



**Meeting Minutes**

**Stewardship Councilors in Attendance:** *Chairman*, Richard Cross **Councilors:** Elisa Campbell, Michael Dutton, Frank Frey, Whitney Hatch, Laura Johnson, Henry Lee, James Van Dyke, Dan Wolf  
**Excused:** Julian Agyeman, Christina Crowley and John Natoli

**Public Attendees:** Dennis Annear, Mass Forest Fire Council - Ellen Arnold, Friends Upton State Forest - Carol Berkowitz, Protect Water Resources Natick - Bob Bois, Natick Conservation Committee – Mary Booth, WCCAC - Gregory Cox, Town of Hawley - Lincoln Fish, Licensed Forester - David Gafney, Citizen – Leo Garneay, Self Employed - Carol Gilmour, Friends of the Robinson State Park - Lucy Gionfriddo, Citizen – Sharl Heller, Forest & Park Friends Network – Fred Heyes, Land Owner, Claudia Hurley, Friends of the Robinson State Park - Mike Hurley, Citizen - Cinda Jones, Cowls and MA Forest Landowners Association - Steve Kaiser, Association of Cambridge Neighborhoods - Kent Lage, Mass Wood Producers - Mike Leonard, Consulting Forester – Michael P. Lowery, Wayland Surface Water Quality Committee - Chris Matera, MA Forest Watch - A. Richard Miller, Cochituate State Park Advisory Committee - Jill Miller, Citizen - Chris Morton, The Esplanade Association – Joel Pecoy, Student – Paul Remington, NETRA - Heidi Ricci, Mass Audubon - Mike Ryan, Friends of the Fells – Jean Shanchan, Friends Upton State Forest - Matthew Schoenberg, Citizen – Bruce Spencer, Forest Guild - Ray Weber, Friends of Robinson State Park - Joe Zorzian, Citizen

**DCR Staff in Attendance:** *Commissioner* Rick Sullivan, *Chief of Staff* Stephanie Cooper, Andy Backman, Lisa Bishop, Dolores Boogdanian, Jim Comeau, Stuart Conner, Conrad Crawford, Gary Davis, Jim DiMaio, Bill Logue, Joe Rotondo, Suzanne Wilson

**Chairman Dick Cross called the meeting to order at 1:05 p.m.**

**Commissioner's Report - Commissioner Rick Sullivan**

- Commissioner Sullivan reinforced Governor Patrick's Transportation Reform Package which states that parkways will continue under DCR and bridges are proposed to be transferred to Mass Highway.
- Governor Patrick is also initiating recycling that will save \$30-64,000 annually.
- Commissioner Sullivan announced a new DCR public forum Partnership chats to facilitate discussion with friends groups on a wide variety of DCR issues. This new forum is scheduled for March 19 at 100 Cambridge Street, Room 2D.

**Committee Updates and Meeting Schedules**

**Finance Committee**

*Finance Report – Councilor Whitney Hatch*

- Councilor Whitney Hatch recapped the numbers and scenarios presented to the Council by DCR's Director of Administration and Finance, Patti Vantine, in the February meeting. Mr. Hatch commented that A&F was considering "sweeping" salary accounts (eliminating vacancies) to gain extra expense savings for the current fiscal year.
- Councilor Whitney Hatch informed the Council of the March 13 budget meeting in Worcester.

**Policy and Planning Committee**

*Resource Management Planning – Councilor Henry Lee*

- Councilor Henry Lee informed the Council that the agency is developing a protocol for a light version of the RMP. The sub-committee will review the proposed protocol, and present a final version to the Council at the May meeting. The Council will need to decide whether or not to accept the version and if does not, we will move to assess other options.

- The Council will need to decide how to incorporate the public participation involvement and how best to develop the management section of the plan, in addition to the inventory of assets, both physical and man made.

### **Special Business**

#### *Forestry Public Process – Bill Logue, UMass Boston Office of Dispute Resolution and Public Collaboration (MODR)*

- Bill Logue explained to the Council how MODR is designed and its role in the forestry public process DCR is convening. MODR is also seeking to create an opportunity for dialogue.
- Bill Logue updated the Council on the selection process for the Technical Steering Committee.
  - MODR received suggested members for the Committee; individuals who represent the forestry, landowners, environmental and citizen stewardship communities.
  - MODR will convene small group meetings to select these members for the Steering Committee, with the selection process completed within the next two weeks.

