

Ware River Watershed Advisory Committee Meeting
Thursday, November 21, 2024
7:00 PM

Location: Rutland Public Library, 280 Main Street, Rutland, MA 01543

Members: (Members in **BOLD** were present)

Massachusetts Council of Sportsmen: Laurie Pray

Alternate: Mike Moss

Worcester County League of Sportsmen's Clubs: **John Root**

Alternate: Dave Papale

Trout Unlimited: **Jeffrey Schaaf (chairperson)**

Alternate:

A Rod and Gun Club: Vincent Kotowski

Alternate: **Dennis Guberski**

Barre Selectboard: **Mike Wood (vice chairperson)**

Alternate:

Hubbardston Selectboard: **Cindy Schlener**

Alternate: Dave Marsh

Oakham Selectboard: **Thomas Hughes**

Alternate: **Phillip Warbasse**

Rutland Selectboard: Darren Ross

Alternate:

Barre Historical Society: **Dave Flick**

Alternate: Margo Petracone

Hubbardston Historical Society: Robin Langer

Alternate:

Oakham Historical Society: Bill Mucha

Alternate: Lee Dougan

Rutland Historical Society: **Eric Van Reet**

Alternate:

Massachusetts Audubon Society: Martha Gach

Alternate:

Sierra Club: Matt Hopkinson

Alternate:

General Public: Mark DuBois

Alternate: **Brett Russ**

DCR Staff Present: Brian Arrigo, Dan Clark, Justin Gonsor, John Scannell

Members of the Public Present: Eric Baldwin, Steve Larivee, Steve Merhib, Dave Morin, Rusty Savignac, Moussa Siri, Dean Zuppio

Meeting Minutes

Meeting Start Time: 8:39 PM

Approval of minutes from meeting on September 26, 2024

Thomas Hughes made a motion to accept the minutes from the Ware River Watershed Advisory Committee (WRWAC) meeting on September 26, 2024. Cindy Schlener seconded the motion. The motion was unanimously approved.

Public Access Management Plan annual review proposal from DCR

John Scannell spoke about DCR's Public Access Management Plan review proposal. The proposal is as follows:

- Purpose: The purpose of DWSP's Management Plan review is to allow for a biennial (once every other year) assessment of the plan between the 10-year plan update periods. This would allow for implementation adjustments within the Plan that are not meeting the intended goals.
- Scope of Review: The scope of the biennial review will be limited to items that need clarification, to adjust policies that are not performing as intended or to provide minor revisions to existing activities.
 - The biennial review is not intended to add, alter or eliminate entire policies or lead to significant expansion of public access. This is because the level of access provided in the 2023 Plan has been deemed appropriate control of the watershed per DEP regulations 310 CMR 22.20A(2)(b).
 - It is DCR's expectation that any proposed changes to the trail network or vehicular access roads will not significantly increase the overall networks.
 - All proposals must be accompanied by specific justification for the change and how they would provide access for a specific purpose that is not readily available with the existing networks.
- Some specific examples of proposed changes during the biennial review could include:
 - Expansion of an existing parking lot because current lot is undersized.
 - New authorized trail that provides a unique connection to a specific location or other existing trail; proposal would also include a reduction of the trail network in another location.

- New authorized vehicular road to provide access to a specific destination currently not serviced; proposal would also include a reduction in the authorized road network in another location.
- Process: The process will begin one year after the 2023's anniversary date, and biennially, thereafter.
 - The WRWAC will appoint a subcommittee that will meet with DCR staff to review concerns and issues, as needed.
 - DCR will investigate and respond to subcommittee with their opinion of the issue.
 - If DCR agrees with the concern, they will discuss potential remedies with subcommittee.
 - Any proposed changes or revisions will be reviewed with full WRWAC prior to DCR's final decision whether to adopt the changes.
 - A brief summary of the changes (if any are adopted) will be published biennially following the review and posted on the DWSP's website.

Dennis expressed concern that MassDEP has not provided scientific justification for changes that went into effect under the 2023 plan; he supports having them come back to the committee and provide those justifications. He is concerned with local residents losing access to watershed lands.

Cindy expressed frustration regarding the proposal stating that any new trails in the watershed would have to result in the reduction of trails elsewhere in the watershed. She mentioned that she didn't remember seeing that wording in the 2023 plan. Her hope was that new trails could be proposed within the 10-year plan updates without needing to reduce trails elsewhere. Mike Wood raised the same concern for adding vehicle access back to various watershed roads. He would specifically like to see Ruben Walker and Prison Camp roads opened back up to vehicles without reducing vehicle access elsewhere in the WRW. Jeff Schaaf agreed with the above sentiment; he feels the wording limits adding anything if it means taking access away somewhere else.

