



# **Wachusett Reservoir Watershed**

## **2023 Public Access Plan Update**



June 2023

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Massachusetts Department of Conservation and Recreation  
Division of Water Supply Protection  
Office of Watershed Management  
Wachusett/Sudbury Region

## ABSTRACT

The Department of Conservation and Recreation, Division of Water Supply Protection (DWSP), controls over 1,400 acres of land and water in the Sudbury and Foss Reservoir Watershed System.

The *Wachusett Reservoir Watershed 2023 Public Access Plan Update* establishes policies and develops an implementation strategy that controls the impacts to water quality from human activities on Department of Conservation and Recreation, Division of Water Supply Protection property in the Wachusett Reservoir watershed.

## Acknowledgements:

This plan was prepared by the staff of Department of Conservation and Recreation, Division of Water Supply Protection, Office of Watershed Management – Wachusett/Sudbury Operational Section.

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All maps were produced by Craig Fitzgerald, unless so noted, using DWSP and MassGIS data.

All photographs by DCR DWSP staff.

DCR, the Massachusetts Water Resources Authority (MWRA), and the Massachusetts State Archives have worked together to make available thousands of historic photos that document the construction of the DCR/MWRA water supply system. Working with the Boston Public Library Digital Services, through its partnership with Digital Commonwealth, federal and state grants were used to digitally transform the collection at no cost to the inter-agency collaborators. For more information, go to [www.mass.gov/info-details/online-historic-water-system-photos-and-plans](http://www.mass.gov/info-details/online-historic-water-system-photos-and-plans).

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## ACRONYMS

<b>ADA</b>	Americans with Disabilities Act
<b>AIS</b>	Aquatic Invasive Species
<b>CMR</b>	Code of Massachusetts Regulations
<b>DCR</b>	Massachusetts Department of Conservation and Recreation
<b>DEP</b>	Massachusetts Department of Environmental Protection
<b>DWSP</b>	DCR's Division of Water Supply Protection
<b>EPA</b>	U.S. Environmental Protection Agency
<b>FAA</b>	Federal Aviation Administration
<b>FBI</b>	Federal Bureau of Investigation
<b>MDC</b>	former Metropolitan District Commission (currently DCR)
<b>MGL</b>	Massachusetts General Laws
<b>MOU</b>	Memorandum of Understanding
<b>MWRA</b>	Massachusetts Water Resources Authority
<b>OHV</b>	Off-Highway Vehicle, includes four-wheeled, three-wheeled, and two-wheeled (dirt bike) motorized vehicles
<b>SCORP</b>	State Comprehensive Outdoor Recreation Plan
<b>SDWA</b>	Safe Drinking Water Act
<b>SWTR</b>	Surface Water Treatment Rule
<b>UAV</b>	Unmanned Aerial Vehicle ("drone")

## WHAT IS A WATERSHED?

A watershed is a geographic area of land in which all surface and ground water flows downhill to common point, such as a river, stream, pond, lake, wetland, or estuary. The Sudbury and Foss Reservoirs watershed is thus the entire area that drains into these two reservoirs. Watershed protection entails efforts on both DCR Division of Water Supply Protection property as well as concerns from impacts on all other public and private lands.

The *Wachusett Reservoir Watershed 2023 Public Access Plan Update* focuses specifically on policies regarding use of DWSP property. DCR's Watershed Protection regulations, 313 CMR 11.00, defines "Watershed System" as:

...all real and personal property interests held by or on behalf of the Commonwealth ... for the Department of Conservation and Recreation, Division of Water Supply Protection (formerly, the Metropolitan District Commission) water system which were part of or appurtenant to the Quabbin Watershed, Quabbin Reservoir, Ware River watershed, Wachusett watershed, Wachusett Reservoir, North and South Sudbury watersheds, Sudbury Reservoir, Framingham Reservoirs 1, 2 and 3...

The policies in this plan are for the Wachusett *Watershed System*. That technical terms for use in this document are "Wachusett Reservoir watershed" or "DWSP lands in the Wachusett watershed."

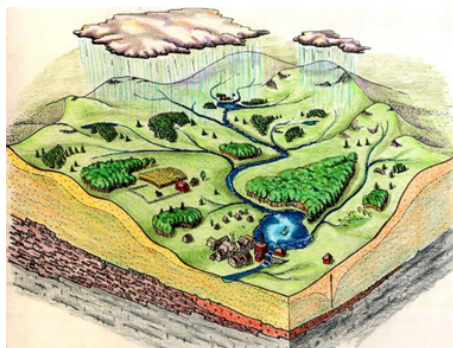


illustration by Jim Taylor, DCR



# I. Introduction

The Department of Conservation and Recreation (DCR), Division of Water Supply Protection, Office of Watershed Management (DWSP) managed Water Supply Watershed System provides source drinking water to the Massachusetts Water Resources Authority (MWRA) for treatment and distribution to over 3.1 million people. The source of water for the DCR/MWRA Water Supply System comes from three separate watersheds: Quabbin Reservoir, Ware River, and Wachusett Reservoir. The Sudbury and Foss (Framingham #3) Reservoirs are the emergency source water supplies for this drinking water supply and were last used briefly for a water supply emergency in 2010. The watershed system is large and well protected (**Map 1**).

The purpose of this plan is to guide and control public access and use of DWSP managed lands within the Wachusett Reservoir watershed. The 117 square mile Wachusett Reservoir watershed includes portions of Boylston, Clinton, Holden, Hubbardston, Leominster, Paxton, Princeton, Rutland, Sterling, West Boylston, Westminster, and Worcester. The DCR Water Supply System is comprised of two supply reservoirs, one upstream of the other. Wachusett Reservoir, the terminal supply reservoir, receives runoff from its watershed as well as transfers from the Quabbin Reservoir through the Quabbin Aqueduct. Flow from the Ware River Watershed, located between the Quabbin and Wachusett Reservoir watersheds, can be diverted to Quabbin Reservoir by reversing flow in the Quabbin Aqueduct. Thus, Ware River flows can only be diverted to Quabbin Reservoir when the Quabbin Aqueduct is not being used to transfer flow from Quabbin to Wachusett.

Public access to and recreational use of water supply lands are complex and sometimes controversial issues. There is an inherent conflict between water supply protection and public demand for access to these lands. Any human activity on or near water supply source waters has the potential to introduce disease-causing agents to the water supply such as those from fecal waste. Water supply managers must exercise caution when considering policies for public access and recreation on water supply lands. At the same time, DWSP recognizes that these reservoirs and the DCR lands surrounding them are valuable environmental resources of the Commonwealth that are attractive to watershed residents and the general public. DWSP views its Public Access Plans as a blueprint for determining the levels of access that may be allowed without risking water supply safety, security, or re-directing resources whose primary responsibility is water supply protection.

DCR oversees more than 450,000 acres throughout Massachusetts and it is important to note the difference between DCR's Divisions in terms of public access and recreation. The Division of MassParks ([www.mass.gov/visit-massachusetts-state-parks](http://www.mass.gov/visit-massachusetts-state-parks)) maintains almost 300,000 acres of the state's forests, beaches, mountains, ponds, riverbanks, trails, and parks. The policies on these lands are not covered in this plan. DWSP manages and protects the drinking water supply for residents of Massachusetts, primarily in Greater Boston. Although both Divisions fall under the Department of Conservation, their objectives are different. The Division of MassParks provides recreation areas for outdoor enthusiasts. Because these areas are not purchased or designated for the protection of a drinking water supply, activities are not limited to passive recreation as they are on DWSP watershed protection lands where there is additional oversight by MassDEP, the state drinking water regulatory agency.

The Executive Office of Energy and Environmental Affairs 2017 Statewide Comprehensive Outdoor Recreation Plan (SCORP) was reviewed when developing this plan; common issues and activities were integrated when appropriate for water supply protection lands. DWSP's goals and implementation priorities in the Wachusett Reservoir watershed, however, are based on its mission to protect this emergency drinking water supply resource from public access impacts.

## **A. *Brief History of the DCR/MWRA Watershed System***

The Boston metropolitan area drinking water supply has grown from 18<sup>th</sup> century cisterns to two source supply reservoirs that were the largest of their kinds when constructed in the first half of the 20<sup>th</sup> century. The name of the agency responsible for these invaluable resources has changed many times over the past two centuries, but the mission of stewardship has remained constant.

Shortly after the construction of the Wachusett Reservoir in 1908, Chapter 313 of the Acts of 1919, Section 12 transferred control of this water supply system from the Metropolitan Water and Sewer Board to the water division of a newly created state agency, the Metropolitan District Commission (MDC). Despite Wachusett Reservoir's size, it was determined that additional capacity was required for the Boston region. The Quabbin Reservoir was constructed during the 1930s, using the Winsor Dam and Goodnough Dike to impound the Swift River and flood an area formerly occupied by the four Western Massachusetts towns of Dana, Enfield, Prescott, and Greenwich. Quabbin Reservoir was completed in 1939; it took several years to completely fill and came online in 1946.

As part of the efforts to clean up Boston Harbor, the Massachusetts legislature, under Chapter 372 of the Acts of 1984, divided the former MDC Water Division into the MDC Division of Watershed Management (DWM) and the Waterworks Division of the Massachusetts Water Resources Authority (MWRA). The MDC/DWM became responsible for reservoir watershed operation and management to supply a safe and sufficient supply of water to the MWRA; the MWRA became responsible for the treatment and distribution of this water. Additional historic materials can be found on both the DCR and MWRA websites ([www.mass.gov/orgs/dcr-office-of-watershed-management](http://www.mass.gov/orgs/dcr-office-of-watershed-management); [www.mwra.com/04water/html/hist1.htm](http://www.mwra.com/04water/html/hist1.htm)).

In July 2003, Chapter 26 of the Acts of 2003, section 290 merged the MDC with the Department of Environmental Management (DEM) to create the Department of Conservation and Recreation (DCR). The responsibilities of the former MDC/DWM were transferred in their entirety to the Office of Watershed Management within the Division of Water Supply Protection. Despite these name changes, the mission of the Division of Water Supply Protection's Office of Watershed Management remains consistent with its predecessors: to provide pure water through responsible land management. Together, DWSP and the MWRA provide high quality drinking water to approximately 3.1 million residents in 53 communities, primarily in the Boston region.

There is a well-established working relationship between DWSP and MWRA. MWRA's ratepayers entirely fund the Office of Watershed Management's annual \$30 million budget, including costs associated with land acquisition and payments in lieu of taxes. The terms of this relationship are defined in a Memorandum of Understanding (MOU) between the two agencies. The latest version of this MOU, developed soon after the creation of DWSP, was signed into effect in April 2004. Though DWSP is a department of the Commonwealth, it is not funded by

Massachusetts taxpayers; the entire budget, including land acquisitions, is paid through MWRA ratepayers.

The legislature further enhanced the ability of DWSP to maintain this drinking water supply by establishing a Water Supply Protection Trust, created by Chapter 149 of the Acts of 2004, s. 27, and written into the general laws at MGL c. 10, § 73. The Trust provides an efficient mechanism for MWRA's funding of DWSP's Office of Watershed Management. The Water Supply Protection Trust has a five-person board of trustees responsible for approving the Office of Watershed Management's annual work plan and budget each spring for the following fiscal year beginning in July.

## **B. Wachusett Reservoir**

By 1892, The City of Boston had nearly grown to the capacity of its water supply. To ensure an ample supply of clean water for Boston and surrounding communities, the Wachusett Reservoir was constructed during the early 1900s by damming the south branch of the Nashua River. Today the reservoir is fed by the Stillwater River, the Quinapoxet River, and by the Quabbin Reservoir via aqueduct. At the time of construction, the Wachusett Reservoir was the largest in the world. It remains a great engineering feat and is one of the few unfiltered water supplies in the country.

Approximately 1,700 people from the towns of Clinton, West Boylston, Boylston, and Sterling had to be relocated in order to flood the area of the Nashua River Valley. Hundreds of homes, six mills, eight schoolhouses, four churches, two cemeteries, and nearly 30 miles of roads and rail lines were removed or dismantled for creation of the reservoir. The reservoir is approximately 8.5 miles long, 2.1 miles wide (at the widest point), and has 37 miles of shoreline, not including the islands. When at full capacity, the reservoir holds 65 billion gallons of water. More information on the Wachusett Reservoir can be found on the DWSP website at [www.mass.gov/locations/wachusett-reservoir](http://www.mass.gov/locations/wachusett-reservoir). Historical photos showing construction of the reservoir and dam, real estate, general views and more can be found online at [Digital Commonwealth \(www.digitalcommonwealth.org\)](http://DigitalCommonwealth.org).

## **C. DWSP Mission**

The land surrounding the Wachusett Reservoir and within the watershed is managed by DWSP in order to protect the quality of the reservoir water, enhance the ecological integrity of the watershed, and ensure the future protection of these valuable natural resources from pollution, encroachment, and environmentally damaging public use.

DWSP's mission is laid out in its enabling legislation and subsequent amendments, found at MGL c. 92A½, §2. The statute directs DWSP to:

*[DWSP] shall construct, maintain and operate a system of watersheds, reservoirs, water rights and rights in sources of water supply, shall supply thereby a sufficient supply of pure water to the Massachusetts Water Resources Authority, and shall utilize and conserve said water and other natural resources to protect,*



*preserve and enhance the environment of the Commonwealth and to assure the availability of pure water for future generations.*

Building on this mission, DWSP's charge has adopted these major goals:

- To maintain and operate the source facilities (including dams) safely and efficiently (sufficient supply).
- To preserve and improve water quality of the supply sources, through regulation, direct action, and cooperation, as needed to protect public health and to meet state and federal water quality standards (pure water).
- To fulfill the watershed protection and management requirements associated with drinking water regulations.
- To involve watershed towns, residents, and the public in appropriate ways in the conduct of DWSP's watershed management functions.

In addition, DWSP has defined water quality goals for the system:

- Prevent waterborne disease
- Maintain high-quality source water
- Meet the source water coliform and turbidity criteria
- Reduce/control nutrient inputs to the reservoirs
- Reduce risk of a chemical or hazardous material spill
- Control general pollutant transport into the reservoirs.

Together, this mission and DWSP goals provide the basis for all of DWSP's activities, including public access.

DWSP staff concentrates on the management, operation, and maintenance of the DCR/MWRA water supply system watersheds, reservoirs, dams, and dikes. The MWRA is responsible for water treatment and distribution. MWRA finances the Water Supply Protection Trust, which funds DWSP, as well as major capital infrastructure, including the Winsor and Wachusett Dams. DWSP and MWRA work closely together, as defined in a 2004 Memorandum of Understanding. DWSP staff includes professional engineers, analysts, planners, watershed rangers, foresters, aquatic biologists, natural resources specialists, geographic information specialists, wildlife biologists, and support staff with a variety of skills and training.

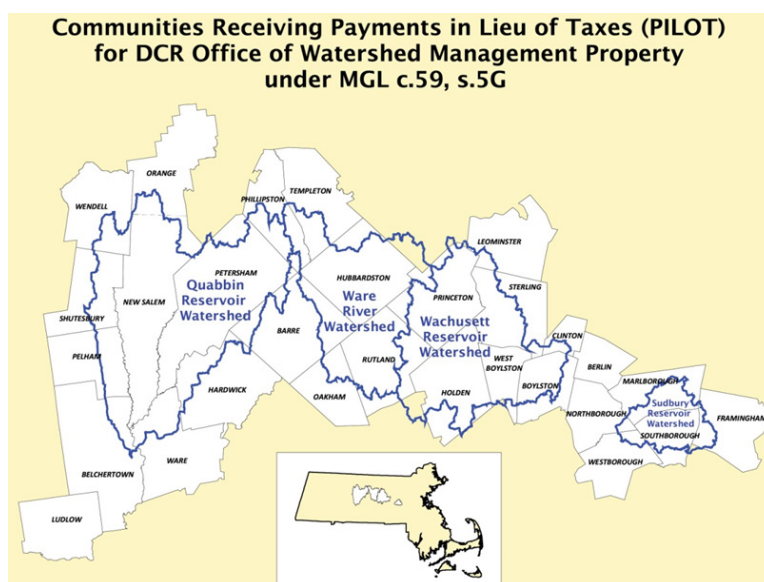
DWSP staff carry out specific watershed protection programs, provide public outreach and environmental education to watershed communities and visitors, and administer and enforce watershed protection regulations (313 CMR 11.00). Staff activities are guided, integrated, and prioritized by DWSP's *Watershed Protection Plans*, which is in the process of being updated and an annual *Work Plan* (see [www.mass.gov/info-details/dcr-watershed-plans](http://www.mass.gov/info-details/dcr-watershed-plans) for all DWSP plans). Public access management within land owned by or on waters controlled by DWSP is an important element of the DWSP comprehensive watershed protection program.

## **D. Regulatory Overview**

Public drinking water supplies are highly regulated in the United States to protect public health. Both federal and state laws, including the U.S. Safe Drinking Water Act along with its 1996 Amendments, the Surface Water Treatment Rule, and the Massachusetts State Surface Water Supply Regulations, 310 CMR 22.00, require water providers to meet rigorous water quality standards for source waters (see Appendix A for 310 CMR 22.20B, Surface Water Supply Protection regulations). Public water systems have responsibilities under 310 CMR 22.00 to control activities and to take enforcement to protect sources. These standards change over time based on research and testing. The U.S. Environmental Protection Agency (EPA) administers federal water quality regulations throughout the country. In Massachusetts, the Massachusetts Department of Environmental Protection (MassDEP) has been given primary responsibility for assuring compliance with state and federal drinking water regulations, and consistently monitors water quality throughout the DCR/MWRA water system to ensure compliance with these regulations.

## **E. Payments in Lieu of Taxes (PILOT)**

Massachusetts General Laws c. 59, §5G mandates that DCR's Division of Water Supply Protection make Payments Lieu of Taxes (PILOT) on the Commonwealth property managed by the Office of Watershed Management. The Watershed Management PILOT amount is determined by multiplying the Department of Revenue (DOR) valuation of DCR Division of Water Supply Protection land by the local commercial tax rate. The current process used by DOR for valuing State Owned Land (SOL – which includes DCR Watershed Management ) under MGL c. 58 was established by the Mass Municipal Modernization Act – Chapter 218, Section 108 of the Acts of 2016.



Under this process, DOR determined a base year SOL valuation for each community as of January 1, 2017. This base year valuation used DOR guidelines on segmenting lands into prime lots (the requisite frontage and area needed to build a single-family home in each community), rear acreage, and un-buildable acreage, as well as discount adjustments for the total number of

prime lots and total acreage. After a hearing and appeal process, base year SOL valuations were finalized.

This base year valuations are adjusted every two years by a percentage equal to the change in a city or town's equalized cash value (EQV). Valuations are also updated annually to include the value of any acquisitions and/or dispositions in a community. Calculations for acquired lands will be made using the cost per acre average for each town, adjusted by the EQV. There is a wide variation in the per-acre PILOT payment from community to community. This is due to varying real estate prices, which are a key factor in determining land valuation, and local tax rates.

Money for the PILOT program comes from the Massachusetts Water Resources Authority (MWRA) rate payers who use the reservoir waters. They pay their water bills to the MWRA, which provides DCR with the funds needed to make the PILOT payment. The DCR makes an annual payment in full to each community in the program. Legislative provisions state that the Watershed Management PILOT payment can never be less than that of the previous year, even if the value of the land or tax rates decrease.

During FY2021, PILOT payments to the Wachusett Reservoir watershed communities was 42% of the total Watershed PILOT. In FY2021, the total PILOT for the entire system was over \$8.4 million, with payments to the Wachusett municipalities of \$3,564,910 (Boylston: \$599,930; Clinton: \$205,949; Holden: \$919,616; Leominster: \$8,688; Princeton: \$316,538; Sterling: \$830,607; West Boylston: \$683,582).

## **II. Public Access Plan Update**

### **A. Purpose**

The purpose of DWSP's Public Access Plans is to guide and control public access, incorporating the most current information available to minimize the impacts from recreational activities on the drinking water supply lands managed by DCR. The federal Safe Drinking Water Act and Amendments, state drinking water regulations, and the Department of Conservation and Recreation's Watershed Protection Regulations (313 CMR 11.00) require that public access on drinking water supply lands must be managed to minimize the risk of waterborne disease and to control other human impacts. The primary function of these water supply lands is to protect and provide high quality drinking water for current and future generations. DWSP's access plans detail management rationale and explain which programs and activities are used to limit and control access to these lands and waters.

### **B. Public Input**

DWSP involves stakeholders in its public access policy development, review, and modification. Local residents, land abutters, visitors, and environmental organizations have been generally supportive of DWSP's policies to protect the public water supply while allowing controlled access.



## 1. Public Survey

A public opinion survey was conducted in conjunction with this plan update. The survey was administered electronically through a Survey Monkey account, taking advantage of current internet technology that allows both ease of submitting comments and interpreting the data.

DWSP utilizes the public survey to obtain a perspective on who visits the Wachusett Reservoir watershed and their current concerns in order to aid in the evaluation of access policies. Approximately 290 people responded to the survey. The responses were similar to previous iterations of the survey completed for earlier plans across the entire system: most people and organizations are appreciative of the resources, while a subset advocate for activities that are currently prohibited.

See Appendix D for a summary of the survey results.

## 2. Public Meetings

A public listening session on the *Wachusett Reservoir Watershed 2022 Public Access Plan Update* was held virtually through Zoom on October 25, 2022. The purpose of the initial session was to give an overview of the process and anticipated timelines and to give the public an opportunity to provide input before a plan was drafted.

A subsequent in person public meeting was held on April 26, 2023, at which time the draft plan was distributed to the public on the DWSP website. Additional comments were accepted via the DCR Public Input portal until May 26, 2023. See Appendix E for a summary of the public input.



### III. Existing Conditions

#### A. Watershed Ownership and Land Use

DWSP manages over 100,000 acres of land and approximately 30,000 acres of reservoir surface area throughout the DCR/MWRA water supply system (Table 1). The policies in this plan specifically govern the 21,924 acres of land owned in fee by DWSP in the Wachusett Reservoir watershed.

**Table 1. Summary of DWSP Protected Lands**

Active or Emergency System	Watershed	DWSP Fee	DWSP WPR	Other Protected	Total Protected	Land Area
Active	Quabbin Reservoir	54,280	4,647	14,608	75,535	95,364
Active	Ware River	23,803	1,364	7,642	32,809	61,671
Active	Wachusett Reservoir	17,698	2,702	12,223	32,623	70,876
Active	<b>Total</b>	<b>95,781</b>	<b>8,713</b>	<b>34,473</b>	<b>138,967</b>	<b>227,911</b>
Emergency	Sudbury and Foss Reservoirs	2,367	0	1,810	4,177	16,298

Source: DWSP and MassGIS; all figures in acres.

Notes: Land area excludes the reservoir surface Fee – land owned in fee simple by Commonwealth of MA managed by DWSP; WPR – Watershed Preservation Restrictions, similar to Conservation Restrictions, are land restrictions on private property in DWSP's Watershed System; Other Protected – land owned in fee simple by other MA state agencies, municipalities, or non-profit organizations for conservation purposes listed as permanently or limited protected open space by MassGIS.

