

Department of Conservation and Recreation (DCR) Special Commission Meeting Minutes

March 15, 2021, 1:00 p.m. via Zoom

Commission Members Present: Faye Boardman, Senator Rausch, Representative Dykema, Commissioner Jim Montgomery, Nate Walton, Representative Orrall, Kate Bowditch, Laura Jasinski, Buzz Constable, Heather Clish, Mary Clutchey, Fran Blanchard, Jonathan Gulliver.

Commission Members Not Present: Guadalupe Garcia.

Materials: PowerPoint presentation by the UMass Donahue Institute.

Welcome – Faye Boardman, Executive Office of Energy and Environmental Affairs, Chair of the Special Commission.

Chair Faye Boardman called the meeting to order and welcomed the Special Commission and the members of the public to their first official meeting.

Introductions – Nancy Jackson, UMass Donahue Institute (UMDI) Meeting Facilitator.

Nancy Jackson, the meeting facilitator, asked the Special Commission members to introduce themselves.

Chair Faye Boardman shared that she is the Chief Operating Officer at Energy and Environmental Affairs (EEA) and is the Secretary's designee as the Chair. She has experience working for the state and is interested in contributing previous experience as well as being a member/employee of EEA.

Senator Rebecca Rausch shared that she is one of the chairs of the Committee on Environment, Natural Resources and Agriculture (ENRA) representing the Norfolk-Middlesex area. She shared that she was present by virtue of her appointment as an ENRA Chair and is looking forward to bringing her experience in state and legal service.

Representative Carolyn Dykema shared that she is one of the chairs of the Committee on Environment, Natural Resources and Agriculture (ENRA) representing the 8th Middlesex district. She acknowledged how important the DCR is to the Commonwealth, especially with the increased interest in properties during the pandemic.

Commissioner Jim Montgomery shared that he is the Commissioner of DCR and was formerly the Director of Administration and Finance for DCR. He shared that he is welcoming this opportunity to engage in conversation about the agency (DCR) to make it as strong as possible.

Councilman Nate Walton shared that he is the Chair of the Stewardship Council and as such has a great window into the workings of the agency (DCR). He shared that he has seen the best of the agency and has ideas for improvements as well.

Representative Norman Orrall shared that he is the designee of the Minority Leader of the House of Representatives representing the 12th Bristol district. He shared his former experience as an engineer as well as the Head of Planning and Engineering for the DCR.

Kate Bowditch shared that she is the designee of the Minority Leader of the Senate, appointed by Senator Bruce Tarr. She shared that she is the President of the Essex County Greenbelt and works closely with DCR through the land trust in land conservation.

Laura Jasinski shared that she is the Executive Director of the Charles River Conservancy and has an interest in public-private partnerships in urban parks.

Buzz Constable shared that he is a land conservation attorney, the President of Massachusetts Land Trust, the President of the Lincoln Land Conservation Trust, and on the Board of Trustees of Reservations. He expressed an ongoing commitment to open space.

Heather Clish shared that she is representing the Appalachian Mountain Club and has a background in conservation and recreation policy.

Mary Clutchev shared that she is the designee for the Representative of the National Association of Government Employees. She shared that she has worked at DCR for 35 years.

Fran Blanchard shared that she is the designee for the Representative of the Trustees of Reservations, as well as the Managing Director of Stewardship. She explained that the Trustees are neighbors to the DCR in projects and property care.

Johnathan Gulliver shared that he was representing the Secretary of Transportation regarding the state highway and MassDOT. He explained that he works with the Commissioner around highway issues and previously worked at DCR.

Establishment and Charge of Special Commission – Faye Boardman, Secretary of Energy and Environmental Affairs, Chair of the Special Commission.

Chair Faye Boardman reviewed the legislation establishing the Special Commission as well as the charge of the Commission with the support of the UMass Donahue Institute. The legislation, Section 100 of Chapter 41 of the Acts of 2019, can be found at the following link:

<https://malegislature.gov/Laws/SessionLaws/Acts/2019/Chapter41>.