### **Comments/Questions**

- *Chairman Dick Cross asked Mr. Logue what was his anticipated date for empanelling a group and if the selection committee announcement would be made in advance.*
  - *Bill Logue informed the Council that a group should be selected by the third week in March and a public meeting anticipated for the first week in April. The goal is to have the public fully aware of the process. Bill also added that selection of the committee will be announced in advance of the first meeting.*
- *Commissioner Sullivan commented on the forestry story run the previous night on Channel 5.*
  - *Commissioner Sullivan informed the Council and the public that although half of the story was fair, the other half was not reported in an objective and unbiased manner.*
  - *Commissioner Sullivan stated that he is hoping that when we embark on the public process, all sides bring their constructive views and will generate productive and enlightened recommendations to guide DCR in the future.*
  - *Commissioner Sullivan also noted that this process is real, will promote a dramatic change in policy and that DCR is moving forward.*
- *Councilor Henry Lee commented and applauded Commissioner Sullivan and DCR for moving forward on this issue that has been ignored for years. He also applauded how the slow, careful process will help gain public trust.*

#### *Eminent Domain Taking of Parkland, Waltham, MA – Jim Comeau and Dolores Boogdanian, Assistant General Counsel*

- Jim Comeau proposed to the Council to take, by eminent domain, an easement for public access over a parcel of land in the City of Waltham owned by Michael J. Penta, Susan Sgarzi Penta and Angelo D. Paoline, Trustees of SMC Trust, for park and reservation and protection of open space purposes. The land is situated on the Upper Charles River Reservation and part of the Charles River Greenway and Restoration Project. This easement is a critical connector piece in the greenway. The taking is “friendly,” which means that the landowner and the Commonwealth have negotiated the purchase price for the land and all other conditions of the transaction. DCR asked those Councilors who approve of the friendly taking to sign the enclosed approval document.
  - Motion by Councilor Laura Johnson, seconded by Councilor Frank Frey to approve the acquisition to acquire eminent domain taking of Parkland, Waltham, MA in the amount of \$8,500. All in favor, motion carried. See Copy of the Vote attached hereto.

#### *Eminent Domain Taking of Willow Marsh, Saugus, MA – Jim Comeau and Dolores Boogdanian, Assistant General Counsel*

- Dolores Boogdanian, Assistant General Counsel, proposed to the Council to take, by eminent domain a parcel of land in the City of Saugus containing approximately 7.6 acres. The land is located adjacent to DCR’s Rumney Marsh Reservation. This is a “friendly” taking as the

owner has agreed to transfer the property to the Department. DCR legal is asking that those approving Councilors sign the enclosed approval document.

- Motion by Councilor Frank Frey, seconded by Councilor Michael Dutton to approve the acquisition to acquire eminent domain taking of Rumney Marsh Reservation, Saugus, MA. All in favor, motion carried. See Copy of the Vote attached hereto.

*Southeastern MA Bioreserve –Dolores Boogdanian, Assistant General Counsel and Andy Backman*

- Counsel Dolores Boogdanian briefed the Council on the Southeastern MA Bioreserve. The Bioreserve was conceived ten years ago and is comprised of 14,000 acres of land owned by different entities, with an ecological system that is not defined by property lines. The landowners, the City of Fall River, DCR, DFG and the Trustees of Reservations have agreed to work together as participants and stewards of this new Bioreserve. The conveyance documents were recorded on Wednesday, March 4 and it is on the website.
  - It was noted that this property was not near the proposed casino.

*Asian Longhorn Beetles – Commissioner Sullivan for Jeff Daley, Senior Policy Advisor*

- Commissioner Sullivan informed the Council that the USDA inadvertently removed trees at a private residence without a signed permission form. Approximately 100 more sites must be completed this year.
- To date, 17,000 trees have been removed; once the cutting season is over, the surveys and inspections will commence.

### **Approval of Minutes**

- Motion by Councilor Frank Frey, seconded by Councilor Elisa Campbell to accept the January 2009 minutes. All in favor, motion carried.
- February minutes will be held until the April meeting.

### **New Business**

- Councilor Laura Johnson responded to the Council with regard to the report *Massachusetts Forests at a Crossroads*, written by Chris Matera. Councilor Laura Johnson stated that the implications contained in that report regarding Mass Audubon's lack of objectivity with regard to DCR's actions are not true. Councilor Johnson stated that she will stand on Mass Audubon's record over many years that Mass Audubon works with DCR as a partner on mutual goals and objectives, but also can be appropriately critical of DCR when they disagree.