**Table 2. DWSP Lands Accessibility**

	<u>Acres</u>	<u>% of Total</u>
DWSP Ownership	21,947*	100%
Wachusett Reservoir	4,151	18.9%
DCR No Trespassing	149	0.67%
DCR Public Access	17,647	80.4%

Source: DCR/DWSP, February 2023. \* Including the reservoir

**Table 3. DWSP Owned Land by Municipality**

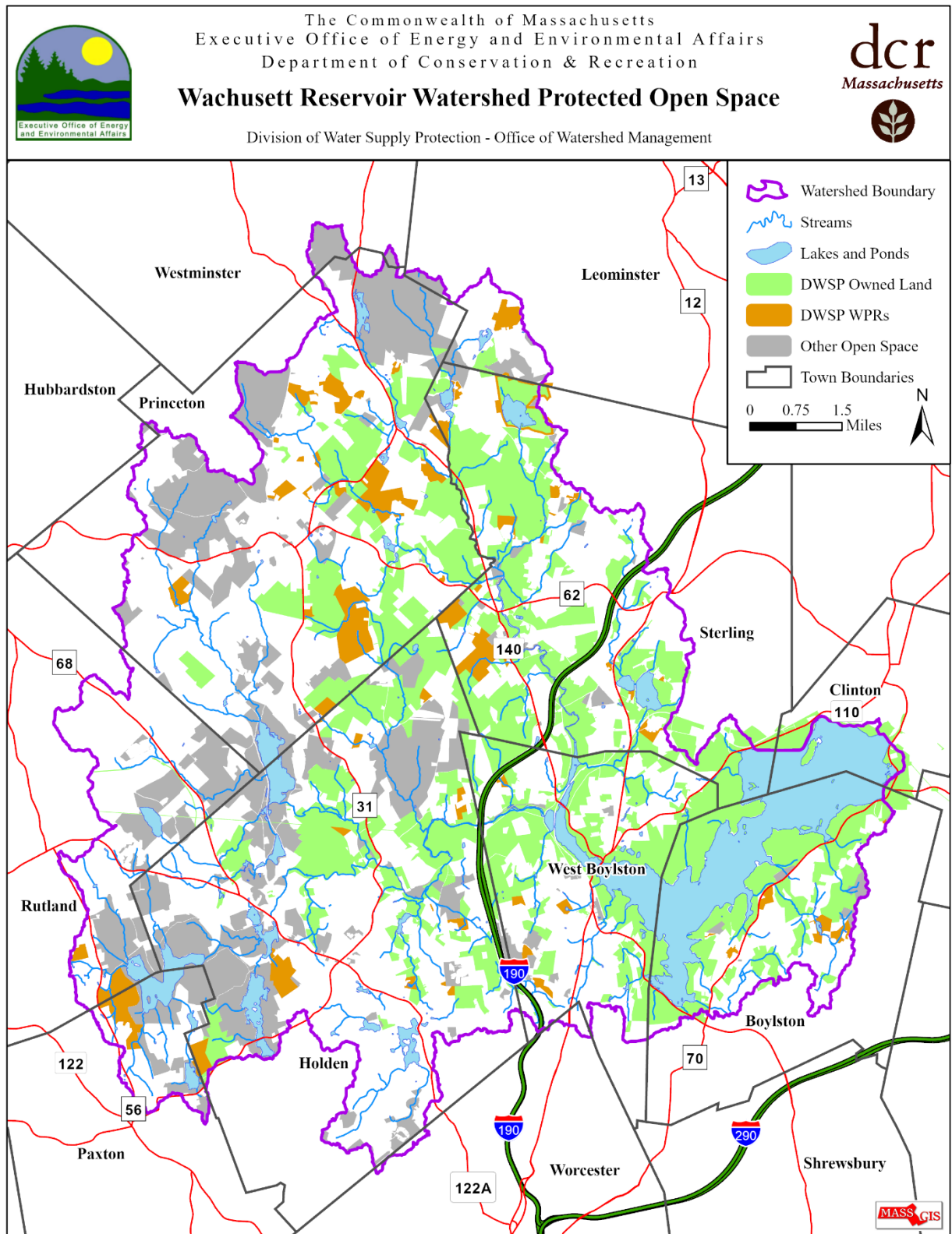
Municipality	Acres*
Boylston	2,621.7
Clinton	142.6
Holden	3,877.2
Leominster	71.3
Paxton	0.0
Princeton	3,159.3
Rutland	12.6
Sterling	4,962.0
West Boylston	2,945.9
Worcester	0.2
<b>TOTAL</b>	<b>17,792.9</b>

Source: DCR/DWSP, February 2023

\* Total acreage does not include the Reservoir.

Figure based upon 2023 DCR open space data layer..

**Map 2. DCR DWSP Owned Lands in Wachusett Reservoir Watershed**



## ***B. Wachusett Watershed Public Access Management Zones***

DWSP has divided the Wachusett Reservoir watershed lands into four sections for ease of public access management (**Map 3**). It is important to note that Hunting Management Areas differ from Public Access Management areas and it is the responsibility of hunters to ensure they are hunting legal properties.

### **1. Intake Protection Zone**

This zone provides primary protection of the water supply by prohibiting public access near reservoir intake structures. The Intake Protection Zone includes four miles of reservoir shoreline, at the North Dike (near Gate #36 to the Wachusett Dam) and South Dike, and the Reservoir's South Shore, from Hastings Cove (Gate #5) to the Cosgrove Intake on Route 70 (**Map 4**). This zone has been broken down further into four areas to provide simplicity for discussion, enforcement, signage and mapping purposes:

Most of the boundary of the Intake Protection Zone is fenced and posted with DWSP signage. No Trespassing signs are posted from Gates #1-5, which are north of the limit for fishing. A four-foot fence lines a majority of the North Dike to prohibit shoreline access and no public access is allowed on any areas of rip rap of the North Dike beginning at Gate #36.

#### ***a) Promenade of the Wachusett Dam Route 70***

This is one of the busiest areas for visitors and residents as the views are spectacular, especially during sunset. Initially closed due to the events of September 11, 2001, it was re-opened in 2005 and again closed in 2007 upon the discovery of Polychlorinated Biphenyls (PCBs) in the 1950s' era caulking in the upper walkway of the dam. The area was re-opened to the public in December 2010 and has been open since.

#### ***b) Spillway to Gate 36***

Shoreline access is restricted from the dam to approximately two miles along the North Dike (fencing or rip rap and does not include the top of the North Dike). A majority of this section is fenced with signage, and a sign is posted at the No Shoreline Access limit, near Gate 36. Public access on any rip rap along the North Dike is prohibited. The limit of fishing is also near this location close to Gate 36 and is posted.

#### ***c) Route 70-East (Non-reservoir side of Route 70 from Gate 5 Area to the Promenade)***

These lands lie primarily along the east side of Route 70 across from Gates 1-5. Foot access only is allowed (hiking, walking, snowshoeing, cross-country skiing) in these areas, with the exception of the property between Willow Road (Route 62) to Mile Hill Road due to public safety risks. This area is posted "No Trespassing."

#### ***d) Route 70-West (Reservoir side of Route 70 from Gate 5 Area to the Promenade)***

This area is no public access and is posted accordingly.

## **2. Reservoir Protection Zone**

This zone includes the watershed lands around the reservoir and main tributaries (Stillwater and Quinapoxet Rivers) and the West Waushacum Pond. The Reservoir Protection Zone includes all DWSP land around the reservoir that lies beyond the four-mile Intake Protection Zone, and other DWSP land adjacent to the Thomas Basin and West Waushacum Pond (**Map 5**). The Old Stone Church and Stillwater Farm fall within this zone.

## **3. Tributary Headwaters Zone**

This zone is made up of DWSP lands located outside of the Route I-190 and Route 62 corridor and is furthest away from the reservoir (**Map 3**). Poutwater Pond lies within this zone.

## **4. Off Watershed Land Zone**

This zone is made up of DCR/DWSP lands located outside of the Wachusett Reservoir watershed boundaries where drainage does not flow into the reservoir or its tributaries. It includes approximately 680 acres of DWSP land located on Old Campground Road in Sterling, the area primarily around South Meadow Road in Clinton and the area below the Wachusett Dam.

### ***a) Spillway to Lower Road – including the fountain and Millpond area***

All drainage from this area flows into the Nashua River, not the Reservoir, and thus is considered off watershed. Nearby residents use this area frequently for daily walks, jogging, etc. Dog walking (leashed) is allowed on the paved roadway and along the spillway. Signage has been posted at the limit of dog walking at the top of the spillway. Dog walkers are required to have their pets leashed (also per Town of Clinton by-law), pick up after their pets, and must have pick up bags with them while in this area. Bicycles and e-bikes are also allowed on the Lower Road and along the spillway.

In the past, there has been confusion when dealing with water recreation public access issues on the Lancaster Mill Pond. Since the renovation of mill buildings on Green Street into condominiums, use of this area has greatly increased. The area once served to impound water for industrial use by mills that are no longer in operation. Much of the confusion stems from the fact that DCR does not own the pond in its entirety; in fact, only a small portion is DCR-owned, from the fountain to approximately 275 feet downstream of the remaining concrete railroad bridge abutments. From information gathered, it is not DWSP owned from this point to the Route 70 Bridge and therefore DWSP cannot grant recreation opportunities or public access to areas that it does not own; conversely, the agency does not automatically allow its properties to be utilized in obtaining recreation access to non-DWSP owned areas.

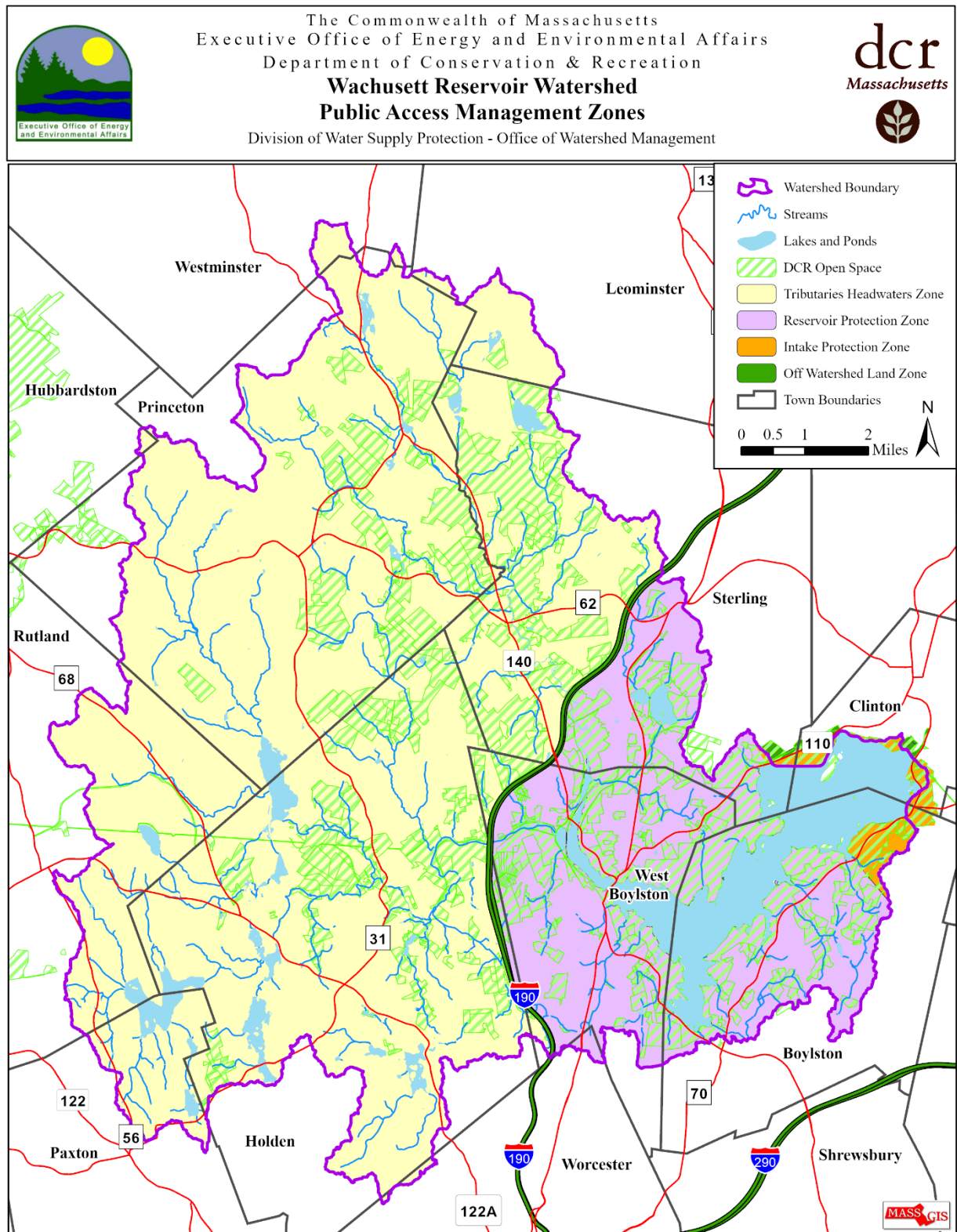
Any access into the fountain or spillway is strictly prohibited. The Division reserves the right to limit public access in this area due to emergency situations, public safety issues, or security risks when conditions warrant. Proper signage is posted when closure is necessary.

### ***b) Old Campground Road, South Meadow Road***

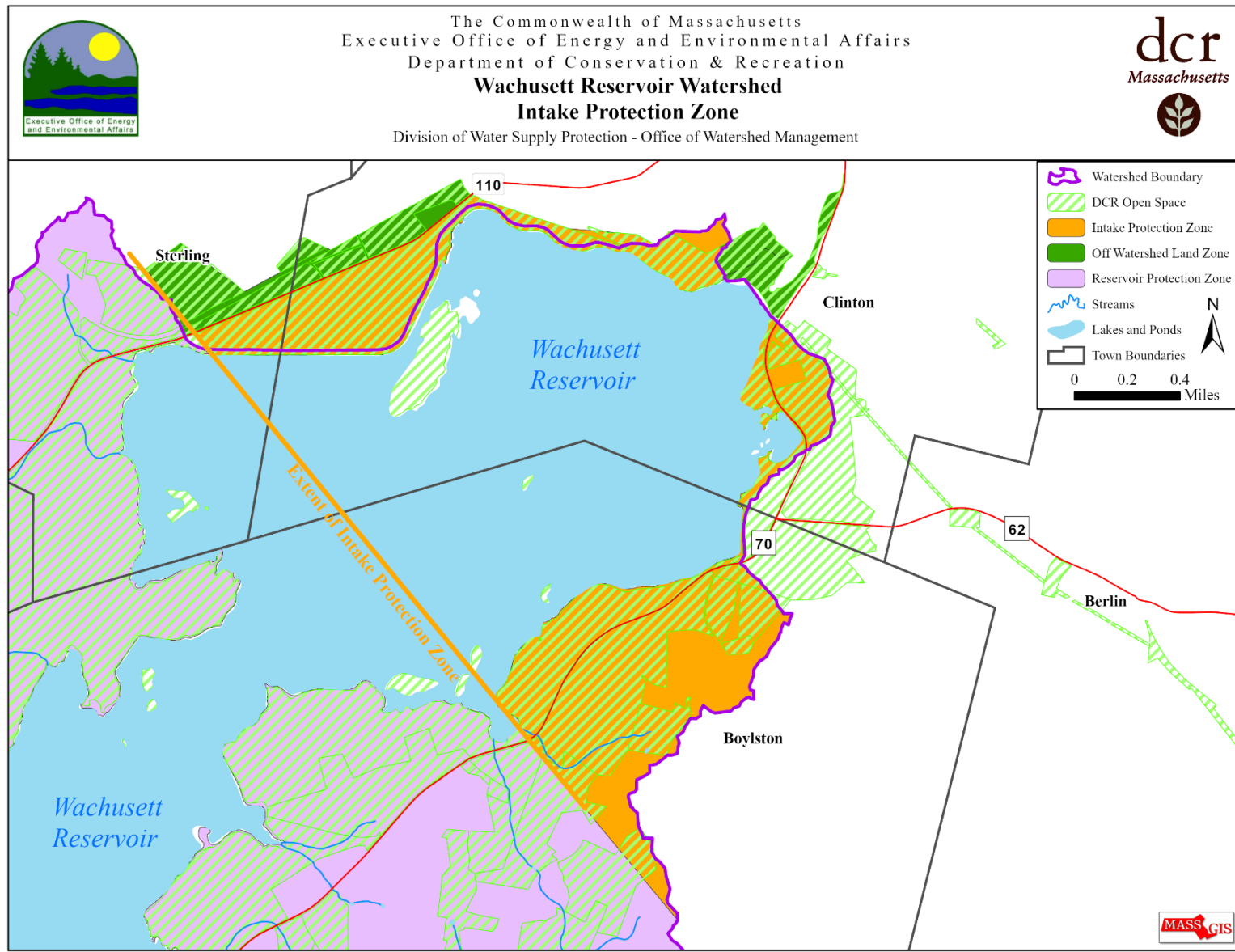
Drainage from these areas flow to surface waters that are not connected to the Wachusett Reservoir. Dogs and bicycles are prohibited.



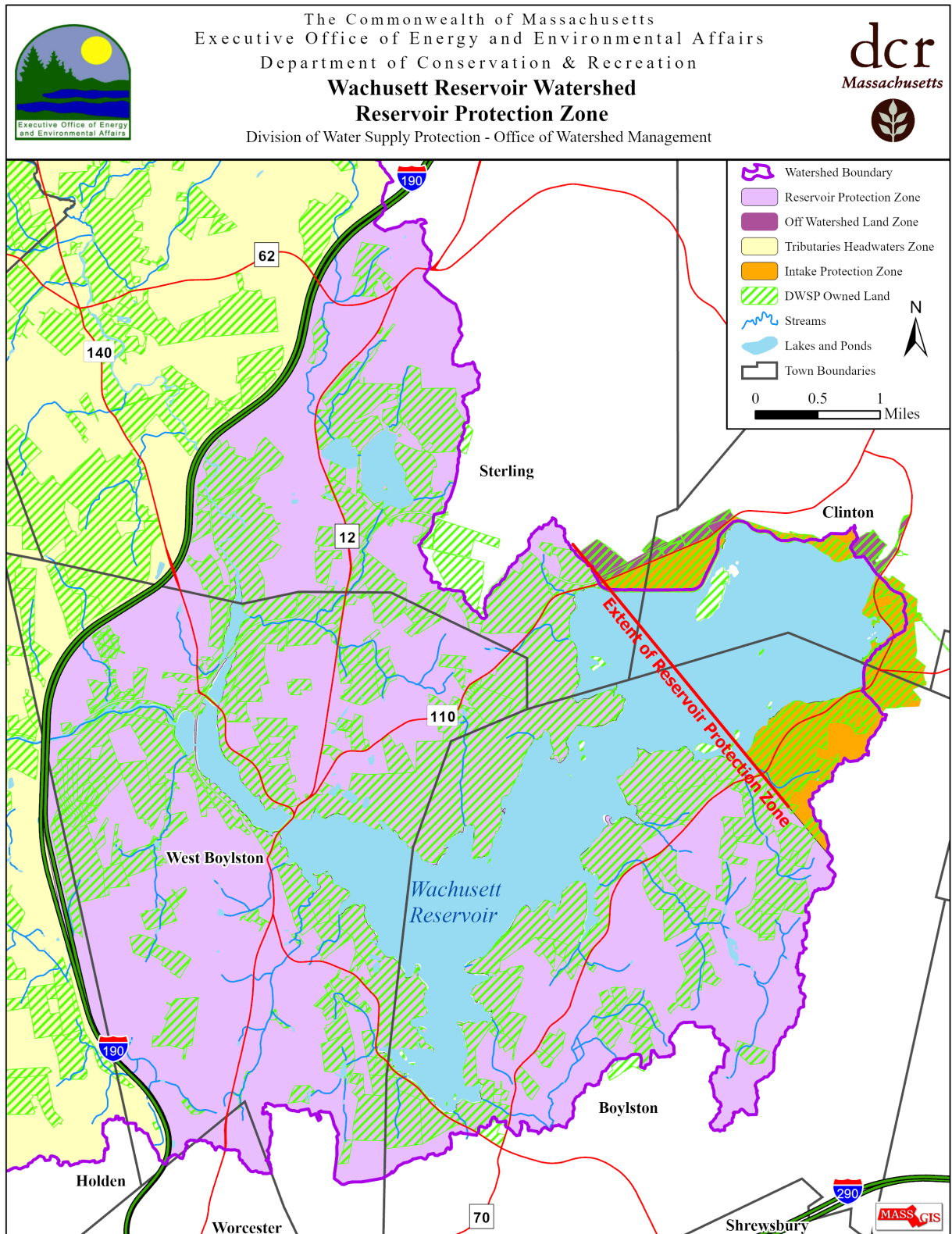
**Map 3. Wachusett Reservoir Watershed Public Access Management Areas**



#### Map 4. Public Access Management – Intake Protection Zone



## Map 5. Public Access Management – Reservoir Protection Zone





## **IV. Public Access Policies and Procedures**

Public access for low-impact recreational activities is allowed, with conditions, on lands and waters of the Wachusett Reservoir Watershed System when compatible with water supply protection and public safety, and when guided by DWSP's Master Policy on Public Access.

As an unfiltered water supply, DWSP is required by the Massachusetts Department of Environmental Protection and the United States Environmental Protection Agency to implement a public access/recreation plan which controls public access and recreational activities on the lands and waters so that they do not pose a threat to the drinking water's quality.

The summary of access policies and changes made since 2011 is summarized in Table 7 and detailed in the individual activity fact sheets found in this Section. In total, there are 31 fact sheets representing historical, existing, and potential recreational uses of drinking water supply lands and waters. These activities have been grouped into four categories: 1) Vehicle Access; 2) Foot Access; 3) Water Access; and 4) Other Access. Table 4 is a list of all the access policies and restrictions. The fact sheets provide more specific detail of each policy.

### **A. *Public Access Plan Goals, Evaluation, and Updates***

#### **1. Public Access Plan Goals**

DWSP strives to balance reasonable public access, legally mandated activities, and long-term resource protection throughout the DCR/MWRA Watershed System. The following public access management goals are used to develop the policies outlined in this plan:

- To properly manage a public resource used as a source supply of drinking water.
- To protect drinking water resources from public access impacts.
- To protect historic and prehistoric sites within the watershed.
- To improve and protect long-term ecosystem health and biological diversity within the watershed.
- To assure that public access is safe and appropriate to DCR/MWRA's water quality and regulatory goals.

#### **2. Plan and Policy Evaluation**

DWSP will continue to conduct periodic reviews to evaluate the plan in general, as well as any policy concerns or conflicts that arise. DWSP considers the following elements when evaluating new or expanded activity requests: potential water quality impacts, user benefits and potential conflicts, DWSP budgetary implications and land management activities, long-term ecosystem health, biological diversity, and cultural and historical resources.

#### **3. Ten Year Plan and Policy Update Process**

DWSP updates its public access management plans for each watershed approximately every ten years. A year or so before the ten-year update deadline, DWSP staff review and provide field input on issues or needs related to public access policies. Survey data are typically collected regarding abutters, recreational users, and other stakeholders' views on existing recreation policies.

A draft plan update is submitted for review to MWRA. The draft plan is subsequently presented at public meetings and posted on the DCR website. All public input is considered prior to final modifications. The completed public access management plan update is approved by the DCR Commissioner; it is posted on the agency website and hard copies are distributed to key staff and stakeholders.

## **B. General Access Conditions**

DWSP has general conditions under which allowed activities must be conducted. These conditions are detailed below and summarized along with specific access conditions in Table 4. DWSP may close its properties to public access during weather, emergency, security, or other operational situations.

### **General Conditions**

- It is the responsibility of the visitor to know and abide by the applicable rules, regulations, and conditions for access.
- General public access within DWSP lands in the Wachusett Reservoir watershed is restricted to one hour before sunrise to one hour after sunset through gates or designated (posted) areas only, unless authorized by a permit from DWSP or its designee.
- Any activity which injures or defaces the property of the Commonwealth is strictly prohibited.
- Feeding wildlife is prohibited.
- Visitors are advised that active forestry harvest operations may be in progress on DWSP properties. Please avoid visiting such areas, entering harvest areas, or coming within three hundred feet of equipment.
- Visitors are asked to respect the rights of owners of adjacent property and not trespass on private lands.
- Because of the importance of protecting water quality, visitors are prohibited from depositing human waste on watershed lands by planning accordingly.
- Visitors are required to not wash objects in any watercourse.
- Visitors are asked to limit outdoor smoking activities to help prevent wildfires and carry out any refuse. No fires are allowed on DWSP properties.
- Please report any suspicious or dangerous activity on lands or waters by calling the MA State Police at 508-829-8410 or the Massachusetts Emergency Management Agency (MEMA) 24-hour communications center at 508-820-1428
- For general questions on public access or passive recreation activities, please contact the Wachusett/Sudbury Watershed Ranger office at 978-365-3800.