UMDI Role & Work Plan – Sonia Bouvier, UMDI Project Manager & Branner Stewart, UMDI Research Manager.

Sonia Bouvier, the Project Manager, introduced the UMass Donahue Institute and other members of the UMDI team, including Mark Melnik, the Director of Economic and Public Policy Research, and Branner Stewart, the Research Manager. Sonia explained UMDI's role, which includes coordinating activities of the Special Commission, conducting research, presenting preliminary findings, and preparing the final report. Sonia reviewed the information sources being investigated by the team in areas of DCR management, operations, the Stewardship Council, asset condition, transfer, and budgets.

Process Questions – Nancy Jackson, UMDI Meeting Facilitator & Sonia Bouvier, UMDI Project Manager.

At this time, Nancy Jackson raised questions from the chat and allowed Special Commission members to ask process-related questions.

Nancy Jackson asked, who determines what stakeholders will be interviewed?

Sonia Bouvier answered that the Executive Office of Energy and Environmental Affairs (EEA) has provided a list of stakeholders to prioritize for interviews but adding that we are open to additional direction that the Commission may offer.

Nancy Jackson asked, are all Commission meetings open to the public?

Sonia Bouvier responded that her understanding is yes; the meetings are to hear from Commission members and for the public to observe. Faye Boardman added that EEA will provide an update on obtaining feedback from the public.

Rep. Norman Orrall asked what the process is for developing recommendations. He asked if recommendations will they be presented by UMDI, and if they will they be posed at a future Commission meeting.

Sonia Bouvier responded that UMDI will present recommendations that come from their research for the Commission's consideration, and that the Commission may also develop its own recommendations.

Rep. Carolyn Dykema noted she would like to see a report from the Stewardship Council from 2018 as well as other documents and summaries in advance of the next meeting.

Sonia Bouvier responded that the Oversight document can be found on the Stewardship Council website and that UMDI will provide what has been gathered thus far.

Senator Rebecca Rausch also requested documents that would allow her to make more in-depth comments. She also raised questions about the distribution of materials to the Commission as a whole and about the timeline for a second round of interviews. She asked that the Commission have access to UMDI's notes and base documents as well as recommendations to review together. She stated that the evidence collected would better help the Commission to evaluate and assess recommendations.

Sonia Bouvier responded that UMDI would share drafts and documents.

Kate Bowditch asked if there would be an opportunity for the Commission to make recommendations around improvement of management and asset conditions beyond what was described in the presentation. She expressed concern about sufficient opportunity to share ideas.

Sonia Bouvier clarified that the information provided in the presentation was not meant to be limiting, and that the Commission can go as broad as it wishes within the scope of the project.

Faye Boardman added that the Commission should abide by what is in the legislation, but topics within those categories can be expanded.

Laura Jasinski asked if all the Commission members will have the opportunity to be interviewed. She also asked how the study's report will be used.

Sonia Bouvier responded that everyone on the Commission will be given the opportunity to be interviewed.

Faye Boardman added that the Commission will agree and vote on the report, which will be sent to the House and the Senate to be looked at and evaluated. The report will state things to improve upon and the agency will consider those items in the future.

Senator Rebecca Rausch offered that often, with legislatively created commissions, the work can lead to future legislation to help to refine or improve agencies impacted by the final report and recommendations.

Mary Clutchey requested a list of DCR staff that have been interviewed, a list of stakeholders being interviewed, and asked that UMDI give special consideration to Friends groups – advocates both for and against DCR.

Buzz Constable shared that the work done by UMDI will allow the Commission members to delve into the study. He acknowledged that DCR is huge and that there is a lot of information to be gathered. He requested organizational charts, a list of stakeholders, and summaries of conversations. He emphasized the importance of organizational charts and financial information.

Nancy Jackson asked if the report would show a five-year or other time frame budgetary requirement to accomplish the anticipated recommendations.

Sonia Bouvier responded that this would be up to the Commission. Faye Boardman confirmed that this request could be made by the Commission.

