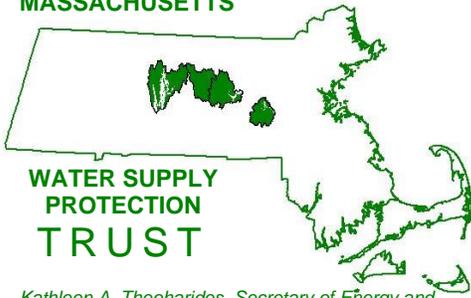


**MASSACHUSETTS**



*Kathleen A. Theoharides, Secretary of Energy and Environmental Affairs*  
*Frederick A. Laskey, Executive Director, MWRA*  
*William Meehan, North Worcester County Quabbin Anglers, Quabbin Fishermen's Association*  
*Louis Taverna, Chairman, MWRA Advisory Board*  
*Fred Heyes, Swift River Valley Historical Society*

**Water Supply Protection Trust**  
January 13, 2020 Meeting Minutes  
*(Rescheduled from December 4, 2019)*  
Carroll Water Treatment Plant, Marlborough

Trustees

Lou Taverna, MWRA Advisory Board  
Frederick A. Laskey, Executive Director, MWRA  
Vandana Rao, Executive Office of Energy and Environmental Affairs  
Brigadier General William J. Meehan, North Worcester County Anglers and Quabbin Fishermen's Association  
Fred Heyes, Swift River Historical Society

MWRA

Dave Coppes, Chief Operating Officer  
Carolyn Francisco Murphy, General Counsel  
Beth Card, Director of Regulatory and Environmental Affairs  
Sean Navin, Director of Intergovernmental Affairs  
Katie Ronan, Environmental Analyst  
Michael Cole, Budget Manager  
Matt Horan, Deputy Director of Finance  
Tom Durkin, Director of Finance  
Michael Gove, Environmental Analyst

DCR

John Scannell, Director, Division of Water Supply Protection  
Dan Clark, Director, Quabbin/Ware Region  
Ken McKenzie, Director, Natural Resources  
Derek Liimatainen, Assistant Regional Director, Wachusett  
Jamie Carr, Regional Director, Wachusett  
Joel Zimmerman, Regional Planner  
Larry Pistrang, Environmental Analyst

MWRA Advisory Board

Joseph Favaloro, Executive Director  
Travis Ahern, Director of Finance and Policy

WSCAC

Lexi Dewey, Executive Director  
Bill Fadden  
Bruce Spencer

## **The meeting convened at 9:35 am.**

1. **Welcome and Introductions** – Trustee Laskey welcomed members of the Trust and other attendees. He noted that the meeting had been rescheduled from December 4, 2019 and thanked everyone for being flexible.

2. **Approval of the Minutes** – The September 4, 2019 meeting minutes were unanimously approved.

### **3. Financial and Progress Reports – John Scannell**

John Scannell reviewed Division of Water Supply Protection (DWSP) 2020 Mid-Year spending. He noted that through December, the budget was 40% spent and was down in Personnel. A handout was distributed to the Trust. John noted that while certain line items may appear to be underspent, spending typically comes in the second half of the year.

- FY2020 Mid-Year Expenditures Analysis
  - Line DD – Fringe – The \$2.6 million variance between expenditures and budget is due to lags in charging accounts.
  - KK – Vehicles – Appears to be underspend because most new vehicles have been ordered.
  - NN – Construction – Includes Clinton Crew Headquarters.
- FY2020 Revenue Summary – Total revenue collected half way through year is \$659,408.96.

There was discussion regarding spending and revenue. Trustee Laskey noted that almost every subsidiary appears to be underspent so far. John noted that Personnel is underspent and that Travel Reimbursement spending varies yearly. However, he explained that for many other line items including EE, FF, JJ, and NN, spending tends to be in the second half of the year even though work is occurring throughout. In response to a question from Trustee Rao, John explained that so far this year, other than Personnel, this year is very similar to previous years. Trustee Rao asked for a yearly comparison and requested that a short description be added to each line item on the handout for clarity. Trustee Taverna asked if there is anything that is not getting accomplished. John said that everything was getting done and gave examples. John noted that Trish would compile yearly Revenue comparisons and distribute via email to the Trust. John noted that a Draft 2021 Budget would be presented at the next meeting in early March.