**Table 4. Public Access Policies - 2023**

<b>Activity</b>	<b>Intake Protection Zone</b>	<b>Reservoir Protection Zone</b>	<b>Tributary Protection Zone</b>	<b>Off Watershed Land Zone</b>
<b>VEHICLE ACCESS</b>				
Snowmobiling	⊘	⊘	⊘	⊘
Off-Highway Vehicles Riding (OHV)	⊘	⊘	⊘	⊘
Bicycling/E-bikes -Designated roads	⊘	⊘	☐ <sup>1</sup>	☐ <sup>2</sup>
Off-road Bicycling	⊘	⊘	⊘ <sup>3</sup>	⊘
Sledding	⊘	⊘	⊘	⊘
<b>FOOT ACCESS</b>				
Walking/Hiking/Snowshoeing	☐	☐	☐	☐
Cross-country Skiing	☐	☐	☐	☐
Hunting/Trapping	☐ <sup>3</sup>	☐ <sup>3</sup>	☐ <sup>3</sup>	☐ <sup>3</sup>
Ice Fishing/Ice Skating	⊘	⊘	⊘	⊘
Shore Fishing	⊘	☐	☐	☐
<b>WATER ACCESS</b>				
Boat Fishing	⊘	⊘	⊘	⊘
Canoeing/Kayaking/Boating	⊘	⊘	☐ <sup>5</sup>	⊘
Wading (fishing, launching)	⊘	⊘	☐ <sup>6</sup>	⊘
Swimming	⊘	⊘	⊘	⊘
Paddleboarding	⊘	⊘	⊘	⊘
<b>OTHER ACCESS</b>				
Group Activities (weddings, organized hikes, tour buses, etc.)	☐ <sup>7</sup>	☐ <sup>7</sup>	☐ <sup>7</sup>	☐ <sup>7</sup>
Geocaching and related activities	☐	☐	☐	☐
Wildlife/Bird Watching	☐	☐	☐	☐
Night Access	⊘	⊘	⊘	⊘
Organized Sports	⊘	⊘	⊘	⊘
Dogs/Other Animals	⊘	⊘	⊘	⊘
Horseback Riding	⊘	⊘	⊘	⊘
Collecting/Metal Detecting/Magnet fishing	⊘	⊘	⊘	⊘
Camping	⊘	⊘	⊘	⊘
Fishing Derbies	⊘	⊘	⊘	⊘
Target Shooting	⊘	⊘	⊘	⊘
Advertising	⊘	⊘	⊘	⊘
Marking or Cutting Trails/Roads	⊘	⊘	⊘	⊘
Unmanned Aerial Vehicles/Underwater Drones	⊘	⊘	⊘	⊘
Alcohol Possession or Cannabis Consumption	⊘	⊘	⊘	⊘

Other

*Please call the Wachusett Reservoir Field HQ (508) 792-7806 or Watershed Ranger Station (978) 365-3800*

⊘ Prohibited

☐ Allowed - General Restrictions

☐<sup>#</sup> Specific Restrictions

### General Restrictions:

☐ General public access within the Wachusett Reservoir Watershed System is restricted to one hour before sunrise to one hour after sunset through gates or designated (posted) areas only. Any activity which injures or defaces the property of the Commonwealth is strictly prohibited. This chart is based on the Watershed Protection Regulations 313 CMR 11.00. Littering is strictly prohibited. Carry in/Carry out. Do not feed wildlife. No dogs allowed.

### Specific Restrictions:

- <sup>1</sup> Bicycling is allowed on the Mass Central Rail Trail and designated, marked trails only. E-bikes are allowed on the Mass Central Rail Trail only. Bicycles only are allowed along two loop trails in Holden off of the Mass Central Rail Trail.
- <sup>2</sup> Bicycling is allowed from the top of the Spillway to Gate 39 on the lower access road (old rail bed) only. No bicycles are allowed on the top of the North Dike for the entire length. Bicycling and e-bikes allowed on paved road below the dam.
- <sup>3</sup> Bicycles allowed on two loop trails in Holden off of the Mass Central Rail Trail.
- <sup>4</sup> Hunting is allowed in season, with a proper license and a DCR DWSP free hunting permit. See [www.mass.gov/dcr-watershed-hunting](http://www.mass.gov/dcr-watershed-hunting) for up-to-date permit information.
- <sup>5</sup> Canoes, kayaks and non-gas-powered small boats are allowed on West Waushacum Pond, the Quag, and Muddy Pond.
- <sup>6</sup> Wading for fishing or launching a boat/canoe/kayak allowed only on the Quinapoxet River upstream of the accretion dam/MWRA Shaft #1 (at posted signage) and on the Stillwater River upstream of the confluence of Waushacum Brook.
- <sup>7</sup> Groups of up to 25 people are allowed without a permit. Groups of 25 or more are only allowed by permit issued by the Regional Director. Permits for weddings will not be issued.



## **Clarification to Wachusett Reservoir Watershed 2023 Public Access Plan Update**

Effective Date: April 5, 2025

### *Prepared by:*

Kelley Freda, Regional Director, DCR Division of Water Supply Protection  
Wachusett/Sudbury Region

### *Purpose:*

To clarify prohibited fishing and wading areas on the Quinapoxet River due to the 2024-2025 removal of the Quinapoxet River Accretion Dam.

### *Policy Clarifications:*

- Table 4. Public Access Policies – 2023, Specific Restrictions, Page 18  
<sup>6</sup>Wading for fishing or launching a boat/canoe/kayak allowed only on the Quinapoxet River upstream of the Oakdale Power Station/MWRA Shaft #1 (starting at the posted signage on the River Road side of the river and at the granite abutment on the rail trail side of the river) and on the Stillwater River upstream of the confluence of Waushacum Brook. No public access is allowed behind the Oakdale Power Station building. Fishing is limited to the Quinapoxet River riverbank only downstream of the power station building and granite abutment; no fishing is allowed from baffle dams or rocks in the river.
- Shore Fishing, Page 40  
Fishing and fishing with waders on the Quinapoxet River is permitted upstream of the Oakdale Power Station starting at the posted signage on the River Road side of the river and at the granite abutment on the rail trail side of the river. No public access is allowed behind the power station building. Downstream of the power station building and granite abutment, fishing is limited to the riverbank only. No fishing is allowed from baffle dams or rocks in the river.
- Shore Fishing, Page 40  
<sup>1</sup>Waders allowed in Quinapoxet River upstream of Oakdale Power Station as stated above in policy clarification.



**Table 5. Public Access Policies – 2023**  
**Intake Protection Zone**

<b>Activity</b>	<b>Promenade of the dam along Route 70</b>	<b>Spillway to Gate #36</b>	<b>Route 70 East (Non-reservoir side Route 70)</b>	<b>Route 70 West (Reservoir side Route 70)</b>
<b>VEHICLE ACCESS</b>				
Snowmobiling	⊘	⊘	⊘	⊘
OHV Riding	⊘	⊘	⊘	⊘
Bicycling/E-bikes - Designated roads	⊘	☐ <sup>1</sup>	⊘	⊘
Off-road Bicycling	⊘	⊘	⊘	⊘
Sledding	⊘	⊘	⊘	⊘
<b>FOOT ACCESS</b>				
Walking/Hiking/Snowshoeing	☐	☐	☐	⊘
Cross-country Skiing	☐	☐	☐	⊘
Hunting/Trapping	☐ <sup>2</sup>	⊘	☐ <sup>2</sup>	⊘
Ice Fishing/Ice Skating	⊘	⊘	⊘	⊘
Shore Fishing	⊘	⊘	⊘	⊘
<b>WATER ACCESS</b>				
Boat Fishing	⊘	⊘	⊘	⊘
Canoeing/Kayaking/Boating	⊘	⊘	⊘	⊘
Wading (fishing, launching)	⊘	⊘	⊘	⊘
Swimming	⊘	⊘	⊘	⊘
Paddleboarding	⊘	⊘	⊘	⊘
<b>OTHER ACCESS</b>				
Group Activities (weddings, organized hikes, tour buses, etc.)	☐ <sup>3</sup>	☐ <sup>3</sup>	☐ <sup>3</sup>	⊘
Geocaching and related activities	☐	☐	☐	⊘
Wildlife/Bird Watching	☐	☐	☐	⊘
Night Access	⊘	⊘	⊘	⊘
Organized Sports	⊘	⊘	⊘	⊘
Dogs/Other Animals	⊘	⊘	⊘	⊘
Horseback Riding	⊘	⊘	⊘	⊘
Collecting/Metal Detecting/Magnet fishing	⊘	⊘	⊘	⊘
Camping	⊘	⊘	⊘	⊘
Fishing Derbies	⊘	⊘	⊘	⊘
Target Shooting	⊘	⊘	⊘	⊘
Advertising	⊘	⊘	⊘	⊘
Marking or Cutting Trails/Roads	⊘	⊘	⊘	⊘
Unmanned Aerial Vehicles/Underwater Drones	⊘	⊘	⊘	⊘
Alcohol Possession or Cannabis Consumption	⊘	⊘	⊘	⊘

Other

*Please call the Wachusett Reservoir Field HQ (508) 792-7806 or Watershed Ranger Station (978) 365-3800*

⊘ Prohibited

☐ Allowed - General Restrictions

☐<sup>#</sup> Specific Restrictions

### General Restrictions:

- **General public access within the Wachusett Reservoir Watershed System is restricted to one hour before sunrise to one hour after sunset through gates or designated (posted) areas only. Any activity which injures or defaces the property of the Commonwealth is strictly prohibited. This chart is based on the Watershed Protection Regulations 313 CMR 11.00. Littering is strictly prohibited. Carry in/Carry out. Do not feed wildlife. No dogs allowed.**

### Specific Restrictions:

- <sup>1</sup> Bicycling and e-bikes are allowed from the area below the dam to Gate 39 via the lower access road (old rail bed) only. Bicycling is prohibited on the entire length of the top grassy section of the North Dike.
- <sup>2</sup> Hunting and trapping are allowed with a DCR Permit provided the activities are consistent with MassWildlife seasons and regulations. See [www.mass.gov/dcr-watershed-hunting](http://www.mass.gov/dcr-watershed-hunting) for up-to-date information regarding permits.
- <sup>3</sup> Groups of more than 25 are by a permit issued by the Regional Director only. Permits for weddings over 25 people are not granted.
- <sup>4</sup> Lancaster Mill Pond is open to year-round open water fishing (no ice fishing on DCR portion of water rights).



**Table 6. High Visitor Use Areas Public Access Policies – 2023**

Activity	Prom- enade of the Dam	Old Stone Church	Still- water Farm	Pout- water Pond	North Dike (Gates 36-39)	West Waushacum Pond/Quag/ Muddy Pond
<b>VEHICLE ACCESS</b>						
Snowmobiling	⊘	⊘	⊘	⊘	⊘	⊘
OHV Riding	⊘	⊘	⊘	⊘	⊘	⊘
Bicycling/E-bikes - Designated roads	⊘	⊘	⊘	⊘	⊘	⊘
Off-road Bicycling	⊘	⊘	⊘	⊘	⊘	⊘
Sledding	⊘	⊘	⊘	⊘	⊘	⊘
<b>FOOT ACCESS</b>						
Walking/Hiking/ Snowshoeing	□	□	□	□	□	□
Cross-country Skiing	□	□	□	□	□	□
Hunting/Trapping	⊘	□	□	□	□	□
Ice Fishing/Ice Skating	⊘	⊘	⊘	⊘	⊘	⊘
Shore Fishing	⊘	□	□	□	⊘	□
<b>WATER ACCESS</b>						
Boat Fishing	⊘	⊘	⊘	⊘	⊘	□
Canoeing/Kayaking/Boating	⊘	⊘	⊘	⊘	⊘	□
Wading (fishing, launching)	⊘	⊘	⊘	⊘	⊘	⊘
Swimming	⊘	⊘	⊘	⊘	⊘	⊘
Paddleboarding	⊘	⊘	⊘	⊘	⊘	⊘
<b>OTHER ACCESS</b>						
Group Activities (weddings, organized hikes, tour buses, etc.)	□ <sup>1</sup>	□ <sup>1</sup>	□ <sup>1</sup>	□ <sup>1</sup>	□ <sup>1</sup>	□ <sup>1</sup>
Geocaching and related activities	□	□	□	□	□	□
Wildlife/Bird Watching	□	□	□	□	□	□
Night Access	⊘	⊘	⊘	⊘	⊘	⊘
Organized Sports	⊘	⊘	⊘	⊘	⊘	⊘
Dogs/Other Animals	⊘	⊘	⊘	⊘	⊘	⊘
Horseback Riding	⊘	⊘	⊘	⊘	⊘	⊘
Collecting/Metal Detecting/ Magnet Fishing	⊘	⊘	⊘	⊘	⊘	⊘
Camping	⊘	⊘	⊘	⊘	⊘	⊘
Fishing Derbies	⊘	⊘	⊘	⊘	⊘	⊘
Target Shooting	⊘	⊘	⊘	⊘	⊘	⊘
Advertising	⊘	⊘	⊘	⊘	⊘	⊘
Marking or Cutting Trails/Roads	⊘	⊘	⊘	⊘	⊘	⊘
Unmanned Aerial Vehicles/ Underwater Drones	⊘	⊘	⊘	⊘	⊘	⊘
Alcohol Possession or Cannabis Consumption	⊘	⊘	⊘	⊘	⊘	⊘
⊘ Prohibited                      □ Allowed - General Restrictions                      □ <sup>#</sup> Specific Restrictions						



**General Restrictions:**

- ☐ **General public access within the Wachusett Reservoir Watershed System is restricted to one hour before sunrise to one hour after sunset through gates or designated (posted) areas only. Any activity which injures or defaces the property of the Commonwealth is strictly prohibited. This chart is based on the Watershed Protection Regulations 313 CMR 11.00. Littering is strictly prohibited. Carry in/Carry out. Do not feed wildlife. No dogs allowed.**

**Specific Restrictions:**

- ☐ <sup>1</sup> Groups over 25 are required to have a permit. No permits will be issued for memorial services or weddings.



## **C. *Americans with Disabilities Act and Access Policies***

The 1990 federal Americans with Disabilities Act (ADA) prohibits discrimination on the basis of disability. Title II of the ADA prohibits discrimination in all programs, activities, and services of public entities. This title applies to all state and local governments, their departments and agencies, and any other instrumentalities or special purpose districts of state or local governments. DWSP is committed to meeting ADA requirements.

DWSP has completed an ADA Compliance Self-Evaluation for Wachusett Facilities. The exercise identified areas for improvement most of which have been completed. The following are brief descriptions of alterations or additions made at DWSP's Wachusett facilities, services, programs, and policies.

### **1. Facilities, Services, and Programs**

The Wachusett Reservoir has one facility that is used by the general public which includes restroom facilities. The Wachusett Administration Building: a three-story brick structure that houses the administrative office, professional offices, and several meeting rooms. Interpretive and ranger staff regularly presents programs for the public at this location. This buildings administration office, meeting rooms and restrooms on the main floor are ADA accessible.

DWSP's efforts to comply with ADA requirements have included alterations to facilities, and relocations or substitutions to services and programs. Examples of alterations made to the Wachusett Administration Building include accessible signage, access parking, ramp and hand-bar construction, and accessible restrooms. Accessible parking spaces have been added to several DWSP gates and accessible public toilets have been placed in several areas around the reservoir for use during the fishing and hunting seasons. Several interpretive programs have been modified for participants with disabilities.

ADA accessible parking areas have been designated in several parking lot areas around the reservoir. An accessible fishing platform is available near Shaft #1 on River Road at the Quinapoxet River.

### **2. Service Animals**

Service animals perform some of the functions and tasks that an individual with a disability cannot perform for themselves. The ADA defines a service animal as any guide dog, signal dog, or other animal individually trained to help an individual with a disability. If they meet this definition, animals are considered service animals under the ADA regardless of whether they have been licensed or certified by a state or local government. A service animal is a working animal, not a pet. "Seeing eye dogs" are one type of service animal, used by some individuals who are sight impaired or blind.

A person with a dog where dogs are otherwise prohibited may be asked two questions, both of which must be answered in the affirmative: 1) Is the dog a service animal required because of a disability? and 2) What work or task has the dog been trained to perform? Staff cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task. Under the ADA, service animals must be harnessed, leashed, or tethered, unless

these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls. To comply with the ADA, DWSP clarified its regulation in 2006 prohibiting animals on the watershed to allow the use of a service animal by a person with a disability. See Appendix E for additional information on service animals.

#### ***D. Summary of Policy Updates***

Various updates and clarifications to DWSP's 2011 public access policies have been made in this plan (Table 7). For more detailed description, see the fact sheets in the following section. Overall, DWSP has clarified its policies to make them less confusing and more consistent. One new policy has been added – Unmanned Aerial Vehicles (UAV, or drones), which are allowed only by permit. Paddleboarding and magnet fishing have been included in their respective categories.

DWSP is appreciative of the public input received through the on-line survey. While the number of responses was greater than the previous DWSP survey, the issues raised concerning additional access are very similar to past iterations. DWSP recognizes that the size, beauty, and location of the Wachusett Reservoir and surrounding lands make it a very desirable place to swim, canoe, kayak, sail, cross-country ski, ride a horse, mountain bike, or walk a dog. However, due to federal and state regulations, water quality considerations, and staff resource limitations, DWSP is proposing to basically maintain the existing public access policies.

It is important to reiterate that all watershed lands were purchased using ratepayer money for one specific purpose – watershed protection. The public access allowed on the Wachusett Watershed System remains significantly greater than the other major unfiltered American water supplies; DWSP will continue its efforts to provide these opportunities for the public to enjoy the property it controls in the Wachusett Reservoir watershed.

#### ***E. Public Access Policies – 2023***

The following section provides one- to two-page summaries of the policies, rules, and explanation for the most common types of public access activities on DWSP property in the Wachusett Reservoir watershed that are listed in Tables 4-6. These are designed as stand-alone documents that can be reproduced and distributed as needed.



**Table 7 Summary of Public Access Policy Updates**

<b>Activity</b>	<b>2011 DWSP Policy</b>	<b>2023 Policy Changes</b>
<b><i>VEHICLE ACCESS</i></b>		
Snowmobiling	Prohibited	No change
OHV Riding	Prohibited	No change
Bicycling/E-bikes - Designated Roads	Allowed with restrictions	Inclusion of e-bikes
Off-Road Bicycling	Prohibited	No change
Sledding	Not identified	Prohibited
<b><i>FOOT ACCESS</i></b>		
Walking/Hiking/Snowshoeing	Allowed	No change
Cross-Country Skiing	Allowed	No change
Hunting/Trapping	Allowed with restrictions	Clarified and expanded
Ice Fishing/Ice Skating	Prohibited	No change
Shore Fishing	Allowed with restrictions	Season expanded.
<b><i>WATER ACCESS</i></b>		
Boat Fishing	Allowed with restrictions at specified locations	No change
Canoeing/Kayaking/Boating	Allowed with restrictions at specified locations	No change
Wading (for fishing/launching)	Allowed with restrictions at specified areas	No change
Swimming	Prohibited	No change
Paddleboarding	Not identified	Prohibited
<b><i>OTHER</i></b>		
Organized Sports	Prohibited (except when allowed by written permit)	No change
Hunting	Allowed with restrictions at specified locations	Open to regular Massachusetts hunting seasons
Dogs/Other Animals	Prohibited	No change
Horseback Riding	Prohibited	No change
Collecting/Metal Detecting/Magnet Fishing	Prohibited	Added magnet fishing
Camping	Prohibited	No change
Fishing Derbies	Prohibited	No change
Target Shooting	Prohibited	No change
Advertising	Prohibited	No change
Marking or Cutting - Trails/Roads	Prohibited	No change
Alcohol-Possession or Cannabis Consumption	Prohibited	Added Cannabis
Unmanned Aerial Vehicles (UAVs, drones)/Underwater drones	Not identified	Prohibited (without permit)



## Snowmobiling

### Policy

Snowmobiling access is prohibited throughout the entire Wachusett Reservoir Watershed System.

Snowmobile use is prohibited through 313 CMR 11.09 2(a)(12): “No Person shall drive a motorized vehicle within the Watershed System except upon roads authorized for such use by DWSP or its designee. Recreational vehicles are prohibited on all Watershed System property except the use of snowmobiles in areas designated by the Commissioner.”

### Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Watershed Land Zone</i>
<b>Snowmobiling</b>				

Prohibited

### Discussion

Snowmobile use has been prohibited in the Wachusett Reservoir watershed since 1996 because of its potential impact to the natural environment, disturbance of vegetation, and its potential to introduce hazardous materials. Snowmobile use was allowed on a trial basis prior to 1996 in a small section of the watershed, however, the agency discovered damage to the land and users were straying from marked paths. In addition, the potential introduction of chemicals on trails, and, as with any human contact with the land, behavior such as littering may introduce sediments, chemicals, and pathogens to the system. The creation of any trail can encourage other unpermitted activities that are difficult to monitor, control, and enforce.

**This policy has not been changed.**



## Off-Highway Vehicle (OHVs) Riding

### Policy

Unauthorized Off Highway Vehicle (OHV) riding, including dirt biking/motorcycles, is prohibited throughout the entire Wachusett Reservoir Watershed System.

Watershed Protection Regulations 313 CMR 11.09 2(a)(12) state: “No Person shall drive a motorized vehicle within the Watershed System except upon roads authorized for such use by the Commissioner. Recreational vehicles are prohibited on all Watershed System property...”

### Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Watershed Land Zone</i>
OHV Riding	⊘	⊘	⊘	⊘

⊘ Prohibited

### Discussion

OHV use on unpaved surfaces can cause substantial vegetation and soil damage (commonly seen on the local power line rights of-way). In addition, this activity can cause both air and noise pollution, erosion, sedimentation, petrochemicals and other chemicals left on the land which can quickly migrate to the water supply system. This policy is based not only on regulation but also on significant previous documentation of the erosion impacts associated with off-road vehicle and all-terrain vehicle use and has been a prohibited activity since 1989.

**This policy has not been changed.**





## Bicycling/E-bikes – Designated Roads

### Policy

Bicycling and e-bikes are only allowed on certain DWSP-designated maintenance roads. Helmets and protective gear are required by MA law for children under 16 years of age and are recommended for all others.

Bicycling is allowed:

- On the paved lower road below the dam
- Along the spillway
- On the old rail bed to Gate #39 on Route 110
- On the West Boylston, Holden, and Sterling sections of the Mass Central Rail Trail.
- On two loop trails in Holden off of the Mass Central Rail Trail.

Bicycling is not allowed on any other DWSP roads or properties, including on top of the North Dike.

E-bikes – like traditional bicycles – can be used only in areas designated by the Commissioner. These areas are limited to the Mass Central Rail Trail, the road below the Wachusett Dam and along the Spillway to Gate 39 via the old rail bed only.

Watershed Protection Regulations 313 CMR 11.09 2(a)(14) state: “The use of bicycles, skis and other means of non-motorized transportation within the Watershed System shall be permitted only in areas designated by the Commissioner.”

### Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Watershed Land Zone</i>
<b>Bicycling/E-bikes – Designated Roads</b>	<input type="checkbox"/> <sup>1</sup>	<input checked="" type="checkbox"/> <sup>1</sup>	<input type="checkbox"/> <sup>2</sup>	<input type="checkbox"/> <sup>3</sup>

<i>Intake Protection Zone</i>				
<i>Activity</i>	<i>Promenade of the Dam</i>	<i>Reservoir Spillway to Gate #39</i>	<i>Route 70 East (non-reservoir side of Route 70)</i>	<i>Route 70 West (reservoir side of Route 70)</i>
<b>Bicycling/E-bikes- Designated Roads</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/> <sup>1</sup>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

☒ **Prohibited** ☐ General Restrictions: General public access within the Wachusett Reservoir Watershed System is restricted to one hour before sunrise to one hour after sunset through gates or designated (posted) areas only. Any activity which injures or defaces the property of the Commonwealth is strictly prohibited.

<sup>1</sup> Bicycles and e-Bikes are allowed from the top of the spillway to Gate #39 on old rail bed only. Strictly prohibited on the top of the North Dike

<sup>2</sup> Bicycles and e-Bikes allowed on the Mass Central Rail Trail. Bicycles only are allowed along two loop trails in Holden off of the Mass Central Rail Trail.

<sup>3</sup> Bicycles allowed on the road below the Wachusett Dam and along the spillway to Gate 39 via the old rail bed. E-bikes allowed on Lower Road paved surface only.

## Discussion

Bicycling, as with any human presence on watershed lands, has multiple potential water quality impacts, the greatest being physical and microbial water quality threats from erosion and impact to vegetation in the cutting of illegal trails. Historically, bicycling had been allowed on the Wachusett Reservoir off-watershed lands on the paved surfaces below the dam and on sections of the Mass Central Rail Trail that are on DWSP lands. Allowed bicycling was expanded in 2011 to include from the top of the Spillway, along the old rail bed below the North Dike to Gate 39 on Route 110.

Creation of illegal trails can impact historic and cultural resources, wetlands, and endangered species habitat. Illegally cut trails have been observed by DWSP staff within the Wachusett Reservoir Watershed since the implementation of the 2011 Public Access Plan Update.

Bicycling remains one of the most difficult activities to control across the entire water supply system. Therefore, DWSP will continue the prohibition of bicycling in non-designated areas of watershed lands to protect the resources. As an alternative, DCR's Division of MassParks maintains nearly 300,000 acres of the state's forests, beaches, mountains, ponds, riverbanks, trails, and parks. Many of these areas allow bicycling. Near the Wachusett Reservoir Watershed, bicycling is allowed at MassParks' Leominster State Forest and Wachusett Mountain State Reservation, as well as the Town of Holden's Trout Brook Recreation Area; the focus in these areas is on outdoor recreation rather than the protection of a drinking water supply.

Legislation which went into effect on 8/10/2022 defines an e-bike as either a Class 1 or Class 2 electric bicycle ([St. 2022, c. 176, ss 14-17](#)). E-bikes are considered "non-motorized" as they are specifically excluded from the definitions of "motorized bicycle" in [M.G.L. c. 90, s. 1](#) and [M.G.L. c. 90D, s. 1](#). E-bikes – like traditional bicycles – can be used only in areas designated by the Commissioner. No e-bike use is allowed on any trail or access road that has a natural surface tread made by clearing and grading the soil and no surfacing materials have been added.

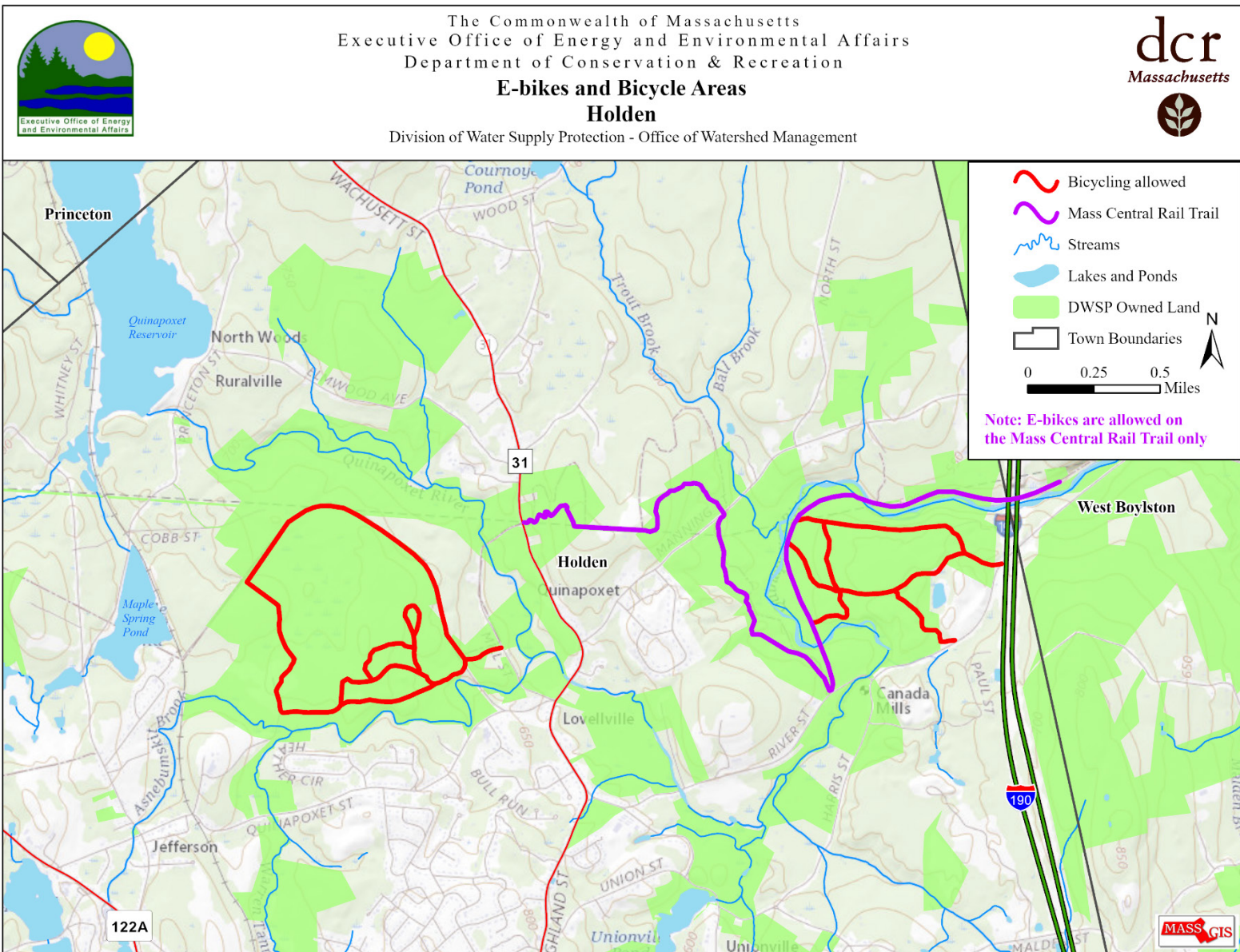
Watershed Ranger records show that the increasing demand and popularity of off-road bicycling and the desire to bike along the reservoir's shoreline is becoming an emerging rule violation on DWSP lands. These impacts may introduce sediments and pathogens to the water supply system. Allowing increased biking has the potential to significantly increase the volume of users on watershed lands, which is inconsistent with watershed protection goals.

This policy allows bicycling only on designated paved or gravel roads and the Mass Central Rail Trail which encompasses 13.43 miles of DWSP property.

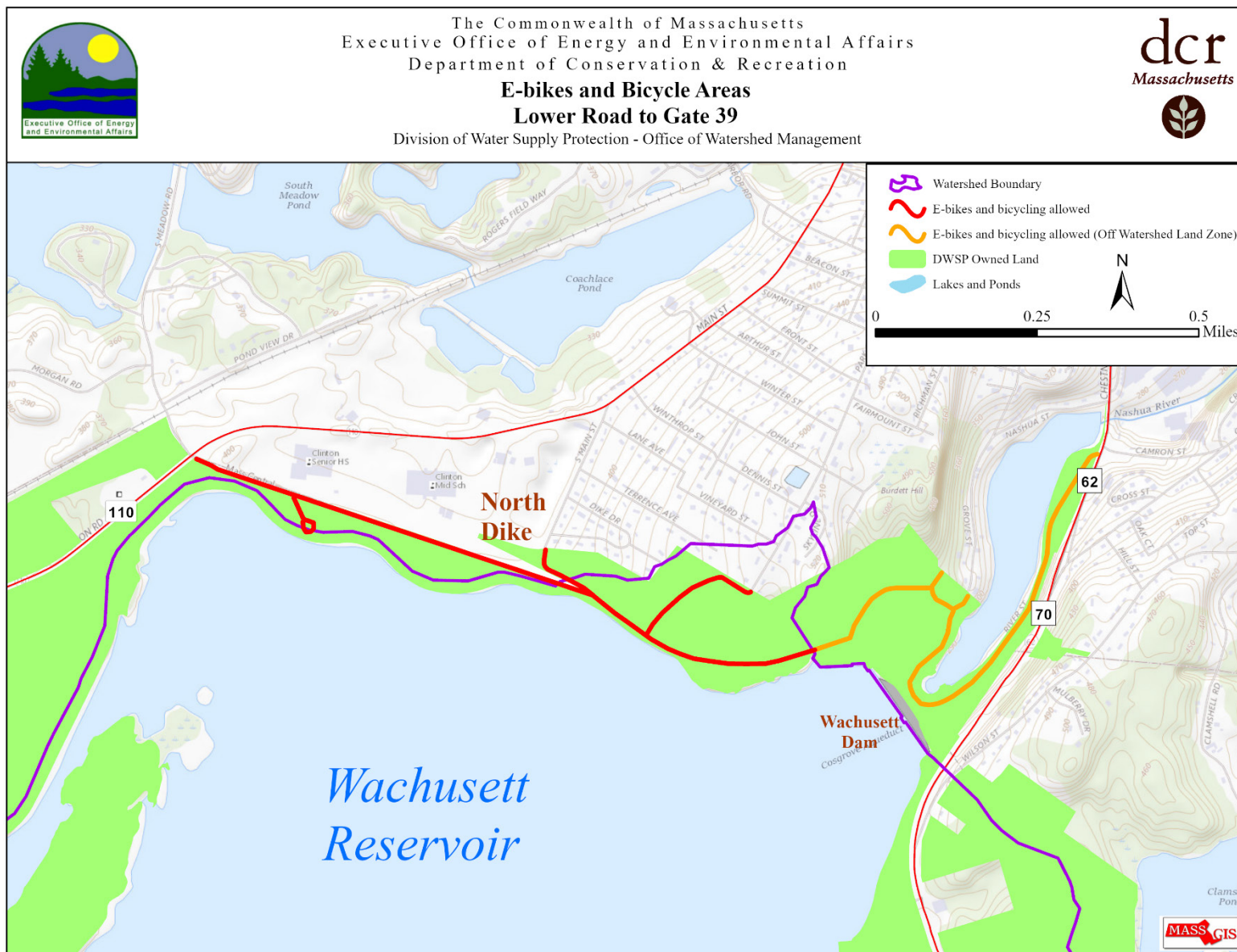
**This policy has not changed. It has been clarified to include the use of e-bikes.**



**Map 6. DWSP Designated Bicycle Routes - Holden**

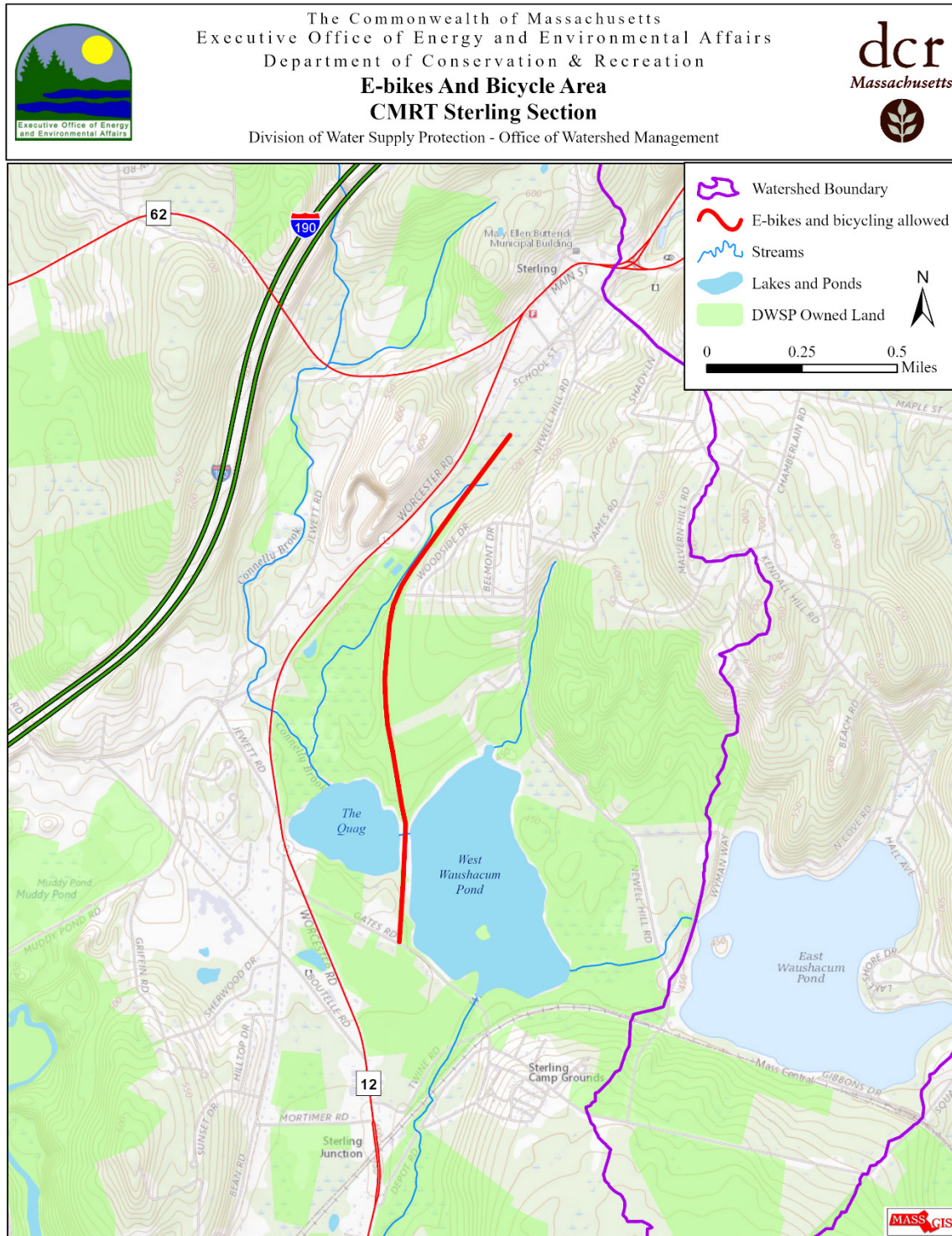


**Map 7. DWSP Designated Bicycle Routes – North Dike, Clinton**





## Map 8. DWSP Designated Bicycle Routes - Sterling





## Off-Road Bicycling (Single Track Riding and Trail Construction)

### Policy

Off-road bicycling is prohibited throughout the Wachusett Reservoir Watershed System.

Watershed Protection Regulations 313 CMR 11.09 2(a)(14) state: “The use of bicycles, skis and other means of non-motorized transportation within the Watershed System shall be permitted only in areas designated by the Commissioner.”

### Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Reservoir Land Zone</i>
Off-road Bicycling	⊘	⊘	⊘ <sup>1</sup>	⊘

⊘ Prohibited

<sup>1</sup> Bicycles allowed on two loop trails in Holden off of the Mass Central Rail Trail.

### Discussion

This policy is based on regulation as well as observations of the growing popularity of year-round, single-track riding in the area and of unauthorized trails being created on DWSP lands across the entire system. Photos below show the creation of an unauthorized trail and dismantling of a stone wall as found in the watershed system. This activity and associated activities can potentially introduce eroded sediments, and pathogens.



**This policy has not been changed.**



## Sledding

### Policy

Sledding or any other kind of sliding activity is prohibited on the Wachusett Reservoir dam, dike or other structures.

### Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Watershed Land Zone</i>
Sledding	⊘	⊘	⊘	⊘

⊘ Prohibited

### Discussion

The use of sleds or other non-motorized snow toys is prohibited because sliding on the dam, dike, or other restricted areas may impact the integrity of the structures and can be very unsafe because of the dam and dike's steep slopes. Sledding when no snow is present impacts the ground cover and can lead to erosion and sedimentation of water resources. Pulling a child along in a sled while walking, snowshoeing, or cross-country skiing is allowed, but any type of free-falling activity down a slope is prohibited.

**This policy has not been changed.**




## Walking, Hiking, and Snowshoeing


### Policy

Walking, hiking, and snowshoeing are allowed within the Wachusett Reservoir Watershed system on all portions that are open for public access. Access is prohibited in restricted areas of the Intake Protection Zone, including the immediate shoreline from the dam to Gate #36 (not including the top of the North Dike), all DWSP property from the dam to Gate #5 (Route 70 West- reservoir side of Route 70), and the reservoir islands. Snowshoeing on, or any other access to, the frozen reservoir surface or any pond is strictly prohibited.

### Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Watershed Land Zone</i>
Walking/Hiking/Snowshoeing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Intake Protection Zone</i>				
<i>Activity</i>	<i>Promenade of the Dam</i>	<i>Reservoir Spillway to Gate #36</i>	<i>Route 70 East (non-reservoir side of Route 70)</i>	<i>Route 70 West (reservoir side of Route 70)</i>
Walking/Hiking/Snowshoeing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

 **Prohibited** ☐ General Restrictions: General public access within the Wachusett Reservoir Watershed System is restricted to one hour before sunrise and one hour after sunset through gates or designated (posted) areas only. Any activity which injures or defaces the property of the Commonwealth is strictly prohibited.

### Discussion

Walking, day hiking, and snowshoeing access are allowed activities. Access on existing paved, gravel, and woods roads, as well as maintained trails is encouraged to protect water quality and benefit public safety if search and rescue efforts are initiated. Access on the frozen reservoir and ponds is strictly prohibited. In addition, DWSP has installed a system of portable toilets that are strategically sited, actively monitored, and maintained to address human sanitary waste concerns posed by this passive recreation activity.

Walkers, hikers, and snowshoers are warned that properties may be open for hunting and are advised to take adequate precautions to avoid conflicts with this activity. DWSP has adopted the use of a conveyor belt type system of waterbars to push surface water off the roadways inside of Gates 25 and 27. These drainage structures protect access roads from damage due to erosion while keeping the surface durable to allow authorized vehicles to pass without getting stuck. These new waterbars protrude from the ground surface a few inches; every effort will be made to post advisory signage of their use at relevant gates before any winter snow cover.

Please contact the Wachusett Ranger Station for more information about universally accessible trails at (978) 365-3800.

**This policy has not been changed.**



## Cross-country Skiing

### Policy

Cross-country skiing is allowed within the Wachusett Reservoir Watershed in all areas open for public access. Cross-country skiing is strictly prohibited on the reservoir and ponds frozen surfaces.

Watershed Protection Regulations 313 CMR 11.09(2)(a)(14) state: “The use of bicycles, skis and other means of non-motorized transportation within the Watershed System shall be permitted only in areas designated by the Commissioner.”

### Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Watershed Land Zone</i>
Cross-country Skiing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### *Intake Protection Zone*

<i>Activity</i>	<i>Promenade of the Dam</i>	<i>Reservoir Spillway to Gate #36</i>	<i>Route 70 East (non-reservoir side of Route 70)</i>	<i>Route 70 West (reservoir side of Route 70)</i>
Cross-country Skiing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Prohibited** ☐ General Restrictions: General public access within the Wachusett Reservoir Watershed System is allowed from one hour before sunrise to one hour after sunset through gates or designated (posted) areas only. Any activity which injures or defaces the property of the Commonwealth is strictly prohibited.

### Discussion

Cross-country skiing typically has a greater range (distance travelled in a given time) than other non-motorized winter activities such as hiking and snowshoeing but with appropriate snow cover for this activity, impacts to the reservoir and resources have been minimal. Access on the frozen reservoir or any pond is strictly prohibited for safety and sanitation reasons.

Cross-country skiers are advised that properties may be open for hunting and should take adequate precautions to avoid conflicts with this activity. DWSP has adopted the use of a conveyor belt type system of waterbars to push surface water off the roadways inside of Gates 25 and 27. These drainage structures protect access roads from damage due to erosion while keeping the surface durable to allow authorized vehicles to pass without getting stuck. These new waterbars protrude from the ground surface a few inches; every effort will be made to post advisory signage of their use at relevant gates before any winter snow cover.

**This policy has not been changed**

## Hunting or Trapping

### Policy

Watershed Protection Regulations 313 CMR 11.09(2)(a)(2) state: “No Person may hunt, shoot or trap animals on or within any Watershed System property except at times and in areas designated by the Commissioner.”

Hunting and trapping are allowed by DWSP permit on all designated Wachusett Reservoir Watershed lands for all legal game as identified by the Massachusetts Division of Fisheries and Wildlife’s current hunting/trapping seasons and according to state hunting regulations and general DWSP restrictions. Designated lands open for hunting and trapping can be found online using the DWSP [Hunting/Trapping Field Map](#). A free five-year permit is required by DWSP and can be obtained on the Watershed Hunting web page: [www.mass.gov/dcr-watershed-hunting](http://www.mass.gov/dcr-watershed-hunting). The use of lead shot for hunting on DWSP properties is prohibited.

### Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Watershed Land Zone</i>
<b>Hunting/ Trapping</b>	<input type="checkbox"/> <sup>1</sup>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> <sup>2</sup>

☐ General Restrictions: General public access within the Wachusett Reservoir Watershed System is one hour before sunrise to one hour after sunset through gates or designated (posted) areas only. Any activity which injures or defaces the property of the Commonwealth is strictly prohibited

☐<sup>1</sup> Hunting allowed on the Route 70 East (non-reservoir side of Route 70) areas of the Intake Protection Zone only. For the most up-to-date maps, please visit the DWSP website.

☐<sup>2</sup> Hunting not allowed on Lower Road below the Wachusett Dam.

### Discussion

Recreational hunting and trapping activities within the Wachusett Reservoir watershed had historically been limited to DWSP properties in the Tributary Headwaters Zone. However, after recent deer density surveys revealed a high deer density, DWSP determined that a limited and controlled deer hunt was necessary to reduce over-browsing and facilitate natural regeneration of the forest for water quality protection around the perimeter of the reservoir.

DWSP developed the Controlled Deer Management Program in 2018 which allowed hunting in the most sensitive areas around the reservoir (inside the boundaries of Routes 110, 12, 140 and 70) and expanded hunting on DWSP lands east of Rt 190. The perimeter of the reservoir was hunted as a controlled-access hunt from 2018- 2022, in consultation with Massachusetts Division of Fisheries and Wildlife. This deer management program was designed to help protect forest regeneration for water quality protection. The control of higher-density deer populations also benefits water quality by reducing contamination by fecal material and pathogens.

After five years of deer hunting in the controlled hunt area, the deer density has decreased and the number of applicants has not been over the access threshold for a few years. This area is now managed in concert with the rest of the watershed for hunting and trapping consistent with all MassWildlife game seasons and regulations. A 5-year Watershed Hunting permit is required to be eligible to hunt on DWSP property within the Wachusett Watershed.

Lead shot is prohibited for use during all hunting seasons on DWSP property due to the protection of the breeding bald eagle population at the source reservoirs. The majority of lead-poisoned eagles are admitted during hunting/fishing seasons and the source of ongoing lead poisoning studies in eagles is lead shot from big game and lead fishing tackle used while fishing.

Dogs may be used when hunting in the Tributary Headwaters Zone with a five-year DWSP hunting permit; dogs are not allowed on DWSP lands in the Wachusett Reservoir watershed for any other purpose.

The Deer Management Program may be modified at any time due to environmental conditions, research, and/or needs of the agency.

