

N-S-N Wild & Scenic Rivers Stewardship Council

MINUTES OF AUGUST 20, 2020 MEETING

By Zoom Video Conference

Members Present: Beth Suedmeyer (Ayer); Michele Girard and Lucy Wallace (Harvard); LeeAnn Wolff (Hollis); Ken Hartlage and Paula Terrasi (Pepperell); Heidi Ricci (Shirley); Joan Wotkowicz (Townsend)

NRWA Staff: Elizabeth Ainsley Campbell and Al Futterman

NPS: Emma Lord

Guests: Anne Gagnon (MA DFW); Mike Fleming (former MA DCR and current NRWA Director); Warren Kimball (former MA DEP and NRWA Director)

The meeting was called to order at 7:00 PM by the Interim Chair, Lucy Wallace. Due to the Coronavirus (Covid-19) pandemic the meeting was held virtually by Zoom.

Administrative

The minutes of the July 16, 2020 meeting were approved as amended.

NPS Updates

Emma Lord reported that the two new NPS staff will be starting in September and November. One will be based in Boston, working with Wood-Pawcatuck Wild & Scenic River Stewardship Council and the other will be based in Springfield, working with the western Massachusetts and Connecticut Wild and Scenic Rivers Councils.

Policies Subcommittee Update

Lucy led the Council members through a review of the four draft policies to be considered for adoption.

1. *Activity Review and Advocacy:* Several suggested edits were discussed and will be incorporated into a revised document to be considered at the September Council meeting. Heidi Ricci suggested adding to the first and second paragraphs that in addition to responding to activities that might have detrimental impact on the rivers, we may comment on positive actions, initiatives or similar opportunities to the benefit of the rivers or abutting lands. For example, by supporting a potential land acquisition or riparian restoration projects. There were some questions regarding process for commenting on projects. Elizabeth Ainsley Campbell noted that federal funds cannot be used to support lobbying a public body. Emma, however, did not believe letters of support would be considered lobbying, but she will investigate this matter further. It was suggested adding language regarding letters of support. In addition, reference to the Council's *Conflict of Interest* policy (to be drafted) might be included in this section. Lastly, Ken Hartlage suggested adding language under "Review Criteria" to explain why some alternatives are more suitable than others (as opposed to only unsuitable). Lucy will revise the policy per this discussion, review it with the Policy Subcommittee, and send it to Council members prior to the September meeting.
2. *Advisory Committee – Purpose, Structure, and Appointment:* The list of potential stakeholders was reviewed. Heidi suggested adding another category of attorneys and consultants. Elizabeth suggested we may want to include the regional planning agencies or commissions, as well as other state departments, such as the Department of Transportation. It was agreed to keep the categories as broad as possible so as not to inadvertently preclude a desired entity or person. Mike Fleming concurred, noting more general is often better than too specific. There was a question regarding attendance at

Council meetings by members of the Advisory Committee. Lucy will add language clarifying the role of members is to be available for specific matters for which they can provide expertise and advice. The Policy Subcommittee will review it and a revised policy will be sent to Council members before the September meeting.

3. *Posting of Core Documents on the Website:* Lucy explained the purpose of this policy was to assure the public had access to current versions of the Council's basic documents: the *Stewardship Plan*, *Bylaws*, and *Policies and Procedures*. In addition, meeting minutes and notices will be posted on the Council's website. Elizabeth noted that the website will also include other materials such as activities, events, and news articles. On motion made and seconded, this policy was unanimously adopted.
4. *Meetings and Meeting Notices:* Lucy explained the key points of this policy, which was drafted by Neil Angus, including what must be included in a meeting notice, the procedure for posting regular Council meetings and executive sessions, management of subcommittee meetings, and allowance for remote participation. Elizabeth added that this policy was based Article 5 of the Council's *Bylaws*, which was attached to the draft. On motion made and seconded, this policy was unanimously adopted.

Land Stewardship Subcommittee Update

Ken briefly reviewed the work of the Subcommittee. While the shoreline survey is well underway, the Subcommittee members have begun discussing future projects to present to the Council for consideration. He noted some may be projects Council members or other volunteers could undertake; others might be projects we would do in partnership with other entities. Finally, some may require substantial funding, such as engineering for improved canoe access. Ken will collate the ideas for the Subcommittee to review and prioritize, with the goal of bringing them to the September Council meeting for consideration.

