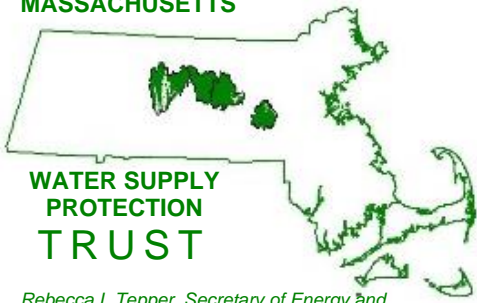


MASSACHUSETTS



*Rebecca L. Tepper, Secretary of Energy and Environmental Affairs
Frederick A. Laskey, Executive Director, MWRA
William Meehan, North Worcester County Quabbin Anglers, Quabbin Fishermen's Association
John Sanchez, MWRA Advisory Board
Fred Heyes, Swift River Valley Historical Society*

Water Supply Protection Trust

December 14, 2023

Virtual Meeting conducted via Webex

Trustees

Frederick A. Laskey, Executive Director, MWRA
Matthew Romero, Executive Director, MWRA Advisory Board
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

Rebecca Weidman, Deputy Chief Operating Officer
Valerie Moran, Director of Waterworks
Carolyn Francisco-Murphy, General Counsel
Thomas Durkin, Director of Finance
Colleen Rizzi, Director, Environmental and Regulatory Affairs
Katie Ronan, Chief of Staff
Sean Navin, Director, Intergovernmental Affairs
James Coyne, Budget Manager
Michael OKeefe, Senior Program Manager, Planning
Hillary Monahan, Project Manager, Environmental Permitting

DCR

John Scannell, Director, Division of Water Supply Protection
Dan Clark, Regional Director, Quabbin/Ware Region
Ken MacKenzie, Director, Natural Resources
Derek Liimatainen, Deputy Regional Director, Wachusett
Lisa Gustavsen, Assistant Regional Director, Quabbin
Trish McNally, Budget Manager
Joel Zimmerman, Planning Coordinator
Kerry Princiotta, Ranger Captain
Sean Flood, Ranger Captain
Andrew Leahy, Ranger Lieutenant
Kelley Freda, Regional Director, Wachusett/Sudbury Region
Kim Eng, Ranger Lieutenant

WSCAC

Moussa Siri, Executive Director

Other

Dan Hammock, North Worcester County Quabbin Anglers Association
Clayton Sydla, Quabbin Fisherman's Association

The meeting was convened at 10:00am.

- 1. Welcome and Introductions** – Trustee Laskey welcomed attendees, introduced himself as the Chair and called the December 14, 2023 meeting of the Water Supply Protection Trust (WSPT) to order.

The Trustees, as well as several MWRA and DWSP staff, attended the virtual meeting via Webex. Trustee Laskey noted that pursuant to Chapter 20 of the Acts of 2021 and subsequent acts extending certain COVID-19 measures adopted during the state of emergency, the meeting was being conducted via remote participation and would be recorded.

Carolyn Francisco-Murphy called the roll to establish attendance and a quorum. All Trustees were present with the exception of Trustee John Sanchez. It was noted that Mr. Matthew Romero, Executive Director of the MWRA Advisory Board, would be standing in for Trustee Sanchez for the duration of the meeting.