#### Waterfowl Hunting

Bodily contact with surface waters is prohibited on most waterbodies in the watersheds (313 CMR 11.00). This restricts the ability of a hunter to retrieve their game. Therefore, in most cases, waterfowl hunting is not allowed on DWSP property.

There are, however, two exceptions where cartop boats allow a hunter to retrieve game. Provided that hunters respect regulatory setbacks for dwellings, roads and trails, waterfowl hunting is allowed at Muddy Pond and the Quag/West Waushacum Pond. Dogs cannot be used for retrieving waterfowl in these ponds or any other location in the Wachusett Reservoir watershed.

The use of lead shot for waterfowl hunting is prohibited in the United States. The national ban on the use of lead shot for hunting waterfowl was phased in starting with the 1987-88 hunting season; the ban became nationwide in 1991.

**This policy has been clarified and expanded.**

Hunting areas and seasons have been and waterfowl hunting has been clarified.





## Ice Fishing or Ice Skating


### Policy

Traditional ice fishing (e.g., fishing through holes in the ice with tip ups, jigging rods, or hand-lines) and ice skating are prohibited within the entire DWSP Wachusett Reservoir Watershed system, including the Reservoir, ponds and wetlands areas.

Watershed Protection Regulations 313 CMR 11.09(2)(a)(5) state: “Fishing from the shoreline of the Wachusett Reservoir and its Tributaries within the Watershed System or from boats shall be allowed only during a season designated by DWSP or its designee.”

### Summary

Activity	Intake Protection Zone	Reservoir Zone	Tributary Headwaters Zone	Off Watershed Land Zone
Ice Fishing/ Ice Skating				

 Prohibited.

### Discussion

Traditional ice fishing or ice-skating activities are prohibited within the Wachusett Watershed system. In the early 1900s, ice fishing was allowed Westerly of Greenhalge Point and Sawyer’s Bluff (close to the current shoreline fishing limit) by special permit available only to residents of Boylston, Clinton, West Boylston and Sterling, and to residents of the Metropolitan Water District (a predecessor district to the current MWRA District). Ice fishing has been prohibited since April 29, 1921, when the ice fishing regulation was repealed.

**This policy has not changed.**





## Shore Fishing

### Policy

Shore fishing is allowed within the Wachusett Reservoir watershed from the first Saturday in April to December 31, provided no ice is present. Shore fishing is allowed around the perimeter of the reservoir from Gate #6 on Route 70, along Route 140, Route 12 to Gate #36 on Route 110. Shore fishing is prohibited in the Intake Protection Zone, which includes the North Dike from the dam to Gate #36, and all restricted areas.

Fishing with waders is allowed along streams in areas of the Wachusett Reservoir watershed where appropriate access can be gained and there are limited public safety concerns. These areas are along the Quinapoxet River upstream of the accretion dam on River Road and the Stillwater River upstream of the railroad trestle off Waushacum Street in Sterling. These two areas are open to fishing year-round.

No person shall use weights, sinkers, artificial lures, jigs, lead-core line, keel trolling weights, weighted flies or any other fishing gear, for the purposes of fishing on any surface water body within the Watershed system, which has any content of lead within it.

Watershed Protection Regulations 313 CMR 11.09(2)(b)(1) state: “Persons in compliance with Commonwealth Fish and Game Laws and Regulations, will be allowed to fish from [the Wachusett Reservoir] shore in areas designated by the Commissioner...Fishing from the shoreline of the Wachusett Reservoir and its Tributaries within the Watershed System or from boats shall be allowed only during a season designated by the Commissioner.”

### Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Watershed Land Zone</i>
<b>Shore Fishing</b>		<input type="checkbox"/>	<input type="checkbox"/> <sup>1</sup>	<input type="checkbox"/>

**Prohibited** ☐ General Restrictions: General public access within the Wachusett Reservoir Watershed System is restricted to one hour before sunrise to one hour after sunset through gates or designated (posted) areas only. Any activity which injures or defaces the property of the Commonwealth is strictly prohibited.

<sup>1</sup> Waders allowed in Quinapoxet River upstream of accretion dam and Stillwater River upstream of railroad trestle off Waushacum Street in West Boylston.

### Discussion

Fishing from shore poses a water quality problem when unplanned paths are created by shore fishermen, if exotic bait becomes invasive, with the improper disposal of human fecal matter, and behavior such as littering. These associated activities may introduce sediment, chemicals, invasive species and pathogens to the water.

## **Clarification to Wachusett Reservoir Watershed 2023 Public Access Plan Update**

Effective Date: April 5, 2025

### *Prepared by:*

Kelley Freda, Regional Director, DCR Division of Water Supply Protection  
Wachusett/Sudbury Region

### *Purpose:*

To clarify prohibited fishing and wading areas on the Quinapoxet River due to the 2024-2025 removal of the Quinapoxet River Accretion Dam.

### *Policy Clarifications:*

- Table 4. Public Access Policies – 2023, Specific Restrictions, Page 18  
<sup>6</sup>Wading for fishing or launching a boat/canoe/kayak allowed only on the Quinapoxet River upstream of the Oakdale Power Station/MWRA Shaft #1 (starting at the posted signage on the River Road side of the river and at the granite abutment on the rail trail side of the river) and on the Stillwater River upstream of the confluence of Waushacum Brook. No public access is allowed behind the Oakdale Power Station building. Fishing is limited to the Quinapoxet River riverbank only downstream of the power station building and granite abutment; no fishing is allowed from baffle dams or rocks in the river.
- Shore Fishing, Page 40  
Fishing and fishing with waders on the Quinapoxet River is permitted upstream of the Oakdale Power Station starting at the posted signage on the River Road side of the river and at the granite abutment on the rail trail side of the river. No public access is allowed behind the power station building. Downstream of the power station building and granite abutment, fishing is limited to the riverbank only. No fishing is allowed from baffle dams or rocks in the river.
- Shore Fishing, Page 40  
<sup>1</sup>Waders allowed in Quinapoxet River upstream of Oakdale Power Station as stated above in policy clarification.

Lead fishing tackle and gear are prohibited from use in the surface waters (reservoirs, ponds, tributaries and wetlands) in the Wachusett Watershed. Several studies have indicated that hundreds of tons of sinkers are lost in water bodies each year. If made of lead, then these sinkers will slowly leach out lead into the water affecting water quality and harming fish/wildlife populations. Additionally, consuming fish that have ingested lead can lead to human health issues.

Note that trespassing on railroad tracks or trestles is punishable under Federal Law.

DWSP requests that all fishing equipment, including waders be thoroughly cleaned and dried before using at the Wachusett Reservoir or any tributaries to prevent the introduction of invasive species. In addition, fishing line recycling canisters have been placed at several high use fishing areas around the reservoir to dispose of unused or unwanted line. Discarded fishing line in the water, woods, and along the shoreline can have a negative effect on wildlife.

DWSP, in conjunction with other agencies and interested parties, has begun the process of approval for removing the accretion dam located on the Quinapoxet River on River Road. Due to modern reservoir operations and water quality monitoring, the sediment control system utilizing the dam is obsolete. An added benefit of the dam removal is that the area will be restored to its natural riverine condition allowing fish migration upstream, particularly landlocked salmon. This project is expected to commence within the next few years, which may impact areas for fishing with temporary closures. After completion, new fencing will be installed at the limit of allowed access and handicapped fishing access will be improved.

The Wachusett Reservoir fishing season has been modified on several occasions, taking into consideration the ability of emergency personnel to respond to an emergency and reservoir freeze/thaw dates. DWSP data finds that since 1991 the reservoir has not completely frozen before January 1 and effects of climate change have caused snowfall to arrive later in the season. Based on these reasons, the fishing season is being extended until December 31 (unless ice is present) in order to coincide with the expiration date of fishing licenses. DWSP will post signage at gates and issue a press release should fishing season be required to close earlier due to the presence of ice on the reservoir or Waushacum Ponds.

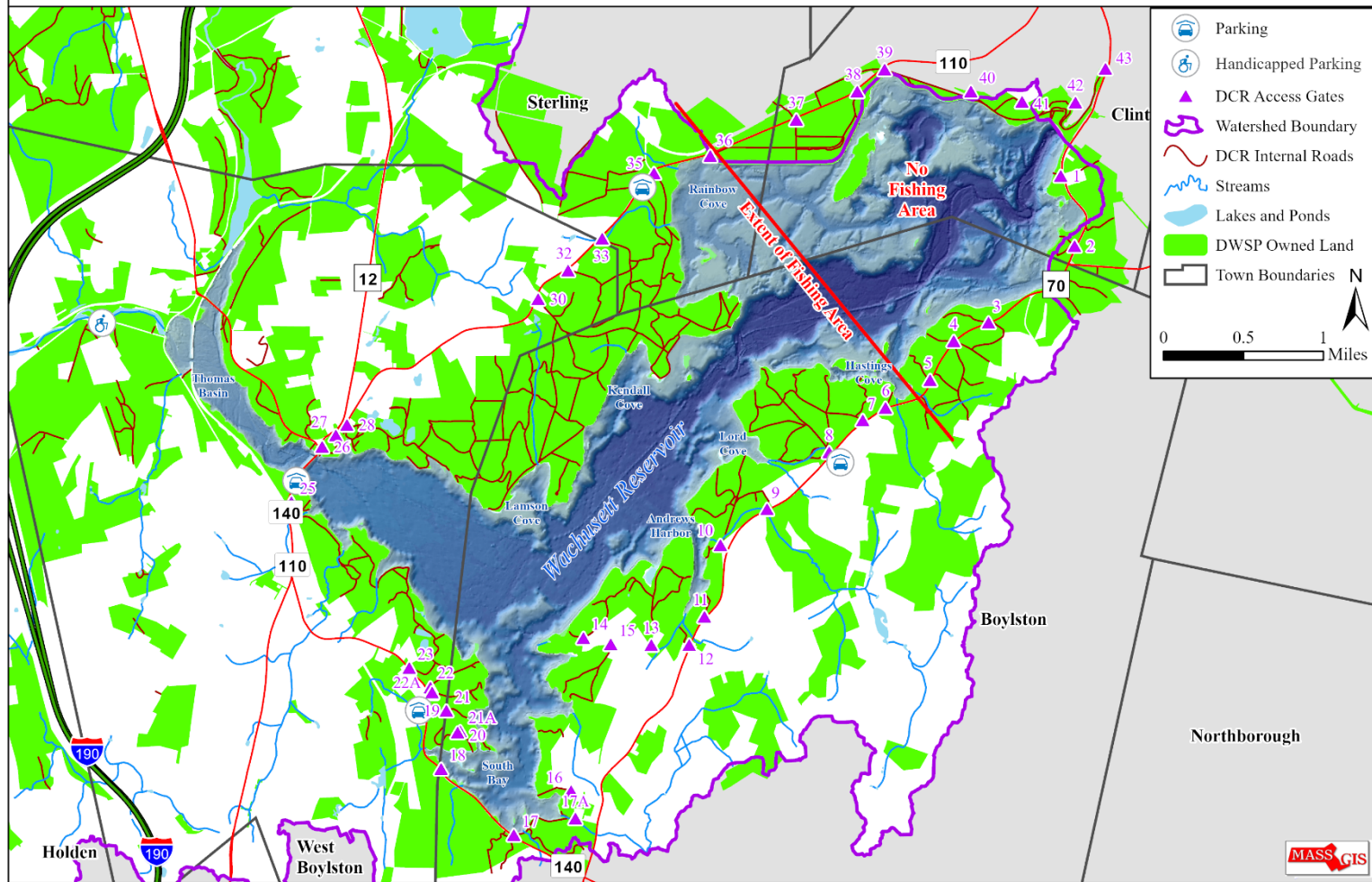
Hunting is also an allowed activity in the Reservoir Zone. Public utilizing these lands for fishing should take all appropriate precautions and wear hunter orange during the hunting season.

The fishing season may be modified at any time due to environmental conditions, research, and/or needs of the agency. This policy does not include the Sudbury Reservoir Watershed.

**This policy has not changed. The fishing season has been expanded.**

The Commonwealth of Massachusetts  
Executive Office of Energy and Environmental Affairs  
Department of Conservation & Recreation

Division of Water Supply Protection - Office of Watershed Management





## Boating

### Policy

All boating activities, both motorized and non-motorized, are prohibited by current regulation in the Wachusett Reservoir watershed except in areas specifically designated by the Division. Motorized boating is prohibited in all areas of the Wachusett Reservoir watershed under DWSP control. Under the current regulation, the areas specifically designated by the Division allowing car top boats (up to 14 feet in length) and electric outboard motors are located on West Waushacum Pond and Muddy Pond.

### Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Watershed Land Zone</i>
<b>Boating</b>	⊘	⊘ <sup>1</sup>	⊘	⊘

⊘ Prohibited.

<sup>1</sup> Car top boats (up to 14 feet in length) and electric outboard motors are allowed at West Waushacum Pond, the Quag, and Muddy Pond.

### Discussion

Impacts caused by boat fishing can include soil erosion on landing areas, possible contamination by chemicals used in boat maintenance, and possible introduction of exotic, invasive species. These impacts may introduce sediment, chemicals, and pathogens to the water.

**This policy has not been changed.**





## Canoeing/Kayaking/Non-Motorized Boating

### Policy

All boating activities, both motorized and non-motorized, are prohibited by current regulation in the Wachusett Reservoir watershed except in areas specifically designated by the Division. Under the current regulation, the areas specifically designated by the Division allowing car top boats (up to 14 feet in length), canoes, kayaks and electric outboard motors are located on West Waushacum Pond and Muddy Pond. Canoes and kayaks are also allowed on the Stillwater River upstream of Muddy Pond Road (signage is posted at bridge) and on the Quinapoxet River upstream of the accretion dam at the no trespassing fence line (signage is posted). Canoes and kayaks are not allowed in any other tributary or pond, including Bryant Pond. Fishing from boats, canoes or kayaks requires a valid Massachusetts fishing license and must comply with safety protocols and regulations.

### Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Watershed Land Zone</i>
<b>Canoeing/Kayaking/Non-Motorized Boating</b>	⊘	⊘ <sup>1</sup>	□	⊘

⊘ **Prohibited** □ General Restrictions: General public access within the Wachusett Reservoir Watershed System is restricted to one hour before sunrise to one hour after sunset through gates or designated (posted) areas only. Any activity which injures or defaces the property of the Commonwealth is strictly prohibited.

<sup>1</sup> Canoes and kayaks are allowed at West Waushacum, the Quag, Muddy Pond, the Stillwater River upstream of Muddy Pond Road (signage is posted at bridge) and on the Quinapoxet River upstream of the accretion dam at the no trespassing fence line (signage is posted)

### Discussion

Impacts caused by boat fishing can include soil erosion on landing areas, and possible introduction of exotic, invasive species. Associated impacts may also include erosion and chemicals left on parking areas, improper disposal of fecal waste, behavior such as littering and vandalism. These impacts can introduce sediment, chemicals, and pathogens to the water.

DWSP permits the use of car top boats (up to 14 feet in length), canoes, kayaks and electric outboard motors in West Waushacum Pond and Muddy Pond because they are large enough to accommodate this activity and access can easily be gained. Because canoes and kayaks are designed for body/water contact, they are allowed only in designated areas for public health and safety reasons. A boat launch entrance is provided on Gates Road. To prevent the introduction of invasive species, DWSP requests that all fishing equipment, boats, canoes and kayaks be thoroughly cleaned and dried before using in West Waushacum Pond, Muddy Pond and allowed areas of the Quinapoxet and Stillwater Rivers.

**This policy has not been changed.**



## Swimming

### Policy

Swimming in any surface water of the Wachusett Reservoir Watershed System is prohibited according to both the Watershed Protection Regulations (313 CMR 11.00) and the Massachusetts Drinking Water Regulations (310 CMR 22.20B):

- 313 CMR 11.09(2)(a)(7) states: “No Person shall wade or swim in any reservoir except wading while using boots for the purpose of launching boats at designated boat launch areas.”
- 310 CMR 22.20B(6) states: “No person shall wade or bathe in any source of drinking water supply...”

### Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Watershed Land Zone</i>
Swimming	⊘	⊘	⊘	⊘

⊘ Prohibited

### Discussion

Direct body-contact with drinking water is a serious concern due to the potential to introduce pathogens, including bacteria, viruses, and protozoa. In addition, walking in and out of the water tramples vegetation and erodes soil along the shoreline. Swimming in any public surface water supply/Class A water is prohibited because direct body-water contact increases the likelihood of microbiological contamination by pathogens, including *Cryptosporidium* and *Giardia*.

**This policy has not changed.**



## Paddleboarding

### Policy

DWSP prohibits Paddleboarding launching from its lands and in its waters in the Wachusett Reservoir Watershed unless authorized by the Commissioner. Paddleboarding is allowed only on water bodies where there is authorized swimming. Since no areas in the Wachusett Reservoir watershed are authorized for swimming, paddleboarding is a prohibited activity.

### Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Watershed Land Zone</i>
<b>Paddleboarding</b>				

Prohibited

### Discussion

No person shall wade or swim in any Tributary or Surface Water on or within the property of the Commonwealth except at areas designated by the Commissioner (313 CMR 11.09 (2)(a)8). MassDEP water supply regulations (310 CMR 22.00) also prohibit bodily contact with water. Primary contact recreation such as swimming has been identified as direct cause, and bathers, a source, of water contamination and water disease outbreaks (Craun, 2005). Access to water bodies by watercraft also pose a risk of contact with the water from users accidentally or intentionally falling from the watercraft and/or from a need to enter the water to use the watercraft. The relatively recent development and growth of paddleboarding required DWSP to identify this activity separately from other non-motorized boating. DWSP finds that there is a sufficiently high risk of bodily contact with paddleboarding that it must prohibit this use in the Wachusett Reservoir watershed.

**This is a new policy.**



## Group Activities (Weddings, Organized Hikes, Tour Buses, etc.)

### Policy

Group activities include many types of usage and are regulated by the number of people and number of vehicles.

- Group activities are allowed without a DWSP-issued permit for groups of up to 25 individuals. DWSP requests a courtesy call to the Wachusett Ranger Office at (978) 365-3800 to avoid group conflicts.
- A DWSP-issued permit is required for any group of more than 25 individuals. Wachusett Reservoir permit applications are available at [www.mass.gov/service-details/watershed-permits](http://www.mass.gov/service-details/watershed-permits).
- Ceremonies, such as weddings and memorials, are prohibited.

### Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Watershed Land Zone</i>
<b>Group Activities (organized hikes, tour buses, etc.)</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ General Restrictions: General public access within the Wachusett Reservoir Watershed System is restricted to one hour before sunrise to one hour after sunset through gates or designated (posted) areas only. Any activity which injures or defaces the property of the Commonwealth is strictly prohibited.

### Discussion

The Watershed Protection Regulations 313 CMR 11.09 (2)(a)18 states: “Public assemblies of more than 25 persons shall not be allowed within the Watershed System without a written permit from the Commissioner.”

DWSP must manage the physical resources for water quality as well as public safety. Due to recent experiences, and in order to align with other watersheds’ policies, permits are not issued for weddings or memorials.

**This policy has not changed.**



## Geocaching and Related Activities

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### Policy

Geocaching (and other related activities, including Letterboxing) is a high-tech treasure hunting game played by people of all ages equipped with Global Positioning System (GPS) devices that has become popular within the Wachusett Reservoir watershed over the past decade. The basic idea is to locate containers with small, non-valuable artifacts hidden outdoors, called geocaches. There are several websites that coordinate information on locations; one of the foremost of these, [www.geocaching.com](http://www.geocaching.com), has close to 1 million geocache locations.

Any individual or organization wishing conduct geocaching to hide or find geocaches located within public spaces on DWSP lands is required to notify the agency. The applicant must also register the cache with [geocaching.com](http://www.geocaching.com) before placing any geocache on DWSP lands. Existing geocaches may be reviewed by DWSP staff; if a geocache falls outside the placement guidelines, it will be removed and the owner notified through [www.geocaching.com](http://www.geocaching.com).

The following guidelines must be followed before locating a geocache on DWSP property:

- The geocache must not be located in dams or dikes.
- The geocache must not be located in a restricted or otherwise protected archaeological, historical, cultural (including rock walls), or natural area.
- No significant damage or disturbance to the ground or flora will result from placement of or visits to this geocache.
- The geocache must not be located in an area that might cause potential danger to visitors (e.g., climbing on cliffs/bluffs or in trees, underwater, in caves or dens, or along heavily traveled roadways).
- The geocache will not create confusing spur trails off the established network of trails.
- The geocache will not be located in any restricted access areas in the Wachusett Reservoir Watershed.
- Geocaches must be transparent containers.
- Notify DWSP of the placement location by calling the Wachusett/Sudbury Watershed Rangers at (978) 365-3800.


This policy is based on the Watershed Protection Regulation 313 CMR 11.09(2)(a)5 which states, “No Person shall build, construct, bury, or conceal any object, memorial, or structure on the property of the Commonwealth except with the written permission of the DCR.”




## Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Watershed Land Zone</i>
Geocaching/Questing/Letterboxing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### *Intake Protection Zone*

<i>Activity</i>	<i>Promenade of the Dam</i>	<i>Reservoir Spillway to Gate #36</i>	<i>Route 70 East (non-reservoir side of Route 70)</i>	<i>Route 70 West (reservoir side of Route 70)</i>
Geocaching/Questing/Letterboxing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

 **Prohibited** ☐ General Restrictions: General public access within the Wachusett Reservoir Watershed System is restricted to one hour before sunrise and one hour after sunset through gates or designated (posted) areas only. Any activity which injures or defaces the property of the Commonwealth is strictly prohibited

## Discussion

In recent years recreational activities such as geocaching, questing, letterboxing and benchmarking have grown significantly in popularity. Potential water quality impacts from geocaching include physical and microbial, water quality threats from erosion,

These activities are allowed to continue as long as the activity does not have a negative effect on DWSP lands. Any questions regarding geocaching, letterboxing, or similar activities can be directed to the Wachusett/Sudbury Interpretive Services at (508) 792-7806 or Watershed Rangers at (978) 365-3800.

**This policy has not changed.**



## Wildlife/Bird Watching


### Policy


Wildlife and bird watching access is allowed within the Wachusett Reservoir watershed. Access is prohibited in restricted areas including but not limited to: Wachusett Reservoir (frozen), ponds (frozen), and posted areas near the Wachusett Dam.

**Wildlife and bird watchers are warned that properties may be open for hunting and are advised to take adequate precautions to avoid conflict with hunting.**

### Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Watershed Land Zone</i>
<b>Wildlife/ Bird Watching</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Intake Protection Zone</i>				
<i>Activity</i>	<i>Promenade of the Dam</i>	<i>Reservoir Spillway to Gate #36</i>	<i>Route 70 East (non-reservoir side of Route 70)</i>	<i>Route 70 West (reservoir side of Route 70)</i>
<b>Wildlife/ Bird Watching</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

 **Prohibited** ☐ General Restrictions: General public access within the Wachusett Reservoir Watershed System is restricted to one hour before sunrise and one hour after sunset through gates or designated (posted) areas only. Any activity which injures or defaces the property of the Commonwealth is strictly prohibited

### Discussion

Wildlife and/or bird watching is a favorite activity throughout the DWSP watershed system. Potential impacts to water quality are the same as walking activities.

Access on the frozen reservoir is strictly prohibited for safety and sanitation reasons.

**This policy has not changed.**







## Night Access


### Policy

Night access is prohibited throughout the Wachusett Reservoir watershed.

The Watershed Protection Regulations 313 CMR 11.09(2)(a)2 state: “No Person is allowed within any land of the Watershed System, except from one hour before sunrise to one hour after sunset, unless authorized by a written permit from the Commissioner.”

### Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Watershed Land Zone</i>
Night Access				

 Prohibited

### Discussion

Night access on DWSP lands is prohibited due to public safety and security issues within the Wachusett Reservoir watershed.