Shoreline Survey: Al Futterman provided an update on the shoreline survey project. He shared a map of the rivers segments already covered (9) and to be covered(5) in the next couple of weeks, briefly describing highlights and issues related to the various sections. He then shared the survey form (based on the "Mass Riverways" data sheet) for the section of the Squannacook River from the Canal Street bridge in West Townsend to the Adams Dam in Townsend which he had done with Joan Wotkowicz on August 6th. In addition to the 2 ½ -page survey form, there were another 2 pages of detailed description and text. Al intends to summarize these comments in order to note key points. Heidi suggested he categorize the findings into positive characteristics/attributes to be preserved and negative characteristics or issues that need to be addressed. Al will provide additional reports in future Council meetings.

Elizabeth noted that while the Council had previously approved the shoreline surveys as a Council project, a budget had not been set. She reported that Al believes he is about halfway through the work and has to date spent approximately 50 hours on this project. She added that with the signing of the Cooperative Agreement on July 16, 2020, the Council can cover expenses incurred since that date. Elizabeth asked if the Council members were comfortable with covering the cost of Al's time (approximately 100 hours total for this project). Council members agreed to this use of Council funds.

Conservation Networking Breakfasts: Al reported that Pat Swain Rice's program on "Priority Natural Communities in the Nashua River Watershed" which was presented at the last meeting on August 4th, was very well received. It is hoped she will return to do a second program later this fall. An upcoming program to be given by Jason Carmignani, Aquatic Ecologist at the MA Natural Heritage program on September 1st will be on freshwater mussels. Al said any interested people are invited to attend. Paula Terrasi noted that the turnout at these events continues to be good; the last program had 19 participants.

Other Business

1. *Canoe Access:* Al reported on a canoe access site that he has been exploring which is adjacent to or on the former David Ross Associates property in Ayer. The property was recently acquired by a Buddhist congregation for a future temple and meditation center. Although an enforcement order was issued by the Ayer Conservation Commission due to unauthorized activity near the river, the new owner is very willing to contribute to appropriate restoration, including improvement of a canoe access. Al added that a state road ends very close to this property, which would provide vehicular access and parking. This would be good site to develop as it is about halfway between the Ice House Dam and Petapawag, a very long stretch for most recreational paddlers. Al will meet with the new owner in the next few days to see if public access to the river might be allowed as part of the work to be done pursuant to the enforcement order. Elizabeth asked the Council members if Al should represent the Nashua River Watershed Association, the Stewardship Council, or both in these discussions. The Council members agreed it would be appropriate for Al to represent both entities.
2. *West Groton Property:* Al reported that Marion Stoddart had contacted him about the possibility of the Council helping the Town of Groton acquire a property on the Squannacook River near the Route 225 bridge. The property has an abandoned structure (not historic). Based on communication with the Groton Conservation Agent, he does not believe the town any longer has any interest in purchasing the property. In addition, the owner has not paid taxes. Heidi suggested he check to see if the town has considered a tax taking. Ken felt that if the town had not reached out to us to help with this property we should not get involved. We have limited funds and could probably make better use of them on other Council projects.
3. *Unexploded Ordinance:* Lucy reported that in two separate instances paddlers engaged in magnet fishing in the Nashua River between the Bill Ashe Visitor Center and the West Main Street bridge had uncovered unexploded ordinance (UXO). The EPA was immediately notified, as was the Army's BRAC office which is responsible for Devens clean-up. The NRWA, towns, and National Park Service were also notified. She added that the Devens Enterprise Commission has issued an emergency ordinance prohibiting magnet fishing in the river. Paula recalled finding an unexploded hand grenade in a nearby vernal pool and Heidi noted that Bill Ashe had insisted on a thorough survey of the bottom of Mirror Lake for ordinance prior to it being turned over to the state. Lucy reported that it will be up to the Army to develop a plan to be approved by the EPA for surveying the river to locate any additional unexploded ordinance and safely remove it. The Council will certainly want to review it and provide comments to the EPA.
4. *Mulpus Brook Culverts:* Mike Fleming reported that two culverts are being replaced on Mulpus Brook. At the town's request, MA Fish and Wildlife had assessed the needs for the first site on Horse Pond Road, and Martha Morgan had similarly assessed the second site on Walker Road.
5. *Osprey!* Mike reported on an osprey nest near the Keating property on Fort Pond Road in Lunenburg.

There being no additional business, the meeting was adjourned.

Next Meeting: September 17, 2020 at 7 PM - by Zoom