- 2. Approval of the Minutes** – A motion was made by Trustee Heyes and seconded by Trustee Rao to approve the September 20, 2023 WSPT meeting minutes. Carolyn Francisco-Murphy called the roll and the minutes were unanimously approved by the Trust.
- 3. Update on FY24 Spending** – John Scannell, Director of the DCR Division of Water Supply Protection (DWSP), shared a Fiscal Year 2024 Expenditure Update (through November 2023, or 42% of the fiscal year):
 - **Expenditures** – About 31% total expended throughout the year (larger projects are developed and constructed later in the fiscal year).
 - **Revenue** - Revenue is on-target for the year.
 - **Major Projects** –
 - Hulick Demolition, Sterling
 - Demo work is now completed, seeded for regrowth.
 - Kush Demolition, Sterling
 - Buildings and other materials have been removed. Streambank restoration on tributary is forthcoming on this project.
 - Replacement of Fence at Dam Promenade
 - Iron fence has been replaced under an existing fencing contract. The fence along Route 70 has now been replaced after starting to rot.
 - Sudbury Boat Ramp Construction
 - Existing boat ramp improved and a second ramp created for emergency work and aquatic invasive efforts.
 - Stormwater Improvements along Route 140
 - Staff consulted with the Town of Boylston to complete improvements; part of the DOT work that was upgraded along Route 140 in the south end of Wachusett.
 - Ware River Gate Installation
 - Work continues on installation of new gates in the Ware River as roads are closed in the hunting offseason.
 - Replacement of Windows at Quabbin Administration Building
 - Contract will soon be advertised; all work is covered by ARPA funding. Mr. Scannell expressed his excitement for replacement work to move forward.

In response to a question from Trustee Meehan regarding public reaction to the gates that have been installed at Ware, Mr. Scannell noted that there has not been any significant reaction from the public at this point. The gates are open for deer hunting until the end of December when the season comes to a close. Trustee Meehan expressed concern regarding significant dissension leading up to the final approval of the Access Plan. Mr. Scannell assured the Trust that changes have been made along the way, and more roads are to remain open than what had originally

been proposed. Mr. Scannell noted that the Ware River Watershed Advisory Committee voted unanimously to support the plan as developed.

Trustee Meehan requested that Mr. Scannell notify the Trust if there is any significant public reaction.

Trustee Rao expressed gratitude for the photos included in Mr. Scannell's presentation. She noted it is nice to see the before and after pictures in precise locations where work has been completed.

Trustee Laskey asked Mr. Scannell if a document exists that details all properties waiting to be demolished. Mr. Scannell noted that the list is fairly limited at this point, though staff could put such a document together if requested. Mr. Scannell noted that staff will compile a list of properties and share it with the Trust.

Trustee Laskey inquired about the purchased industrial building on the Wachusett where a concrete slab still remains following demolition. Trustee Laskey asked Mr. Scannell if leaving the slab where it is currently located is a permanent solution. Mr. Scannell assured the Trust that the decision to leave the slab untouched is the most environmentally sound action to take at this point.

4. Personnel and Hiring Update – Mr. Scannell summarized DWSP's hiring efforts, and proudly stated that he is almost fully staffed at an FTE count of 149. He explained that hiring has gotten so efficient that a few staff have given notice of upcoming retirements, and hiring has already started for those positions as well. Trustee Laskey, Trustee Rao, and Trustee Romero congratulated Mr. Scannell on the continued dedication to hiring efforts and for being fully staffed.

5. Ranger Enforcement and Education in the Watershed – Sean Flood, Captain Ranger at Wachusett Reservoir, presented a brief history of the Ranger Program in the watershed:

- Watershed Rangers play a key role in educating and changing visitor behavior in order to reduce risk to the water supply.
- The Ranger Program was established in 1996 and formalized regulatory compliance through education.
- From 2015 to 2022, DCR Watershed Rangers were granted the ability to issue non-criminal citations under 313 CMR 11.09.
- The purpose was to issue these citations for DCR CMR violations such as repeat dog-walking on DWSP property, bicycles, swimming, wading, and trespassing in restricted areas.
- For more serious offenses, the Rangers continued to utilize the Massachusetts State Police, Massachusetts Environmental Police, and local police for assistance when needed.
- It is DCR policy to enforce all rules and regulations by generating compliance through education and verbal persuasion whenever possible. Rangers would only employ enforcement methods such as evictions when other methods fail, or the violation is so serious that it warrants a more severe response.
- On occasion, Rangers previously utilized non-criminal citations as an additional tool to gain compliance with DCR rules and regulations.
- Without citation writing abilities, Rangers will continue to generate compliance through education and verbal persuasion whenever possible.
- Watershed Rangers conduct special operations (e.g., Night Operations, Opening Day of Hunting, Opening Day of Fishing, and Enforcement Days where they target specific areas for violations and issue violation/education cards).