**This policy has not changed.**



## Organized Sports

### Policy

Organized sports are when a group wishes to use DWSP lands for an outdoor, organized recreational game, such as baseball, ultimate frisbee, or touch football. Such uses may infringe on or limit the use of DWSP lands for other pursuits, including those of DWSP; therefore, organized sports will require a DWSP permit.

Organized sports are prohibited in the Wachusett Reservoir Watershed System by the Watershed Protection Regulations 313 CMR 11.09(2)(a)9: “Organized sports activities, including but not limited to orienteering and baseball, are prohibited in the Watershed System except by written permission from the Commissioner.”

### Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Watershed Land Zone</i>
<b>Organized Sports</b>	⊘	⊘	⊘	⊘

⊘ Prohibited

### Discussion

Organized sports increase frequency and intensity of recreation in a public water supply watershed.

**This policy has not changed.**



## Dogs/Other Domestic Animals

### Policy

Dogs and all other domestic animals are prohibited by regulation throughout the entire Wachusett Reservoir Watershed System (i.e., all DWSP-controlled properties in and around the reservoir's watershed). The one exception is the area below the dam on the paved roadway where dog walking is allowed; dog owners, however, are required to pick up after their pets. Dogs are prohibited at the Promenade area (top) of the dam on Route 70.

### Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Watershed Land Zone</i>
<b>Dogs/Other Domestic Animals</b>	⊘	⊘	⊘ <sup>1</sup>	⊘ <sup>2</sup>

#### *Intake Protection Zone*

<i>Activity</i>	<i>Promenade of the Dam</i>	<i>Reservoir Spillway to Gate #36</i>	<i>Route 70 East (non-reservoir side of Route 70)</i>	<i>Route 70 West (reservoir side of Route 70)</i>
<b>Dogs/ Other Domestic Animals</b>	⊘	⊘	⊘	⊘

⊘ **Prohibited** ⊘<sup>1</sup> Allowed ONLY while hunting with DWSP permit. ⊘<sup>2</sup> Allowed ONLY on paved roadway of lower road below dam and along spillway to signage. Dogs not allowed on any other off watershed lands.

### Discussion

The introduction of dogs and other animals within a public water supply watershed or its surface waters is incompatible with DWSP's public health protection goals. The Watershed Protection Regulation 313 CMR 11.09 (2)(a)(13) states: "No Person shall bring any animal within any Watershed System property except for horses and dogs at the Ware River Watershed at areas designated by the Commissioner." Dogs may carry bacteria and viruses in their waste products and deposit it near streams, brooks, or the reservoir. Consequently, disease causing organisms (e.g., bacteria and viruses) may directly enter the water supply or spread to other animal populations (e.g., deer, beavers, etc.). If dogs enter the reservoir directly, they may shed disease organisms into the drinking water supply.

Even though dog walking has always been prohibited on DWSP's water supply lands in the Wachusett Reservoir Watershed and the placement of additional signage since the last Public Access Update, dog walking, despite years of outreach, remains one of the largest rule interventions observed by the Watershed Rangers.

Dogs have historically been allowed on the paved, lower road below the dam, however, recently catch basins and storm drains have been found to be clogged with dog waste bags. This has cost a significant amount of money and staff time to remove. This policy will be reviewed and if dog waste continues to be a problem at this location, DWSP will consider prohibiting dogs from this area.

**This policy has not changed.**



## Horseback Riding

### Policy

Horseback riding is prohibited by regulation throughout the Wachusett Reservoir Watershed System. Watershed Protection Regulations 313 CMR 11.09(2)(a)(13) states: “No Person shall bring any animal within any Watershed System property except for horses and dogs at the Ware River Watershed at areas designated by the Commissioner.”

### Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Protection Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Watershed Land Zone</i>
Horseback Riding	⊘	⊘	⊘	⊘

⊘ Prohibited

### Discussion

The introduction and presence of horses and other animals within a public drinking water supply watershed or its surface waters is incompatible with sanitary goals in a water supply and public health protection from waterborne diseases. Horses can pose a particularly high risk of water contamination and a risk of erosion.

**This policy has not changed.**





## Collecting/Metal Detecting/Magnet Fishing

### Policy

Collecting and metal detecting are prohibited within the Wachusett Reservoir Watershed System with one exception: historic collecting activities by individuals for individual consumption of edible plant materials (e.g., blueberries, fiddleheads, mushrooms, etc.), in a non-destructive manner for non-commercial uses is allowed.

Magnet fishing is a fairly new activity which involves dangling a magnet attached to a rope into water to locate metallic items. This type of collecting is not allowed.

The Watershed Protection Regulations 313 CMR 11.09(2)(a)25 states: “The possession of all types of metal detectors or similar devices is prohibited on all of the Watershed System property.”

### Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Watershed Land Zone</i>
<b>Collecting/ Metal Detecting/ Magnet Fishing</b>	⊘	⊘	⊘	⊘

⊘ Prohibited

### Discussion

The Watershed Protection Regulations 313 CMR 11.09(2)(a)(5) state: “All acts which injure the property of the Commonwealth are prohibited. No Person shall injure, deface, destroy, remove or carry off any property, real or personal, under the care and control of DCR, including but not limited to, all historic artifacts and natural materials, except that the collection of edible plants, such as blueberries and mushrooms in a non-disruptive manner and for non-commercial use, is allowed. Unless otherwise authorized, the removal from the Watershed System of gravel, topsoil, stones, boulders, or other earthen material is prohibited except for removal for use by DCR for land management purposes. No Person shall build or construct any object or structure of the property of the Commonwealth except with the written permission of the Commissioner.” In addition, 313 CMR 11.09(2)(a)(25) states: “The possession of all types of metal detectors or similar devices is prohibited on all of the Watershed System property.”

DWSP is regulating magnet fishing as a similar activity to metal detecting as disruption to the stream or reservoir bottom occurs.

**This policy has been expanded to include magnet fishing as a prohibited activity.**



## Camping

### Policy

Camping in the Wachusett Reservoir Watershed System is prohibited. Camping includes, but is not limited to tenting, trailers, lean-tos, and motor homes.

### Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Watershed Land Zone</i>
Camping	⊘	⊘	⊘	⊘

⊘ Prohibited

### Discussion

The Watershed Protection Regulations 313 CMR 11.09(2)(a)(2) states: “No person is allowed within any land of the Watershed System, except from one hour before sunrise to one hour after sunset, unless authorized by written permit from the Commissioner.”

Given the environmental impact, lack of sanitary facilities, and the resources that would be needed to properly monitor, administer, and enforce this activity, DWSP considers camping an incompatible use of water supply lands.

**This policy has not changed.**



## Fishing Derbies

### Policy

Fishing derbies for raising or collecting funds are prohibited in the Wachusett Reservoir Watershed System.

### Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Watershed Land Zone</i>
<b>Fishing Derbies</b>	⊘	⊘	⊘	⊘

⊘ Prohibited

### Discussion

The Watershed Protection Regulations 313 CMR 11.09(2)(a)(16) states: “Parades, games, fairs, carnivals, fishing derbies, bazaars, gifts or solicitations for raising or collecting funds shall not be permitted within the watershed system without written approval of the Commissioner.”

**This policy has not changed.**



## Target Shooting

### Policy

Target shooting is prohibited in the Wachusett Reservoir Watershed System.

### Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Watershed Land Zone</i>
Target Shooting	⊘	⊘	⊘	⊘

⊘ Prohibited

### Discussion

The Watershed Protection Regulations 313 CMR 11.09(2)(a)(21) state: “All forms of target shooting are prohibited on or within the Watershed System.”

**This policy has not changed.**



## Advertising

### Policy

Advertising, trail marking, or any other unauthorized placement of signs is prohibited in the Wachusett Reservoir Watershed System. All unauthorized sign installation is prohibited.

### Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Watershed Land Zone</i>
Advertising	⊘	⊘	⊘	⊘

⊘ Prohibited

### Discussion

The Watershed Protection Regulation 313 CMR 11.09(2)(a)(20) states: “Commercial signs and advertising are prohibited in the Watershed System, without written permission of the Commissioner.”

**This policy has not changed.**



## Marking or Cutting Trails/Roads

### Policy

Marking, cutting, and/or the creation of trails or roads is prohibited within the Wachusett Reservoir Watershed System without written permission. Unauthorized structures will be removed.

### Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Watershed Land Zone</i>
<b>Marking – Trails/Roads</b>	⊘	⊘	⊘	⊘

⊘ Prohibited

### Discussion

The Watershed Protection Regulation 313 CMR 11.09(2)(a)(5) states: “...No person shall build or construct any object or structure on the property of the commonwealth except with written permission of the Commissioner.” The locations of accessible internal cart paths and roadways have been carefully selected with water quality considerations in mind. Any marking and construction of new trails for any recreational purpose is a potential threat to introduce erosion and sedimentation and associated human activity in close proximity to water resources.

**This policy has not changed.**





## Alcohol Possession or Cannabis Consumption

### Policy

The possession or drinking of alcoholic beverages is prohibited throughout the Wachusett Reservoir Watershed System. The consumption of cannabis is not allowed on any public lands.

### Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Watershed Land Zone</i>
<b>Alcohol Possession or Cannabis Consumption</b>	⊘	⊘	⊘	⊘

⊘ Prohibited

### Discussion

The Watershed Protection Regulation 313 CMR 11.09(2)(a)(11) states: “Breach of peace, profanity, or other disorderly conduct offensive to the general public is strictly prohibited with the Watershed System. Possession of and drinking of alcoholic beverages is prohibited within said System.”

While cannabis possession/consumption is legal in Massachusetts for people 21 and older, the Massachusetts Cannabis Commission’s rules do not allow use in any form (e.g., smoking, vaping, edibles, etc.) on public land.

**This policy has been changed to include cannabis.**



## Unmanned Aerial Vehicles (UAVs, “Drones”)/ Underwater Drones (ROVs)

### Policy

The use of Unmanned Aerial Vehicles (UAVs or “drones”) is prohibited on the Wachusett Reservoir Watershed System without a DWSP-issued permit specific to a designated location/time, for designated purposes, with a Federal Aviation Administration (FAA) registered UAV, and operated under FAA rules.

Underwater Drones (Remotely Operated Vehicles or ROVs) are submersible, waterproof drones that enable users to remotely explore marine environments. These drones are able to navigate through underwater currents due to propellers. They are generally equipped with cameras, obstacle avoidance sensors, and powerful lighting to record good quality footage even in dark underwater environments. Underwater drones are prohibited unless permission has been given in writing by DWSP.

Watershed Protection Regulations 313 CMR 11.09(2)(a)15 states: “No person except in an emergency, shall bring, land or cause to descend within any Watershed System property any aircraft without written permission from the Commissioner.”

### Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Watershed Land Zone</i>
<b>Unmanned Aerial Vehicles (UAVS)/ Underwater Drones (ROVs)</b>	⊘	⊘	⊘	⊘

⊘ Prohibited

### Discussion

Recent technological advances have made civilian use of UAVs and ROVs an increasingly popular activity. The unregulated use of UAVs and ROVs can cause security concerns, public safety and public enjoyment problems, and interfere with wildlife. The DWSP will review permit applications for affiliated research projects on a case-by-case basis, provided such proposals do not interfere with security, wildlife functions, or public safety, privacy, or enjoyment.

**This is a new policy developed due to rapidly expanding technologies that enable widespread participation in this activity.**



## Policy

Not applicable.

## Summary

<i>Activity</i>	<i>Intake Protection Zone</i>	<i>Reservoir Zone</i>	<i>Tributary Headwaters Zone</i>	<i>Off Watershed Land Zone</i>
Other	If an activity is not listed, please contact and discuss with the Wachusett Watershed Rangers at (978) 365-3800 before proceeding.			

## Discussion

If an activity is not listed by DWSP, including pursuits such as rockets, kites with cameras, or any other air, ground, or water activity, please assume that the activity is not allowed and then contact the Watershed Rangers at (978) 365-3800 to make a final determination.

## V. Plan Implementation 2023-2033

DWSP staff will communicate, implement, monitor, and enforce its updated policies regarding public access on DWSP land in the Wachusett Reservoir watershed beginning after plan adoption in 2023. Watershed protection strategies change over time, depending on new scientific information, regulatory changes, land use changes, DWSP watershed management experiences, and public values. Given these externalities, DWSP fully recognizes the likelihood that individual policies may need to be clarified during the next decade.

This *Wachusett Reservoir Watershed System 2023 Public Access Plan Update* provides the framework for the following improvements to the watershed protection program conducted in the Wachusett Reservoir Watershed System:

- Enhanced pathogen prevention techniques.
- Improved regulatory compliance through specifically tailored control measures.
- Coordinated monitoring, patrolling, education, and enforcement activities.
- Improved visitor informational resources.
- Continued partnership activities with stakeholders, state and federal agencies.

Table 8 lists a range of activities that DWSP will follow to implement this plan as staff and resources allow. Specific functions related to carry out the policies in this plan will be detailed in DWSP's annual Work Plan. DWSP will amend or update this plan and maps as needed.

**Table 8. Implementation Plan**

Work Unit	Activities
All Staff	<ul style="list-style-type: none"> <li>• Implement plan policies.</li> <li>• Monitor threats, report violations, take corrective action.</li> <li>• Document findings in annual reports.</li> <li>• Conduct public education and outreach for watershed protection.</li> <li>• Evaluate public access uses and intensity over time and throughout DWSP lands and waters.</li> <li>• Continue to gather public input.</li> <li>• Internally evaluate policies on a regular basis.</li> </ul>
Environmental Quality Section	<ul style="list-style-type: none"> <li>• Monitor water quality threats due to access type, frequency, location, etc.</li> <li>• Investigate and report anomalies found in routine water quality monitoring data.</li> <li>• Report violations found in the field to appropriate personnel.</li> <li>• Take corrective actions.</li> <li>• Document findings in annual reports.</li> <li>• Perform outreach on water quality topics.</li> </ul>
Watershed Rangers	<ul style="list-style-type: none"> <li>• Conduct regularly scheduled patrols.</li> <li>• Document findings in annual reports.</li> <li>• Coordinate with Environmental, State Police and local law enforcement agencies.</li> <li>• Monitor dog waste left at lower road.</li> <li>• Work with GIS staff to develop an online, interactive public access map.</li> </ul>
Foresters	<ul style="list-style-type: none"> <li>• Maintain and mark property boundaries.</li> <li>• Monitor, investigate, or report illegal actions found in the field.</li> </ul>

Work Unit	Activities
Watershed Maintenance	<ul style="list-style-type: none"> <li>• Maintain roads, bridges, culverts, and dams.</li> <li>• Install and maintain access controls (e.g., gates and bar-ways).</li> <li>• Install and maintain erosion controls.</li> <li>• Maintain self-guided interpretive trail at Stillwater Farm regularly.</li> </ul>
Interpretive Services	<ul style="list-style-type: none"> <li>• Conduct environmental programs for schools in watershed communities and for the public.</li> <li>• Maintain information kiosks.</li> </ul>
<b>Programs</b>	
Aquatic Invasive Species	<ul style="list-style-type: none"> <li>• Conduct aquatic invasive species monitoring and surveying.</li> <li>• Provide educational material and post signage. Revise and update AIS signage using main office phone number.</li> <li>• Communicate with local sportsmen's associations, fishing clubs, etc. and provide education talks as required.</li> <li>• Place educational signage on causes of algal blooms in addition to advisory signage when required.</li> </ul>
DWSP Gate and Bar-way Closings	<ul style="list-style-type: none"> <li>• Follow schedule to improve control of public access if required, limit non-compliance with rules and regulations, and prevent degradation of road system.</li> </ul>
Sanitary Waste	<ul style="list-style-type: none"> <li>• Locate, install, and maintain portable toilets.</li> <li>• Provide adequate sanitary waste facilities at various high-use areas (e.g., fishing areas, Old Stone Church, ).</li> </ul>
Signage Program	<ul style="list-style-type: none"> <li>• Replace existing rules signs with new signage and update MEMA phone number to the DCR dedicated MEMA phone line.</li> <li>• Install additional signage as needed.</li> </ul>
Information Kiosks	<ul style="list-style-type: none"> <li>• Replace 4-sided kiosk structures with permanent wayside exhibits.</li> <li>• List rules and regulations and emergency contact phone numbers.</li> <li>• Maintain up-to-date signage and information on bulletin boards.</li> <li>• Add cantilever design professional signage at areas of high visitor use/historical significance.</li> </ul>

## A. Enforcement

DWSP has a staff of Watershed Rangers to assist with enforcing the watershed rules and regulations through education and warnings. The Watershed Ranger mission statement summarizes their efforts:

As part of the DWSP Watershed Team, the Rangers seek to help safeguard the quality of the DWSP/MWRA Water System by maximizing public compliance with the Department of Conservation and Recreation, Division of Water Supply Protection's rules, regulations, and policies. The Rangers strive to achieve their mission by being a proactive presence on watershed property and educating the public through formal and informal means.

Watershed Rangers patrol DWSP lands and strive to gain compliance with regulations through education. When this method fails or the violation is so serious that it warrants a more severe response, visitors will be asked to vacate the property or local, State and Environmental Police will be utilized. Table 9 presents the breadth and frequency of the violations encountered by the

Watershed Rangers. Dog walking and wading/swimming continue to be top violations the Watershed Rangers encounter on these lands.

DWSP Watershed Rangers enforce 313 CMR 11.09: Watershed Protection; 302 CMR 18.00: Aquatic Nuisance Control Plan; 302 CMR 11.00: Parkways, Traffic, and Pedestrian Rules; and MGL 92A½ §8: Watershed Management Enforcement. Watershed Rangers will continue to employ education and enforcement methods and for all serious offenses utilize the Massachusetts State Police, the Environmental Police, local Police Departments, and federal agencies (e.g., FAA, FBI, CIA). There is also a requirement under 310 CMR 22.20B(7) to report all enforcement actions to MassDEP.

**Table 9. Watershed Ranger Interventions on Wachusett Reservoir Watershed Lands 2018-2022**

<b>Intervention Type</b>	<b>Number of Rule Interventions 2018-2022</b>
Domestic Animals	1,033
Fishing/Boating	626
Trespass	552
Swimming/Wading	750
Snowmobile/ATV/Motor vehicles	281
Bicycling	267
Dumping/Littering	55
Others (e.g., alcohol, metal detectors, withdrawing water)	102

## ***B. Public Education/Interpretive Services***

Public education is a vital component of DWSP’s watershed protection strategy. DWSP strives to directly communicate not only what the rules and regulations are, but also why the rules are needed for drinking water supply protection. To this end, three sections work on different fronts of public education and interpretative services. The Watershed Rangers speak informally with users while patrolling property and present public programs in conjunction with the education coordinator. The Wachusett Interpretive staff conducts school programs for students within watershed communities, maintain the Stillwater Farm Interpretive site, and offer a regular series of related programs. The Wachusett Environmental Quality section develops and disseminates written information on relevant water quality protection topics.

## ***C. Structural Access Controls***

Structural access controls include locked metal gates, concrete barriers, and internal road intersection signage. Some gate systems may be modified to accommodate existing user groups while maintaining the structural integrity of the gates. An inventory of the gate system and DWSP access roads was conducted by Watershed Ranger staff and improvements will be conducted as needed, as resources allow, and on a priority basis. Improvements include physical painting and physical signage. The gate locking system will continue to be monitored by staff. DWSP staff coordinates security with MWRA.



## **D. Signage**

DWSP Wachusett section will be replacing and updating signage during the next several years. Signage consists of gate signage, tree signage, and kiosk signage. Rules signage will be added to recently purchased properties and temporary signage will be utilized as needed. Signs will be verified to ensure the dedicated DCR dispatch line at MEMA is correct.

## **E. Mapping**

Public access maps will continue to be updated, as needed, to provide users with better location information. Maps will be available through the Watershed Rangers and on the DWSP website. An interactive, online public access map will be developed.

DWSP has developed a GIS based trail inventory application used in staff monitoring efforts. The DWSP's Trail Inventory includes unauthorized trails, authorized trails and routes, and photos. DWSP concluded that a better monitoring and inventory tool was needed while standardizing this trail data. GIS section staff have initiated developing a Trail Inventory Application in ArcGIS Collector. This tool has been used to store and analyze trail inventory data, monitor and update existing data, and add new data on access road and trail conditions. Maps will be available through the Watershed Rangers, DWSP West Boylston office, and on the DWSP website.

Online mapping information for enhanced communication is a major goal for DWSP. DWSP will develop an electronic interactive map for the public showing authorized access areas and authorized trails accessible for varying types of recreational activities throughout the year.



## **VI. Conclusion**

DWSP's top priority for the Wachusett Reservoir Watershed System is to provide a safe and adequate supply of "pure" drinking water to the MWRA while maintaining compliance with filtration avoidance requirements. Given the multitude of pressures for public access and the inherent complexity of each issue on drinking water supply lands and waters, DWSP takes a conservative attitude toward all land uses that might have a repercussion on the integrity of the water supply. While this conservative approach is often challenged by the public, an increasingly strong message has been the acknowledgment and support of the need to establish limits. The *2023 Wachusett Reservoir Watershed System Public Access Management Plan Update* allows for continued public access and recreation on substantial acreage where it does not pose a threat to the water supply for more than 3 million people.

## VII. Bibliography

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## VIII. Appendices

### ***Appendix A – Regulations, Rules, and Legislation***

#### **Watershed Protection Regulations (Selected Sections)**

##### **313 CMR 11**

Department of Conservation and Recreation

(Mass. Register #1485, 12/23/2022)

**Official Disclaimer:** These regulations are provided to you for your convenience. Official versions of all Massachusetts State statutes are available through the [State Bookstore](http://www.sec.state.ma.us/spr/sprcat/catidx.htm) (<http://www.sec.state.ma.us/spr/sprcat/catidx.htm>). When downloading from the web please be aware that the copy you receive may differ from the official version. If you need the statutes for work that may have any legal implications, make sure to get the official version from the State bookstore.

#### 11.09: General Rules and Regulations for the Protection of Watersheds and Watershed System

In order to facilitate review of all regulations promulgated by DCR relating to Watersheds and the Watershed System, 313 CMR 11.09 includes regulations of general applicability to Waters of the Watershed System.

##### (1) Waters of the Watershed System.

- (a) No Person shall take or divert any Waters of the Watershed System and no Person shall corrupt, render impure, waste or improperly use any such water.
- (b) No Person shall:
  - 1. engage in any construction activity involving filling, dredging, grubbing or altering land without adequate provisions to prevent erosion resulting in clay, silt or other turbidity laden waters from entering the Waters of the Watershed System;
  - 2. construct, establish or maintain any agricultural facility or place where animal manure may be deposited or accumulated without adequate provision to prevent any manure or other Pollutant from flowing or being washed into the Waters of the Watershed System;
  - 3. engage in any other activity which could degrade the quality of Waters of the Watershed System or interfere with their use as a source of water supply.
- (c) No Person shall allow a condition to exist on such Person's property which could result in the direct or ultimate discharge of any Pollutant into the Waters of the Watershed System.
- (d) Any records of any board of health or health agent concerning matters within the Watershed shall be open to inspection by the employees and agents of DCR and DEP.
- (e) Whenever an incident occurs, is likely to occur, or a situation exists that threatens to add Pollutants to the Waters of the Watershed System, the Person causing or contributing to the pollution or potential pollution shall notify DCR and DEP immediately.

##### (2) Watershed System.

(a) General Regulations.