John provided other updates as follows:

- Clinton Crew Headquarters - Project is nearing completion.
- New Salem – Design contract is ongoing.
- Quabbin Water System – At a recent meeting with the Massachusetts Water Resources Authority (MWRA), Department of Environmental Protection (DEP) and Department of Conservation and Recreation (DCR), alternatives were identified including replacing the existing well and withdrawal from the reservoir. DEP has been understanding of the challenges associated with the project.
- DEP Annual Inspection at Quabbin – The inspection was conducted in October and DWSP expects to receive an approval letter and updates in the spring.
- Land Acquisition - Six properties have recently been purchased. One more property is expected to go to the MWRA Board of Directors for approval shortly.
- Public Access – DWSP has been working on two public access plans.
  - The Ware River Public Access Plan is almost complete and entering the public comment phase.
  - Recently started updating the Sudbury Public Access Plan.

### **4. Personnel and Hiring – John Scannell**

John explained that DWSP is continuing to work to fill staffing vacancies. Six positions have been filled since September 2019, two of which were internal promotions. However, staff have also left during this timeframe, which has resulted in a stagnant FTE count of 136. John noted that DWSP is in the process of interviewing for two positions. In response to a comment from Trustee Rao, John noted that there have been fourteen departures,

including retirements, movement within DCR, and some employees leaving. Trustee Rao noted that although DWSP has made new hires, there has also been a lot of attrition within the agency. John noted that internal hiring and promotions do not change the FTE count.

Trustee Taverna asked if any of the vacancies were critical to accomplish the mission of DWSP. John explained that critical management and environmental positions have been filled over the past year and that most vacancies are now in maintenance positions. He noted that while these vacancies were not immediately critical, they have the potential to become dangerous over time as some maintenance activities may not be performed regularly. He gave an example regarding culvert inspection and maintenance. He reiterated that while these vacancies are not immediately harmful, they could become critical over time.

Trustee Taverna noted that the FTE count has been at roughly the same level since July 2019 and stated that the MWRA Advisory Board remains concerned. He requested a monthly account of staffing vacancies and suggested that the Trust should have a plan to hire personnel and complete the Work Plan. John noted that DWSP fills position when they are given the ability to do so. Trustee Rao noted that she is in constant close coordination with John and that they are cognizant of ensuring critical tasks are completed. Challenges associated with providing monthly staffing updates were discussed and it was determined that quarterly updates would provide a more accurate representation. Trustee Taverna suggested that vacant maintenance positions could create a slippery slope. John agreed and noted that maintaining the waiver is DWSP's top priority. He reiterated that the vacancies need to be filled, but are not critical at this time.

Joe Favaloro of the MWRA Advisory Board appreciated the discussion but suggested that the real issue was likely a system-wide cap on hiring. He suggested that only Administration and Finance (A&F) has the authority to raise or eliminate the cap and avoid a slippery slope.

He reiterated that MWRA ratepayers fund DWSP's budget and that therefore DWSP should not be included under a hiring cap. He expressed that a desire to see progress on the issue and ensure that the watershed has the correct number of employees. He noted that a 10% vacancy rate is too high and asked how to break the cap. He also noted that DCR Interim Commission Jim Montgomery would be at the next Advisory Board meeting.

Trustee Laskey suggested that the Trust may need to consider whether 130 or 135 FTEs will be the new normal and, if so, how to move forward with that level of employees. He wondered if the DWSP work plan and budget will need to be based on that number. He also recalled an example of the aqueducts becoming overgrown due to lack of regular maintenance before MWRA was created, and noted that this mistake should not be repeated.