Enforcement Procedure involves the following steps: education, verbal warning, eviction and/or law enforcement assistance, documentation of the incident.

Ranger Skill-Set and Trainings include the following: HAZWOPER certification, Incident Command Training, DCR Chainsaw Certification, Wildland Fire Fighter, ATV Certification, Safe Boating Certification.

Trustee Laskey asked Mr. Flood for clarification on HAZWOPER (Hazardous Waste Operations and Emergency Response). Mr. Flood explained that it is a training for workers who perform cleanup of chemicals, pesticides, or other hazardous substances to be able to identify different types of waste and take appropriate corrective actions. Trustee Laskey thanked Mr. Flood for his explanation.

Mr. Scannell commented on ranger enforcement, which developed with the idea of not being able to issue criminal citations. He reminded the Trust that the Ranger Force has existed since the mid-1990s, and the ability to issue citations was not granted until 2015. Mr. Scannell recalled many years of ranger enforcement through education and stated that it remains the strongest tool available. Mr. Derek Liimatainen noted that he was previously the Ranger Captain at Wachusett for nine years, and during that time he had attempted to implement the flyer notification method but noticed an uptick in dumping violations as visitors would discard the handouts on the ground or along the shoreline. As a result, DCR now targets certain areas of enforcement on different days, for example – all visitors with a dog would receive an education card on a given dog-walking enforcement day.

Trustee Rao asked Mr. Liimatainen to elaborate on the different types of signage that exist and where they are typically located. Mr. Liimatainen replied that signs are located at all entrance points at Wachusett, Quabbin, Sudbury, and Ware River. He further noted that DCR posts large signage that communicates rules and regulations at all areas where there is an entrance point, gate, or trail head.

Ms. Kelley Freda commented that over the past few years, DCR has made an effort to incorporate the water quality component to the signage. She noted the example of dog signage - in certain areas where there is additional dog signage, DCR explains why dogs are an issue in terms of bacteria from dog waste and potential contamination to the water supply.

Trustee Laskey asked Mr. Scannell if bird feeding is covered under the Ranger Enforcement and Education Program. Mr. Scannell replied that discouraging visitors from feeding the gulls is generally carried out by Ken MacKenzie's wildlife staff. Mr. Scannell noted that Mr. MacKenzie's staff has done a great job with bird feeding and continues to monitor the issue.

Trustee Meehan noted that he shared a Ranger Activity Report with the Trust on December 13th that captures data from the last several fiscal years. He noted that there appears to be a significant disparity in enforcement among the reportable activities of Wachusett, Sudbury, Quabbin, and Ware – suggesting the possibility of significant differences in the enforcement of regulations. Trustee Meehan asked Mr. Scannell to review the analysis and address it again at a future WSPT meeting, requesting a review of what is done relative to the cross-training of new hires and the existing Ranger Force. Trustee Meehan expressed interest in exploring whether or not there is a benefit to be achieved if rangers were to spend a day during the course of a year with a ranger at one of the other watershed activities. Trustee Meehan further noted that prior to the termination of the ability to issue citations, the highest level of written violations and citations was 494 in the course of FY21, which equated to about 1.5 per day across all of the watersheds. He emphasized the importance of creating a written educational piece for the rangers to use in order to effectively fill the void between a verbal and a law enforcement referral.

Trustee Meehan asked the Trust if he should continue to keep advocating for the issue. Trustee Laskey strongly urged Trustee Meehan to not give up on the issue. He mentioned that from the first day of the Trust, Trustee Meehan has been a passionate advocate on related enforcement issues. Trustee Laskey referenced the packet sent out by Trustee Meehan and emphasized the importance of educating the public on an ongoing basis, not just one singular time. Trustee Laskey echoed Trustee Meehan's sentiment, noting a moral obligation to continue to protect all visitors who enjoy the watershed and to ensure their understanding of rules and regulations.

