn; Groton: Tim Newman; Townsend: Leslie Gabriliska; Pepperell: Paula Terrasi; Dunstable: Leah Basbanes & Judy Larter; NPS: Jamie Fosburgh; NRWA: Elizabeth Ainsley Campbell, Al Futterman, Mark Archambault, Martha Morgan

Also Attending: Guest Julia Blatt, Ex. Dir., MA Rivers Alliance

1. Welcome & Introductions

2. "Getting Started" – Comments and Advice from Julia Blatt

Julia gave a presentation on what she said has been the most rewarding work of her long career in support of rivers– the work leading up to the designation of the Sudbury, Assabet and Rivers as Wild & Scenic

- Slides of the talk accompany these minutes: "Sudbury, Assabet, & Concord Rivers Wild & Scenic – How We Got Started"

Q&A

Heidi R. - How much did U.S. F&W help?

JB -- Non-profits and town reps. did the heavy political lifting

Beth S. – How far into the watersheds was the study conducted?

JB – Not far up into the watersheds. Stayed on the main stems. Moving farther up would have brought in other towns.

Lucy W. – What kind of zoning did you look at – were you looking at what was happening upstream?

JB -- Looked at basic zoning only – and wetland rules; the MA Rivers Act was not yet enacted.

Leslie G. – Do you have to apply for the NPS money, or does it just come in every year?

JB – All W&S Rivers get a pot of money each year. The money is divided, although not equally. Money goes to NPS – divided for staff; then it goes to the grants distribution committee and a round of grant RFPs gets released.

Bill F. – What is the River Stewardship Council's relationship to the Study Committee?

JB – The Study Committee morphed into the Stewardship Committee. The Stewardship Committee must be chaired by a town.

Appointments at that time had to go through the Dept. of Interior; a long application process. With the Council – it's a similar composition to your current Study Committee. Congress authorizes the committee. The watershed groups are just another member on the committee.

Judy L. – There seemed to be a lot of volunteers. Who controlled them?

JB – Volunteers are not easy to control. First it was Ad Hoc, but then volunteers worked in the towns. Volunteers from each town would know whom to talk with in their town; group dynamics were specific to each town group. Volunteers help with the public meetings – volunteers would invite folks, go to selectmen's meetings. When the group became "official", there were fewer volunteers. The desire was for a grassroots, bottom up committee. The Study Committee broke into smaller groups: Publicity outreach; writing/review; by-law research group, etc. However, the NPS staff really wrote the final report.

JB --The committee led on the political process.

JB -- Section 7 is powerful component of W&S designation (both at the stage Nashua is in under the Study Act, and following W&S designation). It allows the federal government to deny or condition a federal permit or stop an action initiated or funded by the federal government that could harm the river's ORRVs. This was where the "meat" is in Wild and Scenic.

JB -- Anything initiated by the federal government that must be permitted, etc. (like a dam, hydro project, river straightening, redirecting, etc.) has to go through Federal government and cannot be permitted if it hurts the potential for W&S designation.

These projects would require NPS to use Section 7. Communities could ask NPS about the project, but NPS might not do it if the communities didn't want it.

There are a lot of up sides, and not many down sides to it. Section 7 has not inconvenienced anyone in any towns of the SuAsCo W&S.

3. Accept/ Revise/ Reject Informal Notes from Last Committee Meeting

December Notes were revised. Judy Larter moved to accept the Notes, and Heidi Ricci seconded the motion. The Notes were approved as amended.

4. Committee Composition and Basic Rules

A. A draft proposal *re* Committee Composition was circulated, discussed, and edited. See attached document.

B. Elizabeth A. C. reported that Jordan Bailey from the Brookline, NH ConsCom contacted NRWA about their interest in having Brookline added to the Study Committee and ultimate Designation because their town has the headwaters of the Nissitissit River. Brookline Con. Comm. is concerned that they aren't part of the Study. How do they proceed to get the entirety of Nissitissit River in the Study?

Elizabeth A.C. reviewed previous efforts several years ago to engage Brookline and Hollis, and said it had always been a goal to see what could be done to include them going forward.

Comment by Committee members: Make sure NH congressperson wants to proceed, and that Congresswoman Tsongas is also made aware of Brookline's interest. Part of the process going forward will be that Brookline must get support from their Select Board.

Jamie F. – Strengthens the process to have more than one state.

Resolved: Study Comm. welcomes inviting Hollis and Brookline to the next meeting/subsequent meetings.

- C. As previously discussed, other additions may be considered at some point after their ORRVs are explored: Devens--MA Development; Clinton; more of Lancaster.
- D. A draft Basic Rules of Operation document was circulated, discussed, and edited. See attached document.

5. **Timeline**

A draft Timeline was circulated and discussed. Spring 2018 town meeting votes is the goal. Everyone agreed the draft timeline is a good start, and will be refined over time. See attached document.

Jamie F. - \$40k additional is now committed to the Nashua Study budget for this fiscal year.

6. **Outstanding Resource Values (ORVs)** – first pass at defining; to be re-visited

Request to either make Outstanding Resource Values term clearer, or make Outstanding Remarkable Resource Value (ORRV) the standard in the language (to not confuse it with other ORV acronyms).

Add Cold-water fisheries and Connectivity to the draft ORRV list.

Also note that the story of the clean-up of the Nashua River and Marion Stoddart's role is unique And can be part of what we present.

7. **Preliminary View of Subcommittees** to be formed, and who might be interested in actively working on each:

ORVs – Betsy Colburn expressed interest. It was noted that Freedom's Way Heritage Association has started a literature review; more can be done.

Outreach – Beth Suedmeyer, Bill Flynn, and Robert Pontbriand expressed interest. Robert P. again offered Ayer's technical expertise in putting together outreach website/ FB/ Twitter accounts; would need material to come from the committee members. Beth S. suggested an Outreach meeting before the next (2/18) Study Committee meeting. Festivals are coming up in the spring/ summer and we should be ready with outreach materials and plans for those.

8. Public Body?

The Committee returned to the question of whether the Study Committee is a public body, and, if so, whether open meeting law prevails. Lucy W. put the question to Harvard's town attorney. His opinion is that Study Committee is not a public body and is not subject to the Commonwealth's Open Meeting Law as it has been created under the auspices of the NPS and legislation authorizing the Study. Ayer's town attorney had looked at some other aspects, and Jamie Fosburgh also provided a view from NPS. The Committee assessed the data gathered as resolving the question: the Study Committee is not a public body and is not subject to the Commonwealth's Open Meeting Law.

Regardless, the Committee will be as open and transparent as possible.

The Committee will let the public know via local papers, social media, etc. what is happening with the committee: transparency is important. We need to think how each town shares information about the meetings; we can discuss this in the future. Website will help.

9. Wrap up and Adjourn

Adjourn 9:10 pm