

2013-2014

Stewardship Council Oversight Strategy

dcr
Massachusetts



DCR Stewardship Council

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The Massachusetts Stewardship Council was established by the legislature in 2003 and met for the first time in September 2004. The Council is an independent body that assists and oversees DCR in its efforts to establish policies and programs to realize the goals set forth by the Massachusetts General Court and to meet the public's expectations that its parks, reservations and forests will be protected and available for the enjoyment of the millions of people who visit these facilities each year. It has several specific responsibilities of which the most important is overseeing and approving all Resource Management Plans prepared by the Department of Conservation and Recreation (DCR). These plans provide guidelines for the operation and land stewardship of all reservations, parks, and forests under the management of DCR. The Commissioner of DCR is responsible for implementing those plans, as approved by the Council.

In addition, the Council assists the department with the preparation of its annual capital and operating budgets and is responsible for filing an Oversight Strategy covering three areas: park management, capital planning and policy development.

The 2013-2014 Massachusetts Stewardship Council Oversight Strategy is intended to not only provide an overview of the Council's major activities in the past and a forecast of its priorities in the future, but to also establish a protocol that can be used in the development of future Council Oversight Strategies.

Since its inception, the Stewardship Council has operated without a staff or budget, and thus it has had to determine how best to fulfill its statutory responsibilities, retain its independence and assist DCR in its operations and management of the state properties under its jurisdiction. This question has been the focus of much debate within the Council and this document outlines the direction that the Council has decided upon. The Council received comments from some individuals, who argued that the legislation establishing the Council gives it broad policy-making powers binding on the management of DCR. The Council is skeptical of these assertions, but will seek further legal clarification of its authority.

The 2013 Oversight document is divided into three sections Park Management, financial and budgetary planning and policy development. These in turn cover both the Council's activities over the past years and its projected focus over the next few years. The Council fully recognizes that circumstances change and thus policy issues may be added or subtracted as the year progresses. For example, one could not have foreseen the recent storms that wrecked havoc in some of DCR's properties or the invasive species problems that have plagued the Worcester area –issues on which the Council has worked with the agency in developing responses.

Park Management

Over the past five years, the Council has approved 12 Resource Management Plans (RMPs). These include plans for the Blue Hills Reservation, Middlesex Fells, Horseneck Beach and the Myles Standish State Forest.

The RMP review process has worked well and the quality of the plans has been excellent. In its first years, the Council spent many months trying to find a way to complete a greater number of RMPs in an expeditious manner, while still ensuring their completeness and usefulness. DCR has approximately 400 individual properties—significantly more than states of similar size and population. Concerned that it would take thirty years to complete RMPs for all of these properties, the Council and DCR initially experimented with an accelerated process in which condensed RMPs would be done for most properties over a five year period and only the largest would receive a full RMP. This experiment was felt to be inadequate by both DCR planners and park managers. The agency, with the consent of the Council, decided to combine the 400 properties into 80 planning units and develop RMPs for each of these larger units, starting with those units with the greatest need. Establishing these planning units allowed for efficiencies, since the public processes for multiple units could be combined. This process is still not optimal, since it will take approximately 20 years to complete RMP for these combined properties, but given the budget cuts and the understaffing of DCR’s planning bureau, there are few alternatives. The key has been to select those parks and reservations with the greatest need for Resource Management Plans and to develop, approve and implement the plans for those assets.

DCR has done a superb job of developing Landscape Designation Management Guidelines, implementing the findings of the Forest Futures Visioning process. All DCR properties have been divided into three designations:

- Woodlands, where the agency will focus on demonstrating exemplary and sustainable forest management practices and where commercial timber harvesting to support a range of ecosystem services may occur;
- Reserves, where ecological processes will predominate and inform management and where backcountry recreational experiences may be provided; and
- Parklands, where the agency will focus on providing public recreation opportunities while protecting resources of ecological and cultural significance.