Trustee Romero agreed, stating his support on the matter and encouraged ranger empowerment.

Trustee Rao commented that the DCR Rangers should be given an opportunity to continue on their current outreach track. She noted that it may be beneficial to obtain Ranger feedback in a year and analyze recorded data at that time. She stated that additional signage and conversations are advised while allowing DCR Rangers more time to continue their enforcement and education efforts.

Trustee Laskey agreed, noting that this is a long-haul effort. He shared that MWRA has experienced similar issues with enforcement in the metropolitan area with backup reservoirs, and offered the suggestion of issuing press releases to the local papers and electronic media, detailing a notice that swimming is prohibited in the reservoirs prior to summer holidays such as Memorial Day.

Trustee Rao agreed and emphasized her support of Trustee Laskey's press release comment. Trustee Laskey further added that these notices should be translated into multiple languages, not just English.

Trustee Meehan strongly encouraged the Trust to collectively make a decision on possible ways to proceed by the next WSPT meeting, and expressed interest in obtaining feedback on the statistics noted in the enforcement analysis at that point.

Trustee Rao stated her support of Trustee Meehan's cross-training idea, noting that she would also encourage exploring additional methods to promote outreach.

Trustee Laskey asked Mr. Scannell for ideas on how to proceed. Mr. Scannell responded that rangers remain uncertain of the effectiveness of physical handouts and proposed to bring new information back to the Trust after convening with staff at the Board's next meeting to review.

6. Watershed Natural Asset Climate Change Vulnerability Assessment (CCVA) – Mr. MacKenzie shared a presentation regarding the new DCR Watershed's Climate Change Vulnerability Assessment:

- DWSP recently applied for funding through the FY23 State Hazard Mitigation and Climate Adaptation Plan (SHMCAP), otherwise known as the ResilientMass Plan, in order to complete a more detailed plan for the watersheds. SHMCAP allocated the money to complete a vulnerability assessment of DCR natural assets across the watersheds.
 - A vulnerability assessment of forest and other natural assets for the long-term management of source drinking water for the DCR Division of Water Supply protection.
 - The need for a watershed-wide Climate Change Vulnerability Assessment (CCVA) is outlined in the Division's 2023 Watershed Protection Plan.
 - System relies heavily on the rivers, streams, forested watersheds, aquifer systems, wetlands, and other natural features.
 - Utilizing the latest climate data, DWSP will initiate an assessment of the sensitivity, resiliency and adaptive capacity of these natural assets (sub-watershed scale assessment to better inform specific management goals and mission).
 - A vulnerability assessment of DCR natural assets will help to prioritize the resiliency actions needed to ensure source water in perpetuity.
- Overall objectives of the CCVA:
 - Identify and assess the condition of DWSP forest and other natural assets.
 - Ponds, rivers, streams, aquifers, and other associated upland features such as soils, watershed forests, and wetlands.
 - Evaluate the vulnerability of watershed forests and other natural assets in the context of the exposure to extreme weather, climate effects, and adaptive capacity.
 - a. Develop a methodology for analyzing the vulnerability of assets to risk projections.

- i. Precipitation, temperature, extreme weather (snow, ice, wind), wildfire, drought, landslides, and other available projections (largely based on the 2020 Asset Management Framework for Forested and Natural Assets report by the Water Research Foundation).
- Phase 1: Natural Asset Inventory and Condition Assessment (December 2023 - June 30, 2024)
 - Determine which natural assets are critical to public water supply
 - Define the appropriate level of detail for tracking and assessing the condition of those natural assets
 - Describe the current state of natural assets based on current available data
 - Identify what additional data is needed to track and assess the condition of the natural assets considering projected climate change scenarios
- Project awarded to Tighe and Bond for \$187,000
 - Since 2018, Tighe & Bond has developed Asset Management Plans (AMPs) for 28 communities across the Commonwealth, with a total land area of over 500,000 acres.
 - Team of 13 professionals to work with DWSP on completing this project.
- Overall Goal: This project will proactively identify the vulnerability of forest and other natural assets at the sub-watershed scale under future climate scenarios. The Division will implement a multi-phase asset management planning approach with the ultimate goal of finding opportunities to:
 - Enhance forest and other natural asset resilience
 - Implement climate adaptation strategies
 - Guide the prioritization of capital planning decisions and designs
- Timeline:
 - Identify and assess the condition of DWSP forest and other natural assets (Phase 1).
 - *Complete by June 30, 2024.*
 - Model vulnerability and estimate costs and qualitative consequences of water quality under future conditions (Phase 2).
 - *Complete by June 30, 2025.*