Nancy Jackson asked which factors will be identified and considered by the study in transferring an asset.

Branner Stewart shared that the UMDI team is in an information gathering phase and want to hear about ideas and challenges for DCR. In terms of criteria for transfer, the team will share that type of information at upcoming meetings.

Nancy Jackson shared that internally there will be coordination to schedule the next dates.

DCR: Critical Issues and Challenges – Nancy Jackson, UMDI Meeting Facilitator.

Nancy Jackson asked the Special Commission members to respond to the following prompt: *What challenges and issues facing DCR are most critical right now?*

Rep. Carolyn Dykema said, before weighing in, she would like to see background documents including the scope of needs, scope of projects on the docket, a sense of priorities with respect to the budget, and fiscal constraints, adding that safety and high priority needs would also be helpful to have.

Buzz Constable asked for a focus on the basics, including the mission of the organization, noting that DCR does many different things. He said understanding the agency's mission is important, as it has implications for DCR's work and the Commission's recommendations.

Rep. Norman Orrall added that he echoed Rep. Dykema's concerns and requested additional information. He noted that DCR may have assets that are broken or impeding use, and those need to be prioritized. He noted the need to understand capital budgets, operations, expenses, and expected revenue.

Senator Rebecca Rausch emphasized that COVID-19 is still here, has impacted DCR's work and has implications for the Commission's work. She expressed a concern that outsourcing costs a lot of money without returning services to the public. She also expressed an interest in procurement, existing project choice, project management – internal and external.

Fran Blanchard speculated that one challenge is how to identify asset conditions based on volume and properties. She added that making the most of resources and making consistent and clear decisions would appear challenging given the breadth of the agency. She offered that it would be helpful to understand how DCR tracks inflows and outflows of work based on dollars spent.

Kate Bowditch said that she is curious to understand the problems and concerns identified, even those that led to the formation of the Commission, and the research that UMDI has done. She expressed interest in seeing information about the transfer of assets to other agencies. She said it would also be helpful to have a more robust understanding of the background to make better recommendations. She expressed appreciation for DCR staff at the ground level and referenced a continued struggle for staff and for Friends groups working in partnership with DCR. She did not feel as though she understood enough about the challenges that have brought the Commission together.

Rep. Carolyn Dykema asked about gathering more information, including how many private contracts there are, comparative revenue and where it is directed.

Laura Jasinski shared that she would like to know how improve relationships and make more efficient and effective partnerships with DCR.

Buzz Constable referred to a limitation on the revenue that DCR can receive from operations, with the remainder going to the general fund. He also referred to leases outstanding and that that these may be fundamental items to help capital and revenue needs.

Heather Clish shared that the cap on retained revenue is set in the state budget every year and has to do with annual budgeting – without a cap, it is difficult to say how the budget will be put together.

Senator Rebecca Rausch shared that she would like to have a better understanding about how DCR sets various prices or determines which properties are accessible for free. She also expressed interest in what DCR may or may not be doing to advance racial or socioeconomic equity in their discharge of mission.

Fran Blanchard focused on highlighting transparency. She inquired about community asset indexes, or tools that can be focused on mission-based criteria in communities that are economically disadvantaged.

Kate Bowditch expressed interest in the Stewardship Council process – how its work is proceeding and what work is being done, in the interest of transparency. She offered that transparency in decision-making could be helped by giving more opportunity for public comment regarding decisions.

At this time, Nancy Jackson offered that if the Commission members thought of another issue, curiosity, or challenge, they should feel free to email the UMDI team or bring it to their interview.

Next Steps – Sonia Bouvier, UMDI Project Manager & Nancy Jackson, UMDI Meeting Facilitator.

At this time, Sonia Bouvier said that dates for the remaining meetings in April, May, and June will be available soon. Sonia thanked everyone for attending and shared that the team had noting the requests made by Commission members. Nancy Jackson raised a question about where the dates would be posted. Sonia prompted Sarah Healy, EEA, who said that there will be a specific webpage for the Commission created.

Chair Boardman adjourned the meeting.