### **Public Comment**

*Chairman Dick Cross spoke of rules and guidelines for public comment. He stressed that we must work on facts, learn together with the best policies, best practices and best decisions. There will be zero tolerance for attacks and accusation.*

*Joel Pecoy, Citizen Student*

- Joel informed the Counsel that his purpose for attending these meetings was to observe the meeting and his interest in biomass.

*Ray Weber – Friends of Robinson State Park*

- Mr. Weber expressed his opinion regarding Save America Forest Acts and the plan to handle our natural forests.

*Claudia Hurley – Friends of Robinson State Park*

- Ms. Hurley informed the Council that over 3,000 acres of forestry proposals prior to July 1<sup>st</sup> are on the table; they request a full moratorium on all non-essential cutting on all non-contracted proposals.
- Ms. Hurley also expressed her displeasure with a press release of February 11<sup>th</sup>. Ms. Hurley states the press release was inaccurate.

- Ms. Hurley believes the 2008 Audit by Scientific Certification Systems was weak. She feels this audit lacks knowledge and that there are serious problems and policy decisions to be analyzed in the upcoming forest vision process.

*Mike Ryan - Friends of the Fells*

- Mr. Ryan expressed his concern to the Council regarding MODR's process and believes the final decision will still continue to be the Commissioner's decision. He believes that the MODR model should be based on ecological science, not surveys or opinions.

*Steve Kaiser, Association of Cambridge Neighborhoods*

- Mr. Kaiser expressed his disapproval of the Senate and the Governor bills pertaining to parkways and bridges.

*Mike Hurley, Citizen*

- Mr. Hurley does not understand the plan to cut at Robinson State Park and expressed his opinion that it shouldn't be done. He also suggested for the Council to visit these locations.

*Heidi Ricci – Mass Audubon*

- Ms. Ricci informed the Council that Mass Audubon recommends that DCR stop issuing new cutting contracts for clearcuts while the Forest Vision review process is underway.
  - *The Commissioner stressed that if a contract was already in place for a clearcut, that cutting will continue; DCR is not issuing any new contracts.*

*Lucy Gionfriddo, Citizen*

- Ms. Gionfriddo asked the Council if Massachusetts is succeeding in their goal to create world class parks, for not only the residents but the tourist who come here to enjoy all of our public lands.

*Mike Leonard, Consulting Forester*

- Mr. Leonard briefed the Council about promoting good forestry. He believes the state has been using very poor forest practices.
- Mr. Leonard believes having a reliable biomass market that will pay loggers fair prices is absolutely critical to promote good forestry.
- Mr. Leonard informed the Council that he has filed six forestry bills in the State Legislature for this upcoming session.

*Matthew Schoenberg, Citizen Student*

- Mr. Schoenberg informed the Council that he is a student studying the economic feasibility of biomass. He is concerned about the environmental impact on forestry practices.

*Leo Garneay, Self Employed*

- Mr. Garneay believes clear cutting is good; it allows more water flow, insects, prevents fires and allows the opportunity for wildlife.

*Sharl Heller, Friends Network*

- Ms. Heller stated to the Council that after she read the 2008 Audit report, she now has doubts about the FSC Certification.
- Ms. Heller stated to the Council her concern that the Bureau of Forestry is allowed to send out bidding notices to secret loggers.
- Friends Network is conducting a survey on illegal OHV activity in an attempt to identify the forests and parks with the greatest problems.

*Lincoln Fish, Licensed Forester*

- Mr. Fish stated his opinion to the Council that he believes that forestry should have more scientific input. He feels there are two serious threats to the forests; development and invasive species.
  - *Mr. Fish mentioned the danger of exotic species so Councilor Henry Lee asked Mr. Fish if there are any actions the Commonwealth should be taking that we are not taking and what are the two most important.*
    - *Mr. Fish responded 1) working with Mass Highway to prevent full scale distribution of seeds in exotic plant material and 2) basic planning, look at the areas that are on the frontier of the entire invasive infestation.*

*Gregory Cox, Town of Hawley*

- Mr. Cox reminded the Council of the ice storm we endured during this past winter. He stated that every road was blocked including the state forest; however they did open the road within four days but are still faced with critical areas. His concern is the time it takes to open these roads to the state forests.

