

IV. Public Access Policies

A. Existing Public Access in the Sudbury Reservoir Watershed System

MDC/DWM's goal for managing public access to its watershed lands is to protect water quality and the natural resources by minimizing the potential for contamination and degradation associated with human activities. The Division recognized in its 1994 Sudbury Access Plan that to implement a successful watershed protection program, it needed to work with the general public and the watershed communities. The Plan that was developed was a culmination of many months working with numerous groups to address specific issues and concerns.

1. Management Areas

The 1994 Sudbury Public Access Plan designated five resource management zones in the Sudbury System (see **Figure 5: MDC/DWM Resource Management Areas in the Sudbury Reservoir Watershed System**). This Plan Update renames the "zones" as "areas" to reduce confusion with state agencies regulatory areas, but generally maintains the pre-existing restrictions and does not propose any significant changes to policies for recreation.

Area A: Wachusett Open Channel/Crane's Swamp. This district is located in the North Basin of the Sudbury System. It is in the Towns of Marlborough, Northborough, Westborough and Southborough.

Area B: Sudbury Reservoir. This district is located in the North Basin of the Sudbury System. It is in the Towns of Marlborough and Southborough.

Area C: Reservoir No. 3/Stony Brook. This district is located in the North Basin of the Sudbury System. It is located in the Town of Framingham. Water from the Sudbury Reservoir is diverted to Reservoir No. 3 via the Stony Brook Open Channel.

Area D: Cedar Swamp. This district is located on the western side of the in the South Basin of the Sudbury System. It is located in the Towns of Westborough and Hopkinton.

Area E: Reservoirs Nos. 1 and 2. This district is located in the South Basin of the Sudbury System. It is located in the Towns of Framingham and Ashland.

The existing policy only permits public access at two areas within the Sudbury System.

Area B: Sudbury Reservoir. Public access is allowed at the northern end of the Sudbury Reservoir for shoreline fishing, hiking and wildlife observation. Access is also permitted along the main fire road that parallels the eastern shore from Parmenter Road to Clemmons Street. Hiking, cross-country skiing, and wildlife observation are allowed in this area.

Area D: Cedar Swamp. Public access is limited to the Sudbury River with canoe access provided at Fruit Street in Southborough. Canoeing is permitted from Fruit Street to Cedar Pond.

A summary of existing public access, as outlined in the 1994 Sudbury Access Plan, compared to the policies changes in this Plan Update, are included in Table 2 below.

Table 2
Changes Between MDC/DWM Public Access Policy
in the Sudbury Reservoir Watershed System
1994 vs. 2002

ACTIVITY	1994 POLICY	2002 Policy
Shoreline Fishing	Limited Access at north end of Sudbury Reservoir	Expanded to include additional areas of Sudbury Reservoir and Crane's Swamp
Hiking	Limited Access at Sudbury Reservoir (trail on eastern shore)	Expanded to include Crane's Swamp, and additional areas of Sudbury Reservoir. Possible use in Cedar Swamp.*
Cross-Country Skiing	Limited access at Sudbury Reservoir	Expanded to include Crane's Swamp. Possible use in Cedar Swamp.*
Boating	Limited Use (canoes only) at Cedar Swamp	No Change
Swimming	PROHIBITED	No Change
Bicycling	PROHIBITED	No Change
Horseback Riding	PROHIBITED	No Change
Camping	PROHIBITED	No Change
Motorized Vehicles (ATVs, ORVs)	PROHIBITED	No Change
Hunting	PROHIBITED	No Change
Dog Walking	PROHIBITED	No Change

* Access to trails in Cedar Swamp will be considered through stewardship agreements with partners such as Sudbury Valley Trustees and Westborough Community Land Trust.

Figure 5: MDC/DWM Resource Management Areas in the Sudbury Reservoir Watershed System

go to www.mass.gov/dcr/waterSupply/watershed/documents/2002Sudplanfig5.pdf

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2. Recent Recreation Projects

In April 2002, the Commissioners of the Metropolitan District Commission approved a pilot project in Southborough for construction of a walking trail on MDC properties adjacent to the Sudbury Reservoir. A Memorandum of Agreement (MOA) was signed with the Town of Southborough, in which the Town takes responsibility for construction and maintenance of the trail. The Division has had some success with similar partnerships in its Wachusett Reservoir Watershed. This MOA provides for public access in appropriate areas, while not placing undue strain on the limited resources of the Division, whose primary mission is water supply protection. The trail, constructed during Summer 2002 as an Eagle Scout project, is a 3-4 foot wide trail with a natural surface that follows the contours through both wooded and field areas. Much of the trail already exists as unofficial paths and right-of-way roadways.