Discussion ensued. Trustee Heyes noted that the Trust had tried to reinforce the fact that DWSP is funded by MWRA and therefore separate from state funding. He stated that the Trust should have authority to fill vacant positions. Trustee Laskey noted that a good faith effort has been made to make it clear to the Executive Office of Energy and Environmental Affairs (EOEEA), DCR, and Legislators that MWRA funds the DWSP budget and should therefore be exempt from any DCR cap. He acknowledged a counter argument, that there are other entities also funded by Trusts, separate funds or other money, which are still considered part of the cap.

Trustee Heyes suggested that it is not appropriate to blame John Scannell for the issue. Trustee Laskey agreed, noting transparency and the importance of working together. He suggested that they seem to have had a breakthrough on the issue.

Joe Favaloro noted that approximately 3-6 months prior, the Trust agreed to go on record and send a letter stating their opinion to EOEEA or A&F and that this option still exists. Trustee Laskey noted that a letter would put Trustee Rao in an awkward position and that the Trust had decided to start with detailed conversations. Trustee Rao noted that many important conversations have taken place regarding the distinction between DWSP and

DCR. She also noted that she would not participate in a letter sent by the Trust. Trustee Laskey asked how the Trust wanted to proceed.

Joe Favaloro suggested sending a letter to clarify the distinction between DWSP and DCR, and that DWSP should be outside any DCR cap on hiring. Trustee Taverna expressed support for sending a letter. Trustee Rao suggested the letter should be from the other Trustees in their individual capacities, rather than the Trust as a whole, since she would not participate.

A motion was made to send a letter to A&F, in care of EOEEA. Trustee Laskey noted that he would draft a letter that considers the impact of the hiring freeze on the watershed and asks that DWSP be allowed to fill vacant positions as they arise. Trustee Rao clarified that there is not a hiring freeze and that two DWSP positions are in the process of being filled.

Trustee Laskey, Trustee Taverna, Trustee Meehan and Trustee Heyes voted to approve sending the letter. Trustee Rao abstained.

## **5. 2019 Hunting Update – Ken McKenzie**

Ken MacKenzie presented updates from the 2019 DWSP hunts.

- Petersham Controlled Hunt 2019 – Two-day traditional hunt during December shotgun season.
  - 254 permits issued, out of 736 that applied.
  - 181 hunters participated.
  - 150 antlerless permits were available.
  - 18 deer were harvested - 9 male, 9 female. Higher than 15-deer average over last 5 years.

In response to a question from Trustee Heyes regarding cost, Ken explained that the only costs associated with the hunt were the portable toilet rentals and staff overtime. Trustee Heyes wondered about the efficiency of the hunt and the cost associated with taking 18 deer. Ken noted that they are in the population maintenance phase and that deer population is in target range (20 per square mile) in this area. Discussion ensued and it was noted that the ultimate goal is to open this area for a 2-week shotgun season like Pelham.

- Pelham 2019 Hunt
  - Opened for 2-week shotgun season.
  - Hunters walk in from gates.
  - 380 permits were issued. No lottery, hunters apply and receive permit.
  - Initial feedback suggests that hunters liked the new system and being spread out over longer period of time.

In response to a question from Trustee Heyes, Ken noted that there were no incidences that DWSP is aware. He also noted that DWSP sent out an online survey to hunters after the hunt. Although results are not final, DWSP has received good participation in the survey so far and will provide more information at the next meeting.

- Wachusett Hunt 2019
  - Reservoir Zone - Controlled hunt during December.
  - 460 new Watershed Five-Year permits were issued for land outside the Reservoir Zone.
- Sudbury Watershed Hunt 2019 – 482 permits were issued for the entire hunting season (Oct 21- Dec 31). DWSP also plans to send a follow up online survey to hunters.
- Quabbin Park Hunt 2019 – DWSP had planned a two-day controlled hunt which was cancelled in early fall by the Secretary. They plan to continue research and will propose the hunt again next year.
- 2020 Deer Management - Ken explained that moving forward, DWSP plans to transition towards a Watershed-Wide Permit with the goal of moving away from controlled hunts in the watershed.
- Pellet Group Surveys – Surveys will be performed for Prescott Peninsula, Wachusett Reservoir Zone and Quabbin Park.