1. Entrance on and exit from land of the Watershed System shall be made through gates or other designated areas.
2. No Person is allowed within any land of the Watershed System, except from one hour before sunrise to one hour after sunset, unless authorized by a written permit from the Commissioner; or for the purposes of authorized night fishing along the Swift River downstream of the Y-pool below Winsor Dam, at Pepper's Mill Pond, or at South Spectacle Pond.
3. Powered boats are prohibited within the Waters of the Watershed System except in areas designated by the Commissioner.
4. All acts which pollute or may pollute the Waters of the Watershed System are prohibited. No litter or refuse of any sort may be thrown or left in or on any land or water within the Watershed System. All Persons within said System shall use the sanitary facilities provided for public use.
5. All acts which injure the property of the Commonwealth are prohibited. No Person shall injure, deface, destroy, remove or carry off any property, real or personal, under the care and control of DCR, including but not limited to, all historic artifacts and natural materials, except that the collection of edible plants, such as blueberries and mushrooms in a non-disruptive manner and for non-commercial use, is allowed. Unless otherwise authorized, the removal from the Watershed System of gravel, topsoil, stones, boulders, or other earthen material is prohibited except for removal for use by DCR for land management purposes. No Person shall build, construct, bury, or conceal any object, memorial, or structure on the property of the Commonwealth except with the written permission of the Commissioner.
6. Cooking and all fires are prohibited within the Watershed System.
7. No Person shall wade or swim in any reservoir except wading while using boots for the purpose of launching boats at designated boat launch areas.
8. No Person shall wade or swim in any Tributary or Surface Waters on or within the property of the Commonwealth within the Watershed System except at areas designated by the Commissioner.
9. Organized sports activities, including but not limited to orienteering and baseball, are prohibited in the Watershed System except by written permission from the Commissioner.
10. The Division or Department and its employees are not responsible for any damage to or loss of property sustained by fishermen, or for any injury or loss of life which may be incurred in connection with public use of the reservoirs and Watershed Systems.
11. Breach of peace, profanity or other disorderly conduct offensive to the general public is strictly prohibited within the Watershed System. Possession of and drinking of alcoholic beverages is prohibited within said System.
12. No Person shall drive a motorized vehicle within the Watershed System except upon roads authorized for such use by the Commissioner. Recreational vehicles are prohibited on all Watershed System property except the use of snowmobiles in areas designated by the Commissioner. Motor vehicles shall be parked only in areas designated by the Commissioner. Operators of motor vehicles shall obey all regulatory signs unless otherwise directed by a police officer or person in charge. No Person shall willfully obstruct the free passage of vehicles or Persons within the Watershed System. Vehicle access for official use may be granted by the

Commissioner.

13. No Person shall bring any animal within any Watershed System property except for horses and dogs at the Ware River Watershed at areas designated by the Commissioner.

14. The use of bicycles, skis and other means of non-motorized transportation within the Watershed System shall be permitted only in areas designated by the Commissioner.

15. No Person, except in an emergency, shall bring, land or cause to descend within any Watershed System property any aircraft except with a written permit from the Commissioner.

16. Parades, games, fairs, carnivals, fishing derbies, bazaars, gifts or solicitations for raising or collecting funds shall not be permitted within the Watershed System without written approval of the Commissioner.

17. Lotteries, raffles, gambling and games of chance are prohibited within the Watershed System. No Person shall have possession of machinery, instruments or equipment of any kind for use of same in the Watershed System.

18. Public assemblies of more than 25 persons shall not be allowed within the Watershed System without a written permit from the Commissioner.

19. No Person shall engage in any business, sale or display of goods, wares or services within the Watershed System without a written permit from the Commissioner.

20. Commercial signs and advertising are prohibited in the Watershed System, without written permission of the Commissioner.

21. No Person, unless authorized by law, license, or permit, shall have possession of or discharge any weapon, firearm, fireworks, or other explosive on or within the Watershed System. All forms of target shooting are prohibited on or within the Watershed System.

22. No Person may hunt, shoot or trap animals on or within any Watershed System property except at times and in areas designated by the Commissioner.

23. All Persons within the Watershed System shall obey the lawful directions of regulatory signs, police officers, DCR Rangers, or persons in charge, or of Federal or Commonwealth wardens or enforcement officers.

24. The Watershed System or parts thereof may be closed for public access at the discretion of the Commissioner when necessary to protect the lands and waters under the care and control of DCR.

25. The possession of all types of metal detectors or similar devices is prohibited on all Watershed System property.

(e) Special Regulations for Sudbury Reservoir. 1. Persons in compliance with Commonwealth Fish and Game Laws and Regulations will be allowed to fish from the shore of the Sudbury Reservoir in areas designated by the Commissioner. 2. Boating is prohibited on Sudbury Reservoir, Foss Reservoir, Stearns Reservoir, and Brackett Reservoir except in areas designated by the Commissioner. 3. Any violation of 313 CMR 11.09 will be deemed sufficient cause for revocation of fishing privileges for a period of time not less than one year from the time of violation.



11.10: Enforcement

(1) Any Person who, without lawful authority, takes or diverts any Waters of the Watershed System or corrupts or defiles any such Waters or any source of such Waters or who violates and refuses to comply with any rule, regulation or order of DCR shall be subject to the fines set forth in MGL c. 92A 1/2, § 9. The provisions of 313 CMR 11.00 shall be enforced upon petition of the Commission or of any town or Person interested by the Supreme Judicial Court or Superior Court or any justice of either court as provided in MGL c. 92A 1/2, § 10. In addition, upon written request by the Division, DEP shall have the authority to enforce the provisions of St. 1992 c. 36 and 313 CMR 11.00 by all legally permitted enforcement mechanisms including, but not limited to: issuing notices of noncompliance; convening pre-enforcement conferences; issuing water supply orders pursuant to MGL c. 111, § 160; and imposing administrative penalties pursuant to MGL c. 21A, § 16 and 310 CMR 5.00. Such written request by the Division to DEP may seek enforcement for a specified type of violation or area, for a designated group of cases or for an individual matter.

(2) Any person determined by DCR to have acted negligently in requiring a search and rescue response by DCR may be required to make restitution for the cost of those services as determined by the Commissioner.

## **Special Rules and Requirements for Hunting Deer on Wachusett Reservoir Watershed Lands**

- Any violation of [313 CMR 11.09](#) will be deemed sufficient cause for revocation of hunting permit for a period of time not less than one year from the time of violation.
- All permittees MUST have a copy of their permit on them at all times.
- Access on DWSP property is one hour before sunrise to one hour after sunset. This will be strictly enforced.
- If you shoot a deer and it enters a restricted area or the reservoir itself call a Wachusett/Sudbury Watershed Ranger at 978-365-3800 or 508-792-7806 (M-F business hours) or MEMA State Control (24hr dispatch) 508-820-1428.
- Parking is allowed in designated areas only. Do not block gates. Subject to fine or tow.
- Use of tree stands is permitted. Allowed 30 days prior to the Deer Hunting season and must be removed 30 days after the hunting season. All tree stands must be visibly labeled with Permit Number.

## **Watershed Ranger Legislation**

### **PART I. ADMINISTRATION OF THE GOVERNMENT**

#### **TITLE XIV. PUBLIC WAYS AND WORKS**

#### **CHAPTER 92A1/2. WATERSHED MANAGEMENT**

##### **Chapter 92A1/2: Section 8. Enforcement of Sections 1-7**

Section 8. The department, and its employees designated for the purpose, shall enforce sections 1 to 7, inclusive, and the rules, regulations and orders made thereunder, and may enter into any building, and upon any land for the purpose of ascertaining whether sources of pollution there exist, and whether the sections and the rules, regulations and orders made as aforesaid are complied with.

# **Watershed Management Plan Legislation**

## **PART I. ADMINISTRATION OF THE GOVERNMENT**

### **TITLE XIV. PUBLIC WAYS AND WORKS**

#### **CHAPTER 92A1/2. WATERSHED MANAGEMENT**

##### **Chapter 92A1/2: Section 16. Periodic watershed management plans**

Section 16. The commissioner shall at least once every 5 years, adopt after public hearing one or more periodic watershed management plans for the watershed system, which shall have been prepared with the participation of a professionally qualified forester and the appropriate watershed advisory committee. Any watershed management plan shall provide for, but need not be limited to, forestry, water yield enhancement and recreational activities. All forestry activities shall be subject to sections 40 to 46, inclusive, of chapter 132.

# MA Drinking Water Regulations, Surface Water Supply Protection

## 310 CMR 22.20B

310 CMR: DEPARTMENT OF ENVIRONMENTAL PROTECTION

22.20B: continued

- (d) Beyond 1,000 feet, and within the watershed of surface water supplies, the Department may in specific circumstances, after review, require additional controls when deemed necessary for protection of public health.
- (4) No stabling, hitching, standing, feeding or grazing of livestock or other domestic animals shall be located, constructed, or maintained within 100 feet of the bank of a surface water source or tributary thereto. Owners and operators of agricultural operations should consult the Massachusetts Department of Agricultural Resources *On-farm Strategies to Protect Water Quality - An Assessment & Planning Tool for Best Management Practices* (December 1996) for information about technical and financial assistance programs related to erosion and sediment control and nutrient, pest, pesticide, manure, waste, grazing, and irrigation management.
- (5) No burial shall be made, except by permission in writing by the Board of Water Commissioners or like body having jurisdiction over such source of supply, in any cemetery or other place within 100 feet of the high water mark of a source of public water supply or tributary thereto. No lands not under the control of cemetery authorities and used for cemetery purposes, from which lands the natural drainage flows into said source of water supply or tributary thereto, shall be taken or used for cemetery purposes until a plan and sufficient description of the lands is presented to the Department and until such taking or use is expressly approved in writing by the Department.
- (6) No person shall swim, wade or bathe in any public surface water source and no person shall, unless permitted by written permit by the Board of Water Commissioners or like body having jurisdiction over such source, fish in; enter or go in any boat, seaplane, or other vehicle; enter upon the ice for any purpose, including the cutting or taking of ice; or cause or allow any animal to go into, or upon, any surface water source or tributary thereto.
- (7) Enforcement. A public water system has the following enforcement responsibilities with respect to protection of the Zone A, B, and C of its surface water source(s)
- (a) A public water system shall conduct regular and thorough inspections of Zones A, B, and C to determine and enforce compliance with 310 CMR 22.20B. The public water system shall take prompt enforcement actions against persons violating 310 CMR 22.20B, and report all such enforcement actions to the Department in the system's Annual Statistical Report the results of the regular inspections made during the preceding calendar year. The report shall include the number and dates of the inspections, the number, nature and outcome of violations found, and enforced against by the public water system, and the general condition of the watershed at the time of the last inspection.
  - (b) the public water system shall document on a form provided by the Department and submitted to the Department in calendar year 2001, that the public water system has established a protocol that provides the system with an opportunity to review and comment on all proposed new or expanded land uses or activities within the watershed of its surface water source(s) to local boards, commissions and other authorities with primary responsibilities for approving such uses and activities.
  - (c) The Department may take enforcement actions against any public water system which fails to carry out its enforcement responsibilities under 310 CMR 22.20B, or may enforce directly against persons violating 310 CMR 22.20B.
- (8) No person shall apply herbicides to any surface water body including but not limited to any reservoir and their tributaries, which serve as a source of public water supply without a permit issued by the Department pursuant to M.G.L. c. 111, § 5E. This requirement does not apply to the application of algacides containing copper by the public water system. However, the public water system shall notify the Department in writing prior to the application of such algacides.

This is an excerpt from the entire Massachusetts Drinking regulation, 310 CMR 22.00.

A copy of the entire regulation is available at: [www.mass.gov/doc/310-cmr-2200-the-massachusetts-drinking-water-regulations/download](http://www.mass.gov/doc/310-cmr-2200-the-massachusetts-drinking-water-regulations/download).

## ***Appendix B – American Water Works Association Policy***

### **Recreational Use of Domestic Water Supply Reservoirs**

The American Water Works Association (AWWA) supports the principle that water of the highest quality should be used as the source of supply for public water systems. Accordingly, the risks and potential mitigation measures of any recreational activity on water supply reservoirs should be identified and evaluated. In the evaluation, utility-, customer- and other stakeholder-determined acceptable levels of risk should be considered. No recreation should be permitted on finished-water reservoirs (as opposed to raw-water reservoirs) under any circumstances.

Protection of public health and drinking water quality should be the highest priority in operational decisions for reservoirs used jointly for water supply and recreation. Decisions regarding recreational use of domestic water supply reservoirs should be consistent with any governing or applicable source water protection goals and objectives developed and implemented by the utility and other responsible parties, all in an effort to safeguard reservoir water quality. Utilities should have an active outreach effort to ensure that they remain informed about reservoir management policies and activities, particularly if they do not have direct ownership or management control of the subject reservoir(s).

Recreational uses of domestic water supply reservoirs and the land-based infrastructure necessary to support such uses can add microbial, physical, and chemical contaminants to the drinking water produced from the reservoirs. Water utility decisions on permitting recreational uses of water supply reservoirs should consider the following issues: (1) the potential for water quality degradation, (2) the public health risk, (3) the acceptance of such health risks by customers, (4) the current required level of treatment, and (5) additional treatment requirements, uncertainties, and costs that may be incurred. Recreational uses should be prohibited in those instances where a scientifically-based risk assessment, or, in the absence of a risk assessment, the best available scientific data demonstrates a probable or imminent degradation of water quality or hazard to public health that cannot be controlled or mitigated in a cost-effective manner.

When considering proposals for recreational use of domestic water supply reservoirs, the water utility should work with stakeholders to develop an integrated reservoir management plan that includes consideration of a wide range of factors (e.g., nutrient loading, invasive species, boating and body-contact activities, and appropriate water quality monitoring) as a means to evaluate and, if necessary, mitigate water quality impacts and associated risks. In cases where the utility does not have direct management control, the utility should strive to partner with landowners, as well as local, state, and federal government entities in an effort to shape recreational management policies and actions in favor of water quality protection. Body-contact recreation (e.g., swimming, water skiing, wind surfing), as well as the use of gasoline- and diesel-powered engines on watercraft, should be discouraged. In addition, boat inspection/washing stations and restrictive use of live bait should be considered to prevent the introduction of invasive species (such as zebra mussels or non-native algal species) that could potentially destabilize a reservoir's ecology and water quality. Where feasible, costs for monitoring, evaluations, and mitigation should be borne by those proposing or benefiting from the recreational activity, not by the utility or its customers.

If recreation already exists on a reservoir, the water utility should work or continue to work with stakeholders to develop an integrated reservoir management plan and associated implementation actions to mitigate water quality impacts and risks.

Practices specified in this policy statement are consistent with all other pertinent AWWA policy statements.

Adopted by the Board of Directors June 13, 1971, reaffirmed Jan. 28, 1979, and Jan. 25, 1987, and revised June 23, 1996, and June 13, 2004, and Jan. 25, 2009, and June 10, 2012, January 14, 2017, and April 5, 2022.

*Source:* [www.awwa.org/Policy-Advocacy/AWWA-Policy-Statements/Recreational-Use-of-Domestic-Water-Supply-Reservoirs](http://www.awwa.org/Policy-Advocacy/AWWA-Policy-Statements/Recreational-Use-of-Domestic-Water-Supply-Reservoirs) (4/19/2023).

## **Appendix C – Timeline of the History of Fishing at Wachusett Reservoir**

Metropolitan Water Board (MWB) 1895-1901, Metropolitan Water and Sewerage Board (MWSB) 1901-1919, Metropolitan District Commission (MDC) 1919-2003, Department of Conservation and Recreation (DCR) 2003-present

**1890s:** MWB votes to allow fishing on Sandy Pond in Clinton and on the South Branch of the Nashua River above the dam site

**1900s:** August 13, 1909, the construction of the reservoir was complete and the MWSB votes to open it to fishing by special regulation. Ice fishing was allowed Westerly of Greenhalge Point and Sawyer's Bluff (close to the current shoreline fishing limit) by special permit to residents of Sterling, Clinton, Boylston and West Boylston, in addition to the residents of the Metropolitan Water District.

**1920s:** Previous regulations were repealed on April 29, 1921. Ice fishing is now prohibited.

**1930s:** Salvage operations of Commonwealth waters by Department of Conservation (now Department of Fisheries and Wildlife) and Metropolitan District Commission (now Department of Conservation and Recreation).

**1939:** Wachusett Reservoir closed due to extreme drought conditions and concerns of wildfires until at least the 1940 season.

**1940s:** Wachusett Reservoir closed to all public access due to National War Emergency. People photographing the dam had cameras confiscated and film destroyed by MDC Police. Fishing prohibited.

**1945:** MDC votes to open Wachusett Reservoir to fishing again after war on May 10. Fishing season at this time was July 1 to October 1.

**1950s:** Lake Trout were first stocked at Quabbin Reservoir. Rainbow Smelt were also stocked and were so successful they clogged intake screens.

**1959:** MDC starts smelt control program at Quabbin Reservoir using Copper Sulfate to kill smelt eggs in tributaries. Estimated 5 tons of adult smelt removed. Shoal spawning was documented.

**1960s:** Fishing on Sundays allowed for the first time by vote on May 2, 1963.

**1968:** Lake Trout and Rainbow Smelt stocking resumed at Quabbin Reservoir and studies undertaken on intake screens.

**1969:** MDC eliminates residency requirement for fishing permits, now open to all who apply and hold valid state fishing licenses. The cost of the permit is \$0.25.

**1970:** Fishing permit fee increased to \$0.50.

**1971:** Fishing permit fee increased to \$1.00.

**1972:** Screens are installed at Wachusett Reservoir intake works.

**1979:** Lake Trout first sampled in Wachusett Reservoir by MassWildlife staff. Lake Trout were not stocked at Wachusett Reservoir at this time; they were believed to have travelled through the Quabbin Aqueduct before screens were installed.

**1980s:** Salmon stocking began in Wachusett Reservoir tributaries in 1982. Salmon started to reproduce naturally in Stillwater River in West Boylston.

**Current:** Fishing season is the first Saturday in April until November 30<sup>th</sup> (unless there is ice cover) from one hour before sunrise until one hour after sunset. No permit is required as long as a state fishing license is held.

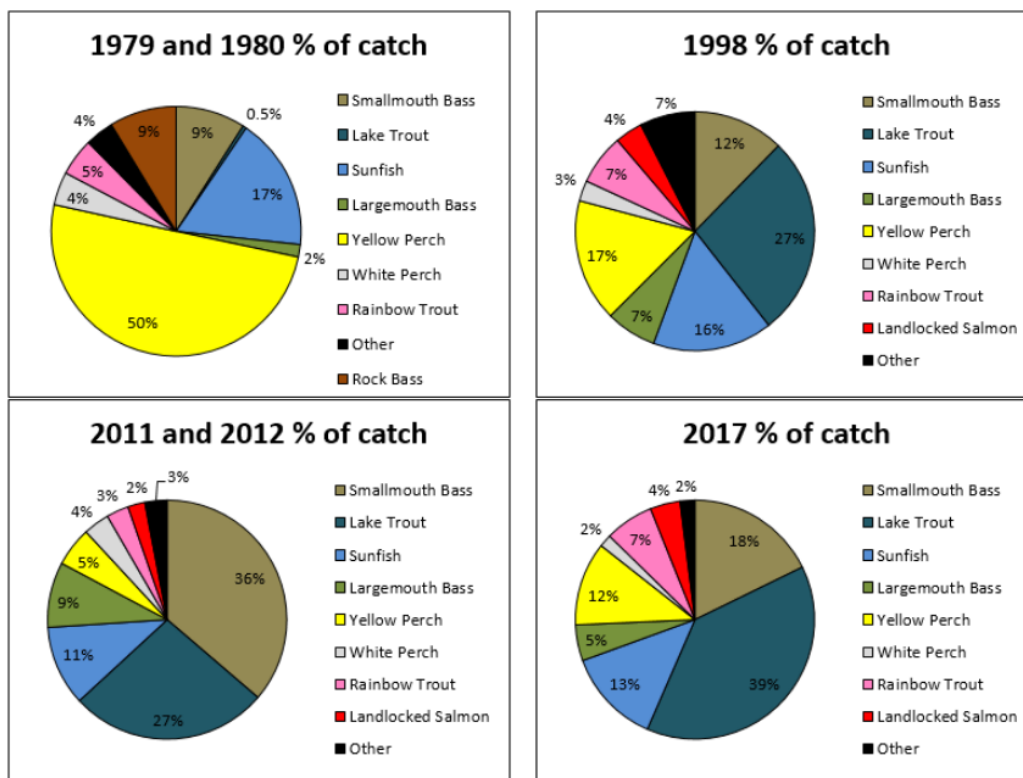
- Creel surveys are completed on a 5-year schedule (next survey in 2022) in a cooperative effort of Wachusett Environmental Quality Staff, Wachusett/Sudbury Watershed Rangers and Massachusetts Division of Fisheries and Wildlife.
- Each fall (typically October-November) Wachusett Environmental Quality staff and Division of Fisheries and Wildlife staff collect Lake Trout as a part of the 'Lake Trout mark and recapture' study which was started in 2014. Data collected on the Lake Trout population in Wachusett, includes fish total length, weight, and sex. Each fish that is caught receives a tag with a unique identification number, which means that if the same fish is caught again, how much the fish has



grown since it was last captured can be determined. This data will eventually help biologists determine a growth rate for the Wachusett Reservoir Lake Trout population.

- Visual surveys of historic Rainbow Smelt spawning areas are regularly completed in the spring (March-May). The goal is to find evidence of Rainbow Smelt spawning activity because they are an important prey species in the Wachusett Reservoir.

### Distribution of fish species caught as determined through creel surveys



### Massachusetts freshwater catch and keep records at Wachusett Reservoir

Species	Weight	Year
White Perch	3 lbs., 8 oz.	2016
Smallmouth Bass	8 lbs., 2 oz.	1991
Landlocked Salmon	10 lbs., 2 oz.	1985
Rainbow Trout	13 lbs., 13 oz.	1999
Brown Trout	19 lbs., 10 oz.	1966
Lake Trout	24 lbs.	2004*

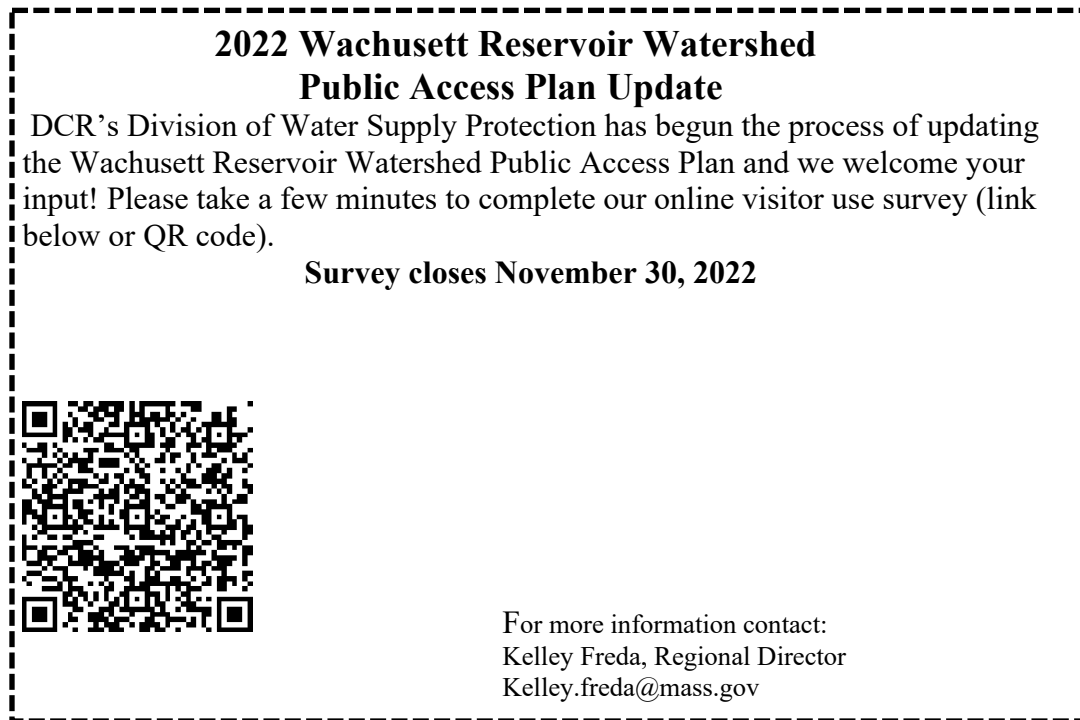
\*this record was replaced by a state record taken at Quabbin Reservoir in 2016. The Lake Trout weighed 24 lbs., 7 oz.