In 1999, the Legislature approved construction of a multi-purpose recreation field on Metropolitan District Commission lands on Acre Bridge Road in Southborough. The field will service area towns for recreational needs. The agreement in place between the MDC and the Town of Southborough allows scheduling to be done by the Town (a minimum of 25% of playing time, however, must be made available to groups outside Southborough). The Town must request a yearly permit from the Wachusett Superintendent's office for use of the field. MDC will place conditions on the permit that it deems necessary to protect the water quality of the Sudbury Reservoir.

B. Existing Situation Critique

There are several critiques of the current MDC/DWM public access policy in the Sudbury System. The greatest concern, however, is a lack of enforcement of the existing public access rules. The enforcement problem is exacerbated by the lack of proper signs and public education regarding use of MDC lands.

A MDC commissioned User Impact Study was completed for the 1994 Sudbury Access Plan. This study is reproduced in Appendix C. Most of the problems identified and discussed in 1994 are still present today. Some information is provided below and more detailed information is included in the Appendix.

1. Area A: Wachusett Open Channel/Crane's Swamp

1994 Policy: No Public Access.

Enforcement Issues: Walking, dog-walking, off-road vehicle use, hunting, and horseback riding in MDC's "no public access" areas.

Critique: These prohibited activities have led to unauthorized parking areas and well worn trails in a number of locations. Additional impacts include minor to moderate erosion and contamination risks associated with domestic animal feces.

2. Area B: Sudbury Reservoir

1994 Policy: Access for fishing in the northerly portion of the Reservoir and hiking along the forest Road on the easterly shore from Parmenter Road to Nichols Street is allowed in this District.

Enforcement Issues: Unauthorized walking, dog-walking, drinking parties, poaching in the “no access” areas, and fishing, swimming and boating on the Reservoir.

Critique: Public access concerns include the activities listed above. Secondary recreational impacts include creation, use, and expansion of unofficial parking areas around the Reservoir, and improperly disposed of trash on MDC’s properties. The lack of informational signs and poor sign locations may contribute to these problems. There has also been encroachment on neighboring properties, in particular cases of trespassing in order to reach MDC lands. In addition, the end of public access on the easterly shore trail at Nichols Street has led to parking problems on the public way and adjacent private properties.

3. Area C: Reservoir No. 3/Stony Brook:

1994 Policy: No Public Access.

Enforcement Issues: Hiking, jogging, fishing, swimming, boating, and ATV use in “no public access” areas.

Critique: These prohibited recreational uses on MDC lands and waters have led to similar problems and impacts as noted in the other areas, including improper trash disposal, erosion problems, improper sanitation and impacts to surrounding properties.

4. Area D: Cedar Swamp:

1994 Policy: No Public Access except for canoe access at Fruit Street in Southborough. Canoeing is permitted from Fruit Street to Cedar Pond.

Enforcement Issues: There is limited unauthorized activity in this area due mostly to natural restrictions from the extensive wetlands. Checkered MDC ownership combined with limited access points makes enforcement difficult.

Critique: Some minor impacts have occurred from roadside parking. There are locations in this area where illegal activities do occur, such as ATV use, camping, campfires and hunting.

5. Area E: Reservoirs Nos. 1 and 2

1994 Policy: No Public Access.

Enforcement Issues: Shoreline fishing, boating, hiking, dog-walking, and swimming

in no public access areas.

Critique: In addition to these prohibited recreation activities, there are serious encroachment issues on MDC lands and waters from abutting properties. These encroachments range from vegetation removal, grading, and landscaping, to the construction of structures, such as sheds and patios on the Commonwealth's properties. Some abutters have even placed docks in the Reservoirs.