A single DCR property may be subdivided into differing landscape designations that reflect the patterns or environmental concerns.

These designations followed months of public hearings and discussions. The department must now go back and update past approved RMPs, including the four forest RMPs developed for the Northern, Central, and Southern Berkshires and the Western Connecticut River Valley, so that they are in line with the new Landscape designations. These changes will be brought before the Stewardship Council for its review and approval.

While the quality of the RMPs has been exceptional, the resources to implement the management recommendations are often not available. While the plans set forth a path to improve and protect DCR properties, the agency is often unable to follow that path. On two occasions (Middlesex Fells Reservation and Chestnut Hill Reservation), the Council has asked DCR to report back on its progress in implementing the management plans. It has

been suggested that the Council use its authority more often to seek implementation updates on a larger number of its approved RMPs.

Furthermore, the Council needs to establish clear guidelines on when changes to an existing RMP requires preapproval by the Council. For example, some adjustments may be minor and well within the broad intent of the management recommendations contained in an RMP – while others will change the purpose and direction of those recommendations. DCR should have the flexibility to make the former, but the latter will require Council approval. Guidelines are needed to differentiate between these two scenarios.

Finally, the threat of changes in sea rise, storm intensity, rainfall and temperature caused by global climate change is likely to intensify over the next several decades. These changes will alter the ecology of the Commonwealth’s parks, beaches, and forests in ways that scientists do not fully understand. Even if the countries of the world agree to aggressively mitigate their greenhouse gas emissions, sufficient momentum has been built into the climate system that significant impacts will occur. Hence it is imperative that future RMPs consider the range of possible changes in climate and their impacts and identify management practices and programmatic shifts that might protect these vital assets and resources. The Council will continue to work with the DCR and the Executive office of Energy and the Environment to improve its understanding of the potential implications of climate change to DCR’s properties.

Financial and Budgetary Planning

Over the eight year history of the Stewardship Council, DCR has seen its operating budgets significantly reduced from a high of around \$120 million in FY 2005 to levels in the last two fiscal years which have hovered in the \$70 million range. This fiscal reality has forced the agency to meet its responsibilities with significantly reduced resources. The Council has continued to work closely with DCR, the members of the legislature and stakeholder groups to advocate for the agency’s needs and to develop fiscal measures that would allow it to meet its minimum obligations in a fiscally curtailed environment. These include the following:

1. Established a cost center structure and management accounting system whereby budget reports are structured on the basis of department function. This system allows both DCR and the Council to understand which department was expending agency funds and for what purposes those funds were being spent.
2. Developed an extensive tracking tool for every capital project, allowing the Council and DCR to monitor each capital project in real-time.
3. Developed an annual budget “approval” process by which the Council’s Finance committee reviewed DCR spending plans and communicated DCR’s needs to the Legislature.
4. Developed and maintained an historical, inflation –adjusted context against which to compare proposed fiscal appropriations against DCR needs.

In 2007-2010, the Council focused on developing a method and platform to undertake a “gap analysis” which would: (a.) establish “world class” service level targets and standards at a park or reservation level; (b.) assess the gap between current performance and those targets; and (c.) price out the operating and capital investments needed to close the gap between the two. Despite a promising start, subsequent budget cuts made it impossible for DCR to staff such an effort, and thus the Council relegated this exercise to the back-burner with the anticipation that it would be brought back, if and when the department’s fiscal situation improved.

In the past two years, the Council has focused attention on gaining legislative approval for a budget amendment that allows DCR to retain and expend a higher percentage of its revenues. This amendment would provide DCR with the opportunity to retain additional revenues generated by the agency to support the immediate needs of the state parks and forest system and to fill some of the most critical staffing positions. In 2011, the amendment was defeated, but in 2012 with the help of the Patrick Administration, key members of the legislature and several stakeholder groups, it passed. This visionary action by the Legislature could have significant benefits. Parks and recreation facilities around the United States have been hit hard by budget cutbacks, leading to temporary closures and absence of basic maintenance. History has shown that the cost of restoring these parks far exceeds the funds saved by cutting their operating budgets. Hence, providing DCR with financial tools to keep the state’s parks open and operational will allow these facilities to sustain themselves at a level consistent with the public’s expectations.