Trustee Rao asked about public outreach for properties that abut private land and whether residents in these areas know to expect hunters. John Scannell noted that the Sudbury Watershed Hunt was new this year and DWSP therefore preformed public outreach including a press release, public meeting, notification to the towns, and posted signage at gates. Ken Mackenzie noted that there were very few complaints from Sudbury Watershed residents.

In response to a question from Trustee Laskey regarding the cancelled Quabbin Park Hunt, John Scannell explained that there were complaints from abutters at a public meeting and by state legislators. The Secretary's Office agreed to put the hunt on hold for the year. DWSP will conduct more Pellet Group Surveys and remains concerned regarding deer population in that area as there is no regeneration.

Trustee Meehan noted that he was pleased to see movement to open more areas for hunting and that were very few incidences. Ken credited DWSP Rangers with having a strong presence during the hunts and noted that hunters were on their best behavior.

## **6. DWSP Land Acquisition Model – Ken McKenzie**

Ken presented the newly updated DWSP Land Acquisition Model, which is used to identify and analyze parcels of land for procurement in the watershed.

- The original model was developed in 2006 with five criteria and updated in 2013 to eleven criteria.
- Previously, the model used the Jenks natural breaks classification method to visualize the score of a parcel. This method reduces the variance within classes and could put too much emphasis on the differences.
- The new model uses the same criteria, but now assigns a weight based on how important it is to water quality. A color gradient is used to create a “heat map” that visually ranks parcel priority as low (white), medium (pink), and high (red).
- The new model is also expanded to include Quabbin and Ware, in addition to Wachusett.
- Ken demonstrated the new model in the Land Acquisition GISViewer. He pointed out that parcels near unregulated streams present a priority.
- Ken empathized that the model is a “first pass” and that land acquisition decisions are not based solely on it. Other factors for consideration include owner willingness, hazardous material issues, abutters, title issues, etc., as well as watershed preservation restriction and fee. DWSP also uses an evaluation form and data worksheet to compare parcels.

Ken provided the Kush parcel as an example of a property that did not rank highly on the Land Acquisition Model, but in reality was a high priority for acquisition. Although the parcel appears to be protected by the Watershed Protection Act (WsPA) in the model, it contains pre-existing grandfathered uses which are not regulated or controlled by WsPA including agricultural activity, heavy use of fertilizers and a workshop containing hazardous material. This activity predated the WsPA and DWSP therefore could not control these existing uses, which pose a risk to water quality. The owners were interested in selling the property and a new buyer would have been allowed to continue current uses if DWSP had not acquired the property. DWSP now plans to raze the buildings and allow the land to return to its natural state. There was some discussion regarding this process.

## **7. Miscellaneous – John Scannell**

### **A. Oaks on Prescott Peninsula/B. Logging Parcel**

There was discussion regarding public concerns that have arisen due to the taking of seemingly young, healthy oaks from a slope on Prescott Peninsula and whether all DWSP contracts comply with the Science and Technical Advisory Committee (STAC) Report. John Scannell assured that DWSP contracts comply with STAC and Trustee Laskey explained that there is public suspicion that young healthy oaks were taken to add value to a harvest of dead oaks.