Over all the management areas, a lack of good signs, public information, and enforcement have led to increased disregard for the MDC/DWM's public access rules. A lack of maintenance and monitoring in areas where access is allowed has increased impacts from overuse and misuse.

C. New Policies

In general, the MDC has limited staff and fiscal resources to manage the Sudbury System lands for public access. Making additional lands available for public access requires more public education, surveillance and maintenance of those additional areas. Therefore, MDC/DWM has chosen to limit public access to the areas around the Sudbury Reservoir where larger tracts of ownership are more suited to proper use and controls.

MDC's updated public access policies are summarized in Table 3. The following are updated public access policies detailed by Resource Area. These new policies are presented in terms of the five existing Resource Areas; when implementation of the plan begins, the letter designations will not be used. Individually named areas will be referred to in public education materials and in new signs proposed for the Sudbury System lands.

1. Area A: Wachusett Open Channel/Crane's Swamp

2002 Public Access Policy: All MDC lands within this area will be open for hiking, fishing, picnicking, cross-country skiing and snowshoeing. Areas will be open from dawn to dusk each day. MDC and MWRA will evaluate the possibility of providing public access to sections of the Open Channel that connect with other open space destinations or areas that can be associated with regional trail systems and their support organizations. Any such considerations will factor heavily on security issues.

Implementation Issues: Any existing trail networks will need to be evaluated to identify impacts and any access restrictions needed to allow disturbed areas to be restored. No MDC resources are proposed to be expended in this area at this time to improve any access points or provide parking facilities. MDC will be looking to partner with other groups to consider trail enhancements and maintenance. New signs will be provided that reflect changes in allowed uses.

2. Area B: Sudbury Reservoir

2002 Public Access Policy: Uses allowed in this area are hiking, fishing, picnicking, cross-country skiing and snowshoeing. Except for an area in close proximity to the Sudbury Dam, to be referred to as the Intake Protection Zone, all lands controlled by MDC in this watershed will be available for these uses. Areas will be open from dawn to dusk each day. (see Figure 6)

Implementation Issues: This policy expands the areas historically allowed for shoreline fishing, which was allowed in the northern portion of the Sudbury Reservoir, and for hiking, which was allowed on the trail on the eastern edge of the Reservoir from Parmenter Road to Nichols Street. The expansion of hiking and fishing areas relies on existing foot paths and forest roads rather than development of new trails. These new fishing areas will be evaluated to determine whether they are inappropriate for use due to public safety or resource protection concerns.

The forest road along the easterly shore of the Sudbury Reservoir has been designated as a part of the Bay Circuit Trail. The existing access policy designates this connection from Parmenter Road to Clemmons Street. This location, however, has created a problem because there is no available parking at either end of the trail. Safety issues are most severe at Clemmons Street, where users try to park at the intersection of Clemmons and Nichols Streets, often creating limited area for passing vehicles at this sharp corner.

The new policy commits to investigating an extension of the Bay Circuit Trail toward the Sudbury Dam. Such a trail would be developed by the Bay Circuit Alliance and would need to circumvent the dam and Massachusetts Water Resources Authority facilities, eventually leading to Route 30. Future meetings will identify the potential location and construction timeline of this connector. Until this portion is complete, the actual end of the trail will remain in its current location. The MDC has recently completed a small parking lot at the Parmenter Road end of this trail and will use signs to encourage users to park at this end of the trail only.

The Sudbury Reservoir Trail, developed with the Town of Southborough, was completed as a pilot project in 2002. The MDC intends to review the construction and use of the trail over a two year period to determine its use and potential impacts. A successful pilot project may lead to an extension of this trail or similar projects.

3. Area C: Reservoir No. 3/Stony Brook:

2002 Public Access Policy: No public access allowed.

Implementation Issues: Most of the DWM land in this area is not conducive to general public access due to limited ownership. In addition, limited fiscal and staff resources requires the MDC to limit public access areas.

4. Area D: Cedar Swamp:

2002 Public Access Policy: Limited canoe access only.

Implementation Issues: Public access to all areas will continue to be limited. However, new policy will allow consideration of hiking trails, developed through Agreements with stewardship partners such as Sudbury Valley Trustees and Westborough Community Land Trust. Formal agreements, as have been enacted with the Town of Southborough, will enable passive activities such as hiking, nature-viewing and cross-country skiing, to occur in designated areas with restrictions detailed in the permit.