The Council proposes to work closely with DCR in the next year to identify opportunities to increase revenues while insuring that the public retains access to state facilities at reasonable and fair prices. Simultaneously, Council members will work with agency officials to set up a protocol for monitoring and controlling the expenditures of these funds. The FY 14 budget is likely to continue to be tight, and thus the Council recognizes that it must educate the various parties and stakeholders about the agency’s financial needs and the options for meeting those needs.

Policy Development

Over the past five years, the Council has taken strong positions on several policy issues. It called for a moratorium on commercial timber harvesting on DCR lands and the establishment of the Forest Futures Visioning process—a process that has led to major changes in how state park and forest lands are used. It has prodded DCR and its sister agencies to develop and enforce stronger policies governing the use of motorized recreational vehicles on state lands and to develop policies to protect the character of the roadways under DCR jurisdiction. Both of these issues will re-emerge in 2013.

Over the next few years, there are several policy issues that will come before the Council. Some are a continuation of discussions that the Council has had in the past. Among these would be a new volunteer policy to encourage shared stewardship of the Commonwealth’s

parks and forests and the continuing efforts by the agency to merge the former Urban Parks and State Parks divisions and establish a new management structure.

The Council is now eight years old. Starting in 2011, it initiated a reassessment of its responsibilities and administrative structure in light of its experiences. The goal of this exercise was to introduce legislation to improve the Council's effectiveness. This discussion explored several options, including restructuring the Council as a strong oversight board, but given the lack of a budget and the reality that its member served as volunteers, the Council recommended retaining the roles outlined in the original 2003 legislation. Instead the Council plans to recommend that the founding legislation be streamlined and clarified. Legislation has been filed to this effect in the 2013 session.

In the last decade, there has been an ongoing debate over the efficacy of public-private partnerships (PPPs) and the implementation of land transfers under Article 97 of the state Constitution. This discussion originally emerged over the operations of DCR skating rinks, but in recent years it has spilled over onto the operation of other DCR properties. There are benefits and costs to PPPs, and it is difficult to generalize about when such arrangements are in the interests of the citizens of the Commonwealth and when they are not. Given the budget constraints under which state agencies have had to function, the debate over PPPs, land transfers and public access will continue. Further, local communities have from time to time attempted to have the state assume responsibility for properties that are costly to operate and to assume responsibility for state properties that produce measurable amounts of net revenue. In some cases these transfers may be legitimate, but in others they may not be. Hence, the Council may wish to become better informed about these issues and determine whether it should place those issues on its agenda in 2013.

DCR is planning to revise and update its Code of Regulations (CMRs) which are still based upon the regulations that governed the former Metropolitan District Commission and the Department of Environmental Management. The Stewardship Council will provide DCR with advice and counsel going forward.

The statute establishing the Stewardship Council calls for two meetings per year with the Fisheries, Wildlife and Recreational Vehicle Board. Such meetings have not occurred, but there are potential benefits in fostering greater interaction between the Stewardship Council and the Board. To this end, the Council will explore how the two bodies can best coordinate and cooperate going forward.

Finally, the Council is increasingly concerned about the safety and effectiveness of the many small and mid-sized dams located around the Commonwealth. Therefore, it plans to assess DCR's existing regulation and operations of both dams owned as well as dams inspected by DCR.

The focus of the Stewardship Council will be affected by events and shifting economic factors. This document has presented the Council's priorities as of March, 2013. We would like to acknowledge the continued support of the Commissioner and the DCR staff and express our appreciation for the members of the public who have provided us with advice and guidance over the past several years.