Jeff Schaaf was concerned about the wording related to needing to form a subcommittee to meet with DCR for the biennial review. He would like to see the whole committee be able to be involved in that process. He feels the subcommittee language is unnecessary. John Scannell commented that the subcommittee idea came as a suggestion from the Committee at the last meeting. It can be eliminated.

It was mentioned that the trails subcommittee would like to see one trail be changed from unauthorized back to authorized, which is T7: a previously approved trail.

Brett Russ spoke about how the watershed towns continue to grow, with more people moving to them and using watershed lands. He has a desire to add more trails to make the trail network more spread out and distributed over the watershed.

It was unclear when the first biennial review would take place.

DCR will revise the review proposal and present an updated version to the committee at their next meeting.

Results of Long Pond large motor permit user survey, DCR

Dan presented the results of the Long Pond large motor permit email survey that was conducted over the past season. The details of the presentation are as follows:

- Long Pond background
 - 180-acre Great Pond surrounded by DWSP land
 - Not part of Rutland State Park
 - There has been a history of large motors/water skiing on the pond
 - For the 1988 Ware River Watershed Public Access Management Plan, DCR drafted a proposal to limit motor size to 20hp.
 - The final version of the 1988 plan allowed for motors larger than 20hp to be allowed on the pond with a permit on a one-year trial basis.
 - Only 50 permits would be issued, and permit use was allowed Memorial Day through Labor Day 10am – 6pm.
 - Since 1988, the actual number of permits issued each year has fluctuated (never less than 50).
 - During the 2023 Ware River Watershed Public Access Management Plan update, DCR made some changes to the permit program.
 - A hard cap of 50 permits was reinstated; if more than 50 people applied, a lottery would be used to select the 50 permits.
 - DCR also committed to investigating how Long Pond was being used by the large motor permit holders.
 - This was accomplished two ways: an email survey was sent to permit holders, and in-person surveys at the Long Pond boat ramp were conducted through the 2024 season.
- Email User Survey results

- Survey was emailed to anyone who received a permit over the last 5 years (2020-2024); 150 people was sent a survey email. 141 people received the email. 78 responses (55%) came back to DCR.
- Most respondents had applied for a permit multiple times.
- Most respondents herd about the motor permit program through word of mouth (55%).
- Most respondents (over 20) indicated that fishing was the only activity they engaged in while on the pond. Other activities listed were general boating, waterskiing, kayaking, ice fishing, and tubing.
- Permit usage was evenly split between weekdays and weekends. A majority (46%) indicated that they use the pond weekly.
- Once on the pond, most respondents stayed for either 1-3 hours (34 people) or 4-8 hours (40 people).
- Most respondents (88%) said they never had a user conflict while at the pond.
 - Of the 9 people who indicated that they had a conflict, they listed their experiences: conflicts between motorboats and kayaks, conflicts at the boat ramp, people engaging in unauthorized activities, and conflicts with large motorboats pulling water skiers at high rates of speed.
- Respondents were asked to rank the importance of two hypothetical changes to the program: having a longer large motor season on Long Pond vs. issuing more permits but restricting when the permits could be used.
 - Faced with those options, most thought a longer season was either slightly important, important, or very important. Issuing a larger number of permits, with restrictions, was not viewed as very important.
 - When asked what else about the program people valued, a variety of responses came in. These ranged from extended hours in the summer, issuing more permits, allowing early morning and evening access exclusively for fishing, getting rid of the lottery system, going back to an in-person first come, first served model for issuing permits, and some valued keeping the system as is.
- When asked about current problems at the pond, many respondents didn't know how to answer.
 - Smell and too many large motorboats were identified as never being a problem.

- 11 respondents did identify issues. This included too many kayaks, instituting a speed limit for boats, water skiing interfering with fishing, and overcrowding.
 - Respondents were asked about their awareness of certain facts regarding Long Pond.
 - Almost all (70) said they knew DCR owned the pond. However, only about half (46) knew that it was not a state park or part of Rutland State Park.
 - A majority (41) did not know the pond was purchased and managed with rate payer money and not general tax revenue.
 - A majority (45) knew that Long Pond was part of a water supply system that provided drinking water to MA residents.
 - The most common towns of residency for respondents were Rutland, Oakham, and Barre. In total, respondents came from 18 towns. About 82% of respondents were 45 years old or older.
- In-Person survey results
 - During the 2024 large motor permit season (Memorial Day – Labor Day), watershed rangers made random, periodic visits to the Long Pond boat ramp to conduct surveys. However, the rangers didn't encounter many large motor permit holders during their random visits.
- DCR's Conclusions and Recommendations
 - It appears that around 100 people regularly apply for a large motor permit. Large motor permits are technically available to anyone in the state. Therefore, it is not recommended that an unlimited number of permits be available for large motors.
 - While uncommon, there have been documented conflicts at Long Pond. Going forward, all permits should include language that allows for the permit to be revoked by DCR if the permit holder isn't following the rules and is causing problems on the pond. Watershed rangers should routinely monitor Long Pond to identify any issues and make recommendations to the Regional Director if permits need to be revoked.
 - It is clear from the surveys that fishing is a primary activity for many large motor permit holders. To accommodate these people, it is recommended that the time-of-day restrictions (currently 10am – 6pm) for using a large motor permit be removed for boats that are exclusively fishing. These boats would be allowed on the water from sunrise to sunset but must adhere to the posted speed limit restriction. These boats would only be permitted to travel at headway/idle speed (i.e., no wake). Signage at the boat ramp would indicate this.