5. Area E: Reservoirs Nos. 1 and 2:

2002 Public Access Policy: No public access allowed.

Implementation Issues: This no public access policy is being continued due partly to limited land ownership, but mostly due to a lack of MDC resources and potential concerns regarding water quality in the Reservoirs. The MDC land areas around the Reservoirs Nos. 1 and 2 are very limited. In many areas, strips of as little as 10 feet of ownership exist between the Reservoir and abutting properties. This leaves little available area for public access, except for the water surface. No water use is being contemplated from either of the reservoirs, however there are potential water quality concerns in these reservoirs due to the Nyanza Superfund site.

D. Public Access and Security

Since the terrorist events of September 11, 2001, a greater focus has been placed upon security of our precious water resources. While good watershed protection would dictate limiting public access in close proximity to the Reservoir Intake Protection Zone, recent events have heightened awareness for such protection. The MDC's no access policy at the Intake Protection Zone is needed as an effective measure of watershed protection and appropriate security measure.

Beyond the established MDC Intake Protection Zone at the Sudbury Reservoir, there may be call for limiting public access in other areas due to potential threats to the security of the water supply. This may involve temporary suspension of all public access to lands within close proximity to the Reservoir or expansion of areas with no public access. If and when this were to occur, MDC would clearly identify such areas in the field and use available media outlets to keep the public informed of any public access changes that may become necessary.



**Table 3
MDC/DWM Public Access Policy Summary
Sudbury Reservoir Watershed System**

ACTIVITY	Wachusett Open Channel/Crane's Swamp (Area A)	Sudbury Reservoir (Area B)	Reservoir No. 3/Stony Brook (Area C)	Cedar Swamp (Area D)	Reservoirs Nos. 1 & 2 (Area E)
VEHICLE ACCESS					
Off-Road Driving (ORVs, ATVs)	⊘	⊘	⊘	⊘	⊘
Snowmobiling	⊘	⊘	⊘	⊘	⊘
Bicycling	⊘	⊘	⊘	⊘	⊘
FOOT ACCESS					
Hiking	✓	✓	⊘	⊘*	⊘
Dog Walking	⊘	⊘	⊘	⊘	⊘
Cross-Country Skiing	✓	✓	⊘	⊘*	⊘
Shoreline Fishing	✓	✓	⊘	⊘	⊘
Horseback Riding	⊘	⊘	⊘	⊘	⊘
Hunting	⊘	⊘	⊘	⊘	⊘
WATER ACCESS					
Boating - non – motorized	⊘	⊘	⊘	✓	⊘
Boating – motorized (including “jet-skis”)	⊘	⊘	⊘	⊘	⊘
Swimming	⊘	⊘	⊘	⊘	⊘
Ice Skating/Ice Fishing	⊘	⊘	⊘	⊘	⊘
OTHER ACTIVITIES					
Camping	⊘	⊘	⊘	⊘	⊘
Picnicking	✓	✓	⊘	⊘	⊘
Fires & Cooking	⊘	⊘	⊘	⊘	⊘
Collecting/Metal Detecting	⊘	⊘	⊘	⊘	⊘

✓ – Public access is allowed in designated areas only ⊘ – Activity prohibited

* Access to trails in Cedar Swamp will be considered through stewardship agreements with conservation partners, such as Sudbury Valley Trustees and Westborough Community Land Trust.

Public access is allowed in designated areas only. Any activity which injures or defaces the property of the Commonwealth is strictly prohibited. All alcoholic beverages are prohibited. Night access is prohibited on MDC land in the Sudbury Reservoir watershed. See 350 CMR 11.09(2) for complete list of regulations. For additional information, contact the Wachusett/Sudbury Watershed Ranger Station at (978) 365-3800 or go to www.state.ma.us/mdc/pacc.htm. In an emergency, contact the Watershed Rangers or the Massachusetts State Police at (508) 829-8410.

Figure 6: Public Access at the Sudbury Reservoir

go to www.mass.gov/dcr/waterSupply/watershed/documents/2002Sudplanfig6.pdf

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