Mr. MacKenzie noted that DWSP has the funding for Phase 1 through the ResilientMass Plan and EEA, but that funding has only been committed for this year. Mr. MacKenzie explained that DWSP plans to reapply next year and hopefully will receive the funding to move forward and complete the project to ultimately produce a GIS-based application similar to the MassGIS Viewer (though more precise at the sub-watershed scale). Mr. MacKenzie expressed his excitement to become more involved with Tighe & Bond in the long-term on the project.

Trustee Heyes congratulated Mr. MacKenzie on a job well done. Trustee Laskey echoed the sentiment.

Trustee Rao noted that she is leading the state's efforts to update climate predictions, and all ResilientMass projections (outside of coastal data) are coming out of the Climate-Hydrology project that Trustee Rao is leading. She advised Mr. MacKenzie to contact her to get connected with the appropriate staff members and ensure that DCR is utilizing the most recent climate predictions. Trustee Rao explained that they are moving into Phase 2 and are expecting to have updated predictions in the next year or year and a half. Trustee Rao noted that she would like to connect with Mr. MacKenzie's team regarding alignment. Mr. MacKenzie agreed, noting that the timing of Trustee Rao's updated predictions will align well with updating the model for his analysis and data collection over the next year. Trustee Rao commented that other issues including invasive species, temperature changes, associated impacts on tree species, bugs and invasive plants, and additional topics are also of great concern for protecting the integrity and diversity of the watershed lands.

Mr. MacKenzie agreed, noting that those aforementioned issues would be a strong focus for the CCVA. Trustee Laskey expressed support, noting that he would like the Trust to be kept up-to-date on how the project unfolds.

7. Miscellaneous Updates –

- a. **Pottapaug Pond Update** – Mr. Dan Clark explained that an MWRA contract is going to be set up with a private vendor to work in Pottapaug Pond to evaluate the extent of Swollen Bladderwort invasive plant species that was found in summer 2022, and also to carry out eradication efforts. Mr. Clark emphasized that timing is an important factor for this issue, as Swollen Bladderwort only flowers for a certain number of weeks in the season. Mr. Clark further noted that he will have a much clearer picture of how to proceed before the season opens.

Trustee Laskey noted that he will make sure that MWRA is involved in the eradication efforts as well. In response to Mr. Clark’s update, Ms. Valerie Moran stated that MWRA has added Pottapaug Pond to MWRA’s Invasive Species Control Plan and is planning to go out in the spring to evaluate and begin eradicating. She emphasized the importance of timing as Bladderwort must be eradicated in the spring.

- b. **Forests as Climate Solutions Update** – Trustee Rao presented a brief overview of the Forests as Climate Solutions Initiative. EEA convened the Climate Forestry Committee (CFC) to ensure that forest and land management decisions are prioritizing resilience and are informed by the latest science. This guidance would apply to state lands as well. EEA is slated to release its recommendations within the next week – their report will be shared for public comment upon its release to inform EEA’s response and the guidance that the Committee provides. EEA will review the guidelines and input received as they work through the public input process and how to approach the recommendations.

Trustee Rao advised the Trust to keep an eye out for the report and offered to share it with the Trust when available. Mr. Scannell noted that he has staff members awaiting the guidelines and his team anticipates future conversations with the