- It is apparent that many citizens recreating in the WRW are unaware of the designation of watershed lands and their purpose. It is recommended that additional signage/social media/outreach be implemented to educate visitors to the WRW and importance of watershed lands and their distinction from state park properties.

Speed limits on Long Pond were discussed. It was determined that the town of Rutland has a 25hp maximum speed on water bylaw.

Dennis suggested carving out a portion of the permits specifically for water skiers.

The policy surrounding revoking a permit was discussed. A permit would not be revoked based on hearsay; rangers would have to be on site to document and witness the issue, be interacting with someone actively not complying with the rules, etc.

It was clarified that the lifting of the time-of-day restriction is for large motor permit holders only, not people boating in general.

Rusty presented anecdotal evidence that there was not much crowding or heavy usage of the pond by permit holders this past season. Jeff Schaaf had the same experience when he used the pond as well.

Rusty advocated for issuing more than 50 permits per season (possibly around 80) and for going back to the old system of applying for a large motor permit in-person rather than online.

It was also suggested that a trial be done for a year where more than 50 permits get issued, and for the pond to be monitored more than usual. This could help determine whether issuing more permits results in certain problems arising, more user conflicts, etc.

Tom Hughes advocated for allowing watershed town residents priority in being issued a permit.

Dennis expressed interest to see endotoxin data from after the water is treated. He would like to see paddleboarding allowed on Long Pond. He noted that if MWRA can eliminate giardia and cryptosporidium through their water treatment, that there would be no pathogen introduced through human contact that could not be treated the same way.

John Scannell spoke about DCR's responsibility to protect the watershed to a level that is acceptable under watershed protection to their regulators and that a main watershed protection principle is risk mitigation. Various regulations result from that thought process. Everyone was reminded that the Quabbin watershed is managed with much tighter restrictions compared to the WRW.

Discussion – reopening Ruben Walker and Prison Camp Roads

Mike Wood advocated for Ruben Walker and Prison Camp Roads to be opened back up to vehicles for multiple reasons: convenience, access for those of limited mobility, aging population, etc. Jeff Schaaf also stated he would like to see the roads opened to vehicles.

It was noted that more roads are open to vehicles during the deer hunting season.

John Scannell mentioned that one of the purposes of the road closures wasn't to limit specific activities but to curtail general joyriding through the watershed without a more specific activity in mind.

Mike Wood commented that Ruben Walker Road allows people to go from the Prison Camp area to the Coldbrook corridor, without leaving the watershed and driving on state highways, etc. Mike and Jeff agreed that opening Ruben Walker Road would be higher priority than opening Prison Camp Road.

Member Issues

Tom Hughes asked about the Payment In Lieu Of Taxes (PILOT) program and for more information on the compensation rate to watershed towns. John Scannell answered that the Department of Revenue sets the rates. It is written into the law that a town's compensation can never go down from one year to the next, it can only go up. A detailed explanation of the PILOT program can be found online. It was recommended that members of WRWAC that represent the watershed town select boards should urge those watershed town governments to review the PILOT program.

Dave Flick alerted the committee to maintenance/improvements that will be taking place around the Prince Walker gravesite. The Student Conservation Association (SCA) will be doing the work towards the end of 2024. Additional signage at the site will be part of the improvements as well.

Mike Wood asked if there has been any activity surrounding the Williamsville Road/Rt. 62 crossing. A lighted pedestrian crossing was proposed to be established at the location. Brett responded that the town of Barre is pursuing an RTP grant for the Rt. 62 crossing. The town of Hubbardston had been awarded an RTP grant the previous year for the Williamsville Road crossing in Hubbardston.

Brett asked about the status of pfas chemicals in the watershed. John Scannell answered that MWRA water testing hasn't shown pfas levels to be high enough to be of concern. Pfas testing in the WRW specifically, isn't occurring.

Dean Zuppio asked for information regarding the blazing and renaming of the trail system throughout the WRW. Dan Clark answered that the formerly named T-trails are being renamed. DWSP is in the beginning stages of marking/blazing/renaming the authorized trails. Putting up trailhead signs will also be part of this effort.

Meeting End Time: 8:38 PM

Upcoming WRWAC Meetings

- January 30, 2025; 7pm – Rutland Public Library, 280 Main Street, Rutland, MA 01543