- Dan Clark explained that DWSP is developing a paired watershed study/experiment and that the lot in question is the experimental lot involved in the study. John Scannell noted that the STAC Report identified the need for research and that this study aims to investigate water quality data from two differing parcels, one of which would be cut. Dan noted that the cutting phase of the study is occurring and that oak has been salvaged when possible.
- Trustee Laskey noted the importance of being confident in DWSP compliance with the STAC Report and Dave Coppes suggested making it part of the process when a parcel is put out to bid.
- Dan Clarke noted that while this parcel on Prescott Peninsula may look different, it is not a deviation from normal operations and went through the public process. John Scannell noted that each year DWSP proposes lots to be cut and the Quabbin Watershed Advisory Committee (QWAC) go on site walks.
- Lexi Dewey of the Water Supply Citizens Advisory Committee (WSCAC) explained that WSCAC reviews lots that are proposed to be cut and also attends site walks. She introduced Witt Beals and Bruce Spencer, both members of WSCAC who have concerns related to this issue.
  - Bruce Spencer acknowledged WSCAC's support of the DWSP watershed management program, but noted that the STAC report says to avoid activities that could create negative public perception. He noted that the young oak cuts can be seen on Google Earth and the area has changed aesthetically, causing public concern. He also noted a recent legislative effort to stop commercial logging operations on DCR lands. He suggests that supporters of this effort may have a simplified understanding of the effect of forestry on watershed management.
  - Witt Beals, who is also a member of the New England Forest Associations, suggested that to avoid public concern DWSP should have Green Certification or at least a third party audit every five years. He noted that while this would not make DWSP immune to public concern, it would help boost public confidence.
- John Scannell noted that DWSP used to be Green Certified, but external issues arose with the process and review. He noted that DWSP was open to the idea of becoming Green Certified again and researching the topic. Trustee Laskey requested that DWSP look into the pros/cons of Green Certification and confirm compliance with STAC for the next meeting.
- It was clarified that WSCAC attends DWSP forestry site walks for proposed lots and that QWAC is involved when there are issues.
- Witt Beals suggested that Green Certification could lessen public opposition to DWSP cutting. Trustee Laskey reiterated that Green Certification had been important for many years, but issues arose. He noted that it had been approximately ten years and that it was time to look into it again.

### **C. Ware River Watershed Public Access Plan Update – Dan Clark and John Scannell**

DWSP began updating the Ware River Watershed Public Access Plan 1.5 years ago and have been conducting a public process, identifying guidelines and principals. DWSP is now almost ready to issue a public draft proposal and hopes to have a draft to MWRA and DEP in about a month. There will then be a public meeting and 30-day comment period. DWSP will then address any necessary changes and it will go to the Commissioner. Dan Clarke noted that there are significant changes to this update because DWSP wanted to recognize priorities in the watershed. Dan reviewed the following highlights and explained that the plan will be reviewed annually.

- Reinforced Exclusion Zone - There will be a new 1-kilometer buffer zone around the Intake with pedestrian access only.
- Parking Changes - A parking lot will be eliminated on Route 122 and a new hard-shell boat access location will be established outside the buffer zone.
- New Road Policy – Currently, gates are open 24/7 (outside of mud season). Now, gates will be closed from January-September to unauthorized vehicles. During October-January, some roads will be open for deer hunters with permits from 1 hour before sunrise and 1 hour after sunset.

- New Dog Policy – Dogs will need to be on leashes unless they are hunting or training with a permit, which is standard for DCR land.
- Trails – DWSP has been engaging with user groups to define an agreed upon set of trails. These trails will be the only authorized trails for all users and will avoid the buffer zone, riparian areas, and stream crossings, and aim to emphasize connectivity. DWSP is working to develop an online mapping program for the trails and expects that a Ware River Friends group will form.
- Changes to Ponds
  - Long Pond – Boat regulations will change to be consistent with other DCR ponds.
  - Comet Pond – New plan aims to keep people at the beach.

In response to a question from Trustee Laskey, John Scannell noted that biking is allowed in the watershed and that previous issues were related to illegal mountain bike trails. He explained that the mountain biking community has agreed to the new proposed trail plan. Trustee Laskey asked if biking will be allowed in the buffer zone. John explained that the well-established Mass Central Rail Trail is in the buffer zone and will remain in place, but that all other trails will be removed. Dan Clark reiterated that horses, pedestrians and mountain bikes will all use one set of authorized trails. Electric bikes (e-bikes) were discussed and John noted that DCR legal team is reviewing the issue, but that DWSP does not support the inclusion of e-bikes. John noted that controlled snowmobiling on designated trails will still be allowed. He explained that all user-groups will not be perfectly happy, but that they are working together and have agreed to the new plan. It was also noted that the Ware River Advisory Committee has been very involved.

#### **D. Quabbin Park Cemetery – John Scannell**

John reviewed recent developments at the cemetery as follows.