Information compiled by DCR Watershed Ranger Lieutenant Will Anderson; 2022.

## **Appendix D – Wachusett Reservoir Watershed System Public Access Survey Results**

A public opinion survey was conducted in conjunction with the 2023 update of the Wachusett Watershed System Public Access Management Plan. The survey was administered entirely electronically through a Survey Monkey account set up for this purpose.

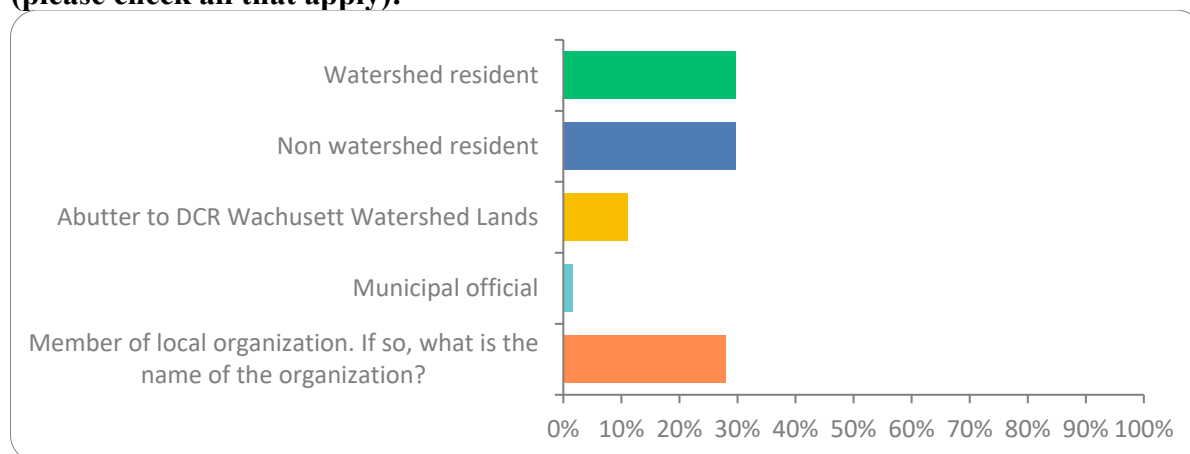
To publicize the survey DWSP staff widely distributed this postcard:



The card, in hard copy form, was distributed through all Wachusett Reservoir Watershed town/city halls and libraries as well as DWSP Headquarters in West Boylston. Watershed Rangers also distributed the card to visitors directly. A letter announcing the survey (with the survey link) was direct mailed to all watershed town managers/mayors or administrators. An e-mail providing the link was sent to all watershed town Conservation Commissions, Recreation Departments, Select Boards and Open Space Committees. The survey was also sent to various stakeholders in the watershed. The survey was publicized on the DCR website, local newspapers and through towns social media. The survey was open from October 26, 2022, to November 30, 2022. A total of 294 responses were received.

The following is a summary of responses to the survey questions.

**Q1: Please tell us what describes your affiliation with DCR Wachusett Watershed lands (please check all that apply):**



ANSWER CHOICES	RESPONSES	
Watershed resident	29.66%	86
Non watershed resident	29.66%	86
Abutter to DCR Wachusett Watershed Lands	11.03%	32
Municipal official	1.72%	5
Member of local organization. If so, what is the name of the organization?	27.93%	81
TOTAL		290

Local Organizations listed included: NEMBA, Sterling Open Space Implementation Committee, Wachusett NEMBA, New England Mountain Bike Association, Barre Open Space Committee, New England Mountain Bike Association – Wachusett Chapter, New England Youth Cycling, Milton Cat, BVNEMBA, AMC, Audubon, Blackstone Valley NEMBA, Trout Unlimited, Nimrod League of Holden, Leicester Rod & Gun Club, Hopkinton Sportsman Association, Worcester League of Sportsmen, Clinton Greenways Conservation Trust, Town of Clinton Rauscher Farm Management Subcommittee, South Barre Rod and Gun Club, Rutland Sportsman Club, Princeton Open Space Committee, Princeton Land Trust, Wachusett Greenways, Eight Point Sportsmen’s Club, Sterling Land Trust, Nowottuck Network, Ware River Watershed Advisory Committee, Agriculture Committee, Rutland Planning Board, CMRPC, Museum of Russian Icons,

**Q2: What age group do you belong to?**

Under 18..... 0%  
 18-24 ..... 1%  
 25-34 ..... 5%  
 34-44 ..... 17%  
 45-54 ..... 28%  
 55-64 ..... 23%  
 65+ ..... 26%

**Q3: please tell us the zip code that you live in.**

*There were 290 responses to this question. The most represented towns were:*

Sterling

Boylston

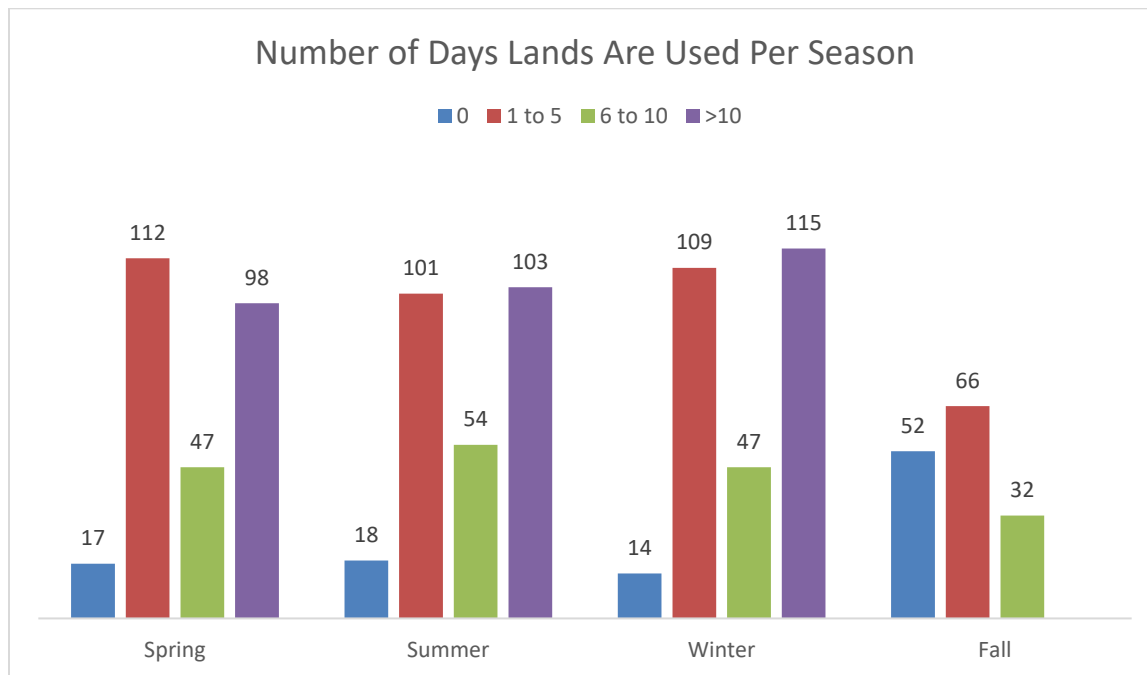
Rutland

Princeton

Shrewsbury

West Boylston

**Q4: On average, how many days per season do you utilize DCR Wachusett Watershed lands?**



**Q5: What time of day and week do you visit DCR Wachusett Watershed lands?**

Time of Week	Day	Evening	Both
Weekday	52%	14%	34%
Weekend	57%	1%	42%

**Q6: What passive recreation activities do you use DCR Wachusett Watershed lands for? (check all that apply)**

ANSWER CHOICES	%	#
Fishing	31%	90
Hiking/walking	75%	218
Hunting	16%	48
Cross country skiing/snowshoeing	30%	87
Geocaching/letterboxing	4%	11
Photography/nature study/bird watching	33%	96
Other (please specify)	42%	122
<b>TOTAL</b>		<b>672</b>

Several activities were listed that are prohibited on DWSP lands.

**Q7: Of the above, what is the Primary type of passive recreation you use DCR Wachusett Watershed Lands for?**

Activity	Number of Responses
Hiking/Walking	120
Photography/nature study/bird watching	7
Fishing	41
Cross country skiing/snowshoeing	3
Hunting	23

**Q8: While on DCR Wachusett Watershed lands, would you know who to contact in case of an emergency or water/environmental issue?**

Yes ..... 32%

No..... 55%

Respondents were asked to name a contact if they answered Yes. Because the previous percentage does not equal 100% it is assumed the first portion of this question was skipped.

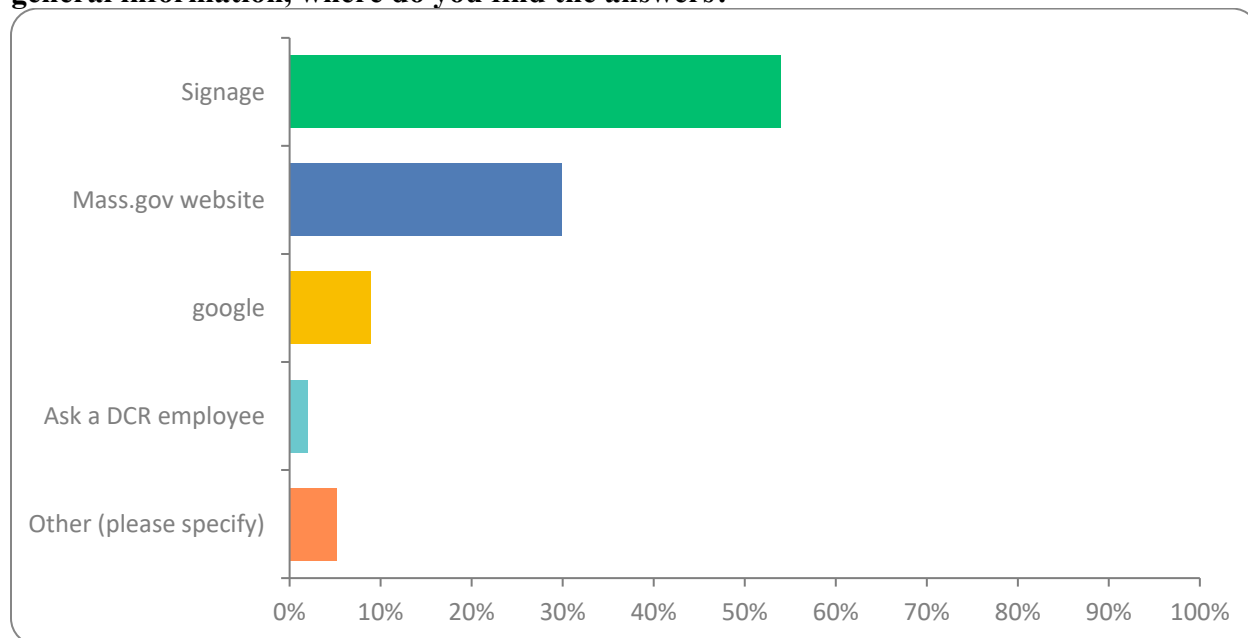
Contacts listed were: 911, Mass Environmental Police, DCR/DWSP and State Police.

**Q9: While on DCR Wachusett Watershed lands, is it clear what is allowed and what is prohibited?**

Yes ..... 81%

No..... 19%

**Q10: When looking for information on DCR Wachusett Watershed rules, regulations, or general information, where do you find the answers?**



Other answers include: a combination of the above, signage and mass.gov page, both signage and web search and posting.

**Q11: Did you find the information that you were looking for?**

Yes ..... 83%

No..... 17%

**Q12: Have you ever used the DCR website to find out information about the Wachusett Watershed?**

Yes ..... 73%

No..... 27%

**Q13: Did you find what you were looking for?**

Yes ..... 76%

No..... 24%

**Q14: How can the website be improved?**

The majority of suggestions received to improve the website were related to online maps. Respondents would like an online, interactive map and better trail and access road maps.

**Q15: Are you aware that DCR Rangers patrol DCR Wachusett Watershed lands?**

Yes ..... 87%

No..... 13%

**Q16: If yes, have you had the opportunity to talk with a ranger?**

Yes ..... 40%

No..... 60%



**Q17: Have you noticed the public advisories that are posted around Wachusett Reservoir regarding rules/regulations and special activities?**

Yes ..... 86%

No..... 14%

**Q18: If so, have they been helpful to clarify the rules/regulations/prohibitions/special activities (White Tailed Deer Controlled Hunt/Opening and Closing of the Wachusett Fishing Season)?**

Yes ..... 86%

No..... 14%

**Q19: Are you aware that DCR Wachusett Watershed staff offer free educational programs?**

Yes ..... 37%

No..... 63%

**Q20: If yes, have you attended a program?**

Yes ..... 18%

No..... 63%

**Q21: What types of programs would interest you?**

This was an open-ended question and topics suggested varied. Numerous wildlife programs (moose, beaver, loons, birds), terrestrial and native species, guided hikes, tree identification, historical talks and climate change were all mentioned. It should be noted that many of the program suggestions are already provided by DWSP interpretive and Ranger staff. New program ideas included programs designed for Boy Scout Troops, and the development of a senior citizen fishing program.

**Q22: Do you fish at Wachusett Reservoir?**

Yes ..... 31%

No..... 69%

**Q23: If yes, do you belong to a sportsmen's association?**

Yes ..... 33%

No..... 67%

**Q24: As a fisherman, are you aware of the types and impacts of Aquatic Invasive Species?**

Yes ..... 77%

No..... 23%

**Q25: Have you observed a violation of DCR Wachusett Watershed rules and regulations while on our property?**

Yes ..... 35%

No..... 65%

**Q26: While on DCR Wachusett Watershed lands, how often have you encountered the following: Part I**

<b>Prohibited Activity</b>	<b>Often*</b>	<b>Occasionally*</b>	<b>Rarely*</b>	<b>Never*</b>
Dog Walking	71	72	78	52
Swimming or wading	2	25	45	158
Feeding ducks or geese	1	15	31	161
Biking	41	69	36	70
Snowmobiling/ATV's	4	26	26	154

\*Number of responses

**Q27: While on DCR Wachusett Watershed lands, how often have you encountered the following: Part II**

<b>Prohibited Activity</b>	<b>Often</b>	<b>Occasionally</b>	<b>Rarely</b>	<b>Never</b>
Visitor consuming drugs/alcohol	4	18	36	179
Boating	2	15	23	190
Campfires	0	9	24	181
Camping	0	1	18	194
Drones	1	10	33	168

**Q28: What area of the DCR Wachusett Watershed do you frequent the most?**

- Mass Central Rail Trail – 34 responses
- West Boylston – 30 responses
- Sterling – 29 responses
- Boylston – 24 responses
- Wachusett Dam – 23 responses
- Holden – 22 responses
- Wachusett Reservoir – 20 responses

- Other responses included: Princeton, Clinton, Old Stone Church, North Dike, Rutland, Around the Reservoir, Quinapoxet River, Stillwater River, paved and gravel roads, Gate 35, Wachusett Reservoir Watershed, Shoreline, West Waushacum, Mill Street trails, Leominster, Stillwater Basin, Gate 28, Midstate Trail, Gate 6, Gate 8, Gate 14, Gate 33, Gate 10, Lake Waushacum.
- Several responses listed areas are not under the care and control of DCR DWSP Wachusett: Wachusett Mountain, Leominster State Forest, Rutland State Park, Trout Brook, Quabbin, Oakham, Ware River, Barre, Comet Pond, Clamshell Pond, and Hubbardston.

**Q29: Once through DCR Wachusett gates, is our trail system easy to follow?**

Yes ..... 80%

No..... 20%

**Q30: Please tell us about one aspect of the DCR Wachusett Watershed that you really like.**

Respondents enjoy the quiet and peacefulness of the area, the protection of green space, the sunsets and that nature is well preserved. Some visitors like that there are no costs associated with visiting and utilizing DWSP lands and the adequate signage regarding DWSP rules. Others appreciate the well-maintained access roads, the availability of porta-potties at high use areas, the DWSP Rangers and the visibility of DWSP staff.

**Q31: Is there anything else that you would like to tell us. (open ended question)**

Many comments received were related to activities that do not align with watershed protection, DWSP regulations 313 CMR 11.09 or MassDEP Surface Water Regulations 310 CMR 22.20 such as allowing activities such as swimming, boating, and access to the water. Most comments requested expanded bicycling on Wachusett Reservoir watershed lands. Other respondents praised DWSP for human created aspects such as barriers blending in nicely with nature, the prohibition of dogs, allowing hunting as a passive recreation activity and thanking DWSP for allowing public access on our properties.

**Q32: Do you think that the water in storm drains and catch basins is treated before it flows into rivers, lakes, and streams?**

Yes ..... 12%

No..... 88%

**Q33: Are you familiar with the term Municipal Separate Storm Sewer System MS4)?**

Yes ..... 25%

No..... 75%

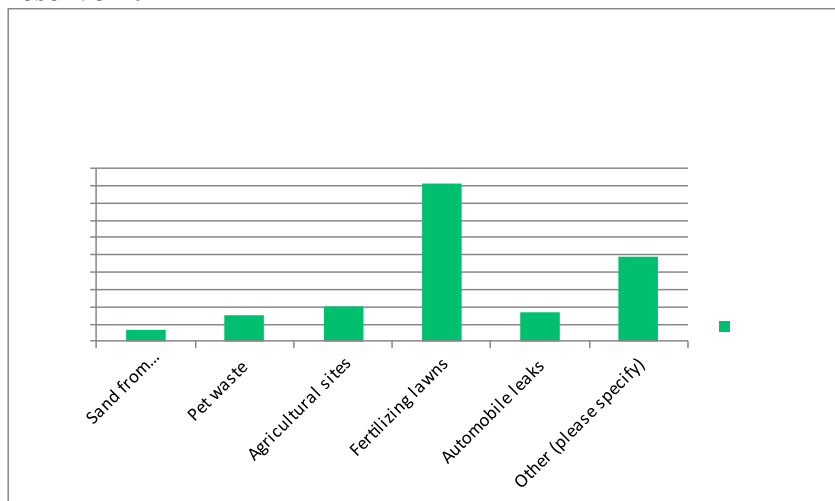
**Q34: Do you currently pick up after your pet on walks and in your yard?**

Yes ..... 80%

No..... 4%

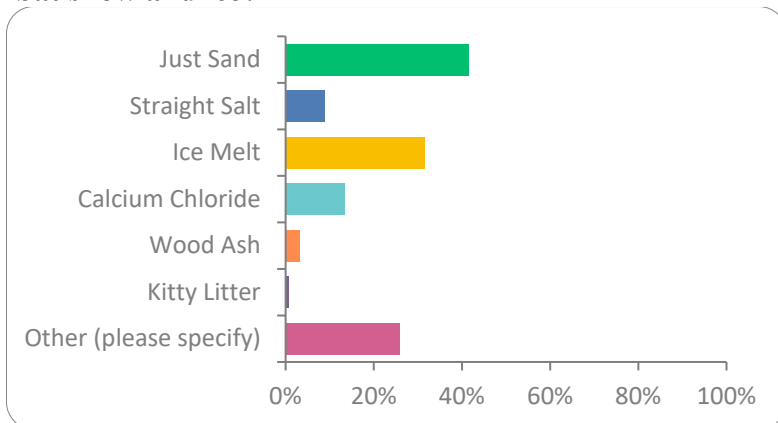
Most of the respondents who answered no to this question did not own a dog.

**Q35: Which of the following do you believe has the most impact on water quality in the reservoir?**



Most of the responses to “other” included the wording runoff or stormwater, which incorporates all of the above. Geese were also mentioned several times.

**Q36: During the winter months which of the following do you use on your property to combat snow and ice?**



**Survey responses to “other”**

Almost 75% of the responses to “other” listed they do not use any winter chemicals on their property; they use plows, snowblowers and shovels and let the sun aid in melting. A few others utilize a salt/sand mixture provided by their municipalities.

## ***Appendix E – Public Comments***

An in-person public meeting was held on April 26, 2023, at which time the draft plan was distributed to the public on the DWSP website. The public could provide comments at the meeting while additional comments were accepted via the DCR Public Input website portal until May 26, 2023. Only three comments were received, and each requested opening DWSP lands for off-road bicycling.

While DWSP understands the attraction of its trails for off-road bicycling, the addition of any recreational opportunities presents an unwanted potential risk for the water supply. The policy fact sheet for bicycling in designated areas and off-road bicycling can be found on pages 28-33 of this document.

## **Appendix F – Service Animal Guidelines for State Government Facilities**

The following information was provided to DCR Division of Water Supply Protection from the Commonwealth of Massachusetts Office on Disability.

- ❖ Dogs are the only animal legally recognized as a service animal, with the exception of miniature horses. A service dog can be any breed, weight, size (i.e., a service dog can be a pit bull or a tiny dog).
- ❖ Service animals have been individually trained to perform a task or service to assist a person with a disability. Examples of tasks/services:
  - Guiding a person who is blind
  - Alerting a person who is deaf
  - Interrupting a compulsive behavior
  - Reminding a person to take medication
  - Sniffing out a room for someone with PTSD
  - Retrieving objects.
- ❖ Service animals are NOT required to display a particular vest or badge.
- ❖ There is no official form of verification for someone to prove their animal is a service animal.
- ❖ An individual with a disability accompanied by a service animal **may not** be asked to:
  - Provide documentation
  - Answer questions regarding his/her disability
  - Have the service animal demonstrate its work.
- ❖ It is important to remember that not all disabilities are visible. Staff may ask the following two questions only when the individual's disability is not obvious:
  1. Is the animal a service animal required because of a disability?
  2. What task or service is the animal trained to perform?

***The law requires staff to take the individual at their word.***
- ❖ Service animals must be housebroken, remain under the handler's control, and not pose a direct threat to health or safety. "Under control" means:
  - Harnessed, leashed or tethered unless these interfere with the animal's work or the person's disability prevents use of these items. It is rare for a service animal to be unleashed.
  - Should not bark repeatedly in a quiet place.
    - One or two barks is reasonable, as it may be to alert the handler to something.
    - Barking because provoked does not mean the dog is out of control.
  - Housebroken.
- ❖ If a service animal is not "under control" and the handler does not correct the behavior, staff may ask the handler to remove the animal from the facility. The handler is welcome back to the facility without the dog.
- ❖ Service animals are permitted to go anywhere the handler may go, including exam rooms, cafeterias, etc.
  - Service animals, however, do *not* have to be allowed to sit on furniture meant for patrons *or* to eat from plates provided by a food service establishment.



- The DOJ ruled that service animals are *not* allowed in grocery carts.
- “All four on the floor” is an easy to remember, general principle followed by handlers of true service animals.
- ❖ Service animals are allowed in an area even if others have a fear of or allergies to dogs.
  - If someone is fearful or allergic, you must reasonably try to accommodate both parties.
  - You may not ask either party to leave.
  - You can offer to make accommodations for either party to come back at another time.
- ❖ Service animals are not allowed in pools; however, they can be in the pool area.

#### **Wachusett Reservoir Watershed:**

- ❖ The above rules govern that a service dog shall be allowed in the watershed and at watershed facilities.
- ❖ The animal must be under the handler’s control.
- ❖ Service dogs are allowed anywhere public access is allowed.
- ❖ *Service dogs are NOT allowed in the water.*
- ❖ *Handlers are still required to pick up after their dog, and properly dispose of the refuse.*

#### **Additional Information:**

[www.mass.gov/service-details/about-service-and-assistance-animals](http://www.mass.gov/service-details/about-service-and-assistance-animals)

[www.mass.gov/ago/consumer-resources/your-rights/civil-rights/disability-rights/information-about-service-animals.html](http://www.mass.gov/ago/consumer-resources/your-rights/civil-rights/disability-rights/information-about-service-animals.html)