- Mr. Cox believes it is critical not issuing contracts to reduce slash and signs should be posted warning people of the access dangers.
- Mr. Cox informed the Council of dissatisfaction of the Stewardship Council minutes; he believes they are not posted on our website in a timely manner.

*Dave Gafney – Citizen*

- Mr. Gafney expressed his opinion that DCR forestry is commercialized and industrialized.

*Fred Heyes – Land Owner*

- Mr. Heyes expressed to the Council that he is proud of the management of DCR's forestlands and of the progress the Commonwealth has made in the last 25 years.
- Mr. Heyes expressed his support for the Council's initiation of the forest visioning process and the public involvement. He hopes that this process will bring a sense of calm overview to the Stewardship of our forests.
- Mr. Heyes believes that sustainable management of our forests is essential for society's multiple needs.

*Ellen Arnold, Friends Upton State Forest*

- Ms. Arnold informed the Council that Green Certification is a wonderful idea, however she also believes in order for it to be valid the conditions in the New England Standards should be met.
- Ms. Arnold stated that DCR has not complied with the approved DCR Site Criteria for OHV use and she would like DCR to develop a formal enforcement policy.

*Chris Matera – MA Forest Watch*

- Mr. Matera informed the Council that he would like Legislative hearings instead of the MODR process.
- Mr. Matera also believes that timber sales are being prepared now and ready to go out to bid once the process is over.
- Mr. Matera informed the Council that they have started the media effort since they feel that DCR makes all the decisions and they are being ignored. He stated these media efforts will continue until a full moratorium is imposed and a creditable process is out of DCR's hands.
  - *Councilor Henry Lee informed Mr. Matera that at the last legislative overview, recommendations were made to increase logging in all the state forests.*

*Mary Booth, WCCAC*

- Ms. Booth stated her opinion to the Council that she is confused about DCR's priorities. She suggests that DCR's top priority should be preparing for future climate change and objects to the belief that "forests must be logged and managed to be healthy."
- Ms. Booth recited her studies regarding biomass burning and conservative energy and suggested that the State take a science base view concerning these matters.

*Bruce Spencer, Forest Guild, Retired MDC/DCR Forester*

- Mr. Spencer praised the treatment on Norway Spruce Plantations in Berkshire County and believes there are many plantations dying and are in poor condition.

*Dennis Annear, Mass Forest Fire Council*

- Mr. Annear expressed his concern to the Council regarding safe and easy access to the roads in the state forests to allow the Fire Department to respond to their needs and actions.

*Michael P. Lowery, Wayland Surface Water Quality Committee*

- Mr. Lowery informed the Council of the situation surrounding the treatment of invasive weeds at Cochituate State Park.
- He stated that he hopes that the DCR and all other parties can find a way to take advantage of private donations; many people want to spend their own money to fix up the shorelines they abut. We should be able to find a way to make a use of money, expertise, and abutter concern. Regulatory hurdles would remain the same, even if a local coalition did the work (and not a contractor secured by DCR).

*Carol Berkowitz, Protect Water Resources Natick*

- Ms. Berkowitz expressed her disappointment to the Council concerning the rejection of their application for a matching funds grant for Cochituate State Park. She would also like DCR to reconsider the grant.
  - *Commissioner Sullivan informed the Council that the state has met its \$1.5 million in grants and it is hard to accommodate all the communities. The Commissioner reiterated that Natick did receive \$100k last year and hoping to do it again this year.*

*Dick Miller, Cochituate State Park Advisory Committee*

- Mr. Miller updated the Council by applauding the support of Mike and Dr. Gardner.
- Mr. Miller updated the Council on his statement from last month; Charles River Greenway link was added and mainelakes.org is a very interesting link.

### **Closing Comment**

- The Council had a discussion supporting and endorsing the forest visioning process, thanked and expressed their appreciation to the public for their research, input and comments; the Council supports the initiative to move on to other issues of DCR at the Council level.
- A lengthy discussion continued between the Council and the public regarding the forest visioning process and a number of Councilors voiced their hope that future agenda address other pressing issues facing the agency now that the visioning process is underway.

### **Meeting Schedule**

- Next meeting will be held Thursday, April 2, 2009 at Devens, MA.

*Motion to adjourn at 4:21 p.m.*