- Water System - MWRA installed a new well for irrigation and is working on contracts for faucet installation.
- Buildings – MWRA is working on contracts for demolition and abatement of buildings. The structures are historic and therefore require Massachusetts Historical Commission review. MWRA aims to get the contract out in the spring and is making progress.

In response to a question from Trustee Meehan regarding seasonal hires, John explained that DWSP hires a Seasonal Mower for the Cemetery and that additional resources are used as necessary. He noted that DWSP is constantly performing cemetery maintenance. Trustee Meehan expressed concern about trees growing into headstones over time. John noted that DWSP has been focused on removing dangerous trees in the Cemetery but recognizes that there has not been enough funding beyond regular grounds keeping. He noted that next year, DWSP is considering dedicating a pot of money for the cemetery.

#### **E. Road Salt/Chloride Issues – Jamie Carr and Larry Pistrang**

Jamie Carr explained that the use of road salts and chloride has increased in the Wachusett Watershed, increasing the corrosiveness of the water. Jamie introduced Larry Pistrang who has been working on the issue.

Larry explained that road salts and elevated chlorides have become an increasing concern in the Wachusett Watershed and across the Commonwealth, and that DWSP is investigating how to handle the issue. He highlighted the following in a PowerPoint presentation.

- Studies have linked excessive road salt application to elevated chloride levels and high specific conductance in streams, lakes and reservoirs. DCR has documented groundwater contamination due to road salts and chloride.
- Road salts and high chloride concentrations are harmful to wildlife, vegetation and infrastructure.

- Examples of impacts – There has been an increase in specific conductance since the 1980's in Gates Brook and Trout Brook as well as increasing Chloride Concentrations in the Stillwater and Quinapoxet Rivers.
- Chloride Concentrations are now sampled in tributary locations and groundwater wells.

Larry noted that the elevated levels are concerning and that there is no doubt that concentrations have increased due to road salt application and deicing. DWSP reached out to watershed community water departments and compiled information on how much each community uses. It is estimated that up to 18,000 tons of salt is used in the watershed every year. He also explained that private parking lots may be the source of up to half of all road salt, where it is applied liberally to avoid liability. DWSP is investigating how to address the issue and has undertaken some potential strategies for reduction.

- Education and Training – DWSP ran a full day training with watershed community applicators on how to use road salt and deicers efficiently and effectively. Other courses are also available. He suggested that it would also be helpful to develop similar resources for private commercial applicators. DCR has developed a brochure for distribution to applicators. Larry also noted that management of public expectation of road conditions in inclement weather may be important going forward.
- Modeling Efforts – Larry noted an existing ISA with UMass, which aims to predict the results of road salt reduction.
- Legislative Opportunity – Larry explained that changes to commercial liability laws could help to incentivize reduced application of salt. He explained in New Hampshire, liability is removed if private commercial applicators are trained with best practices.
- Collaboration – Larry noted that DWSP is in coordination with a variety of other groups including Central Mass Regional Stormwater Association, USGS, The City of Cambridge, and others on the issue. He suggested that the issue is currently getting a lot of attention, which could be helpful.
- Improve Internal Data Collection – DWSP is using low cost data loggers to collect groundwater and well data, and is encouraging towns to report usage.
- Larry asked for other ideas for reducing road salt usage and provided examples such as covering salt piles, making application temperature based, and using salt brine.
- DWSP plans to allocate money in the upcoming budget to create a grant program for watershed communities to help manage road salt application more effectively.

Larry concluded that road salt and chloride application is a big issue and suggests that action is necessary to help applicators rethink their usage. Trustee Rao wondered if folks will be more driven to address the issues as they see increasing impacts to water supplies.

Joe Favaloro noted that maintaining water quality is the most important thing. However, he cautioned against providing too much nonessential equipment or resources to communities and cited gravel resources. He expressed hesitation and suggested that MWRA should not be responsible for community responsibilities. John Scannell assured that the grant program would only be a jump-start to get communities to think about the issue.

The meeting adjourned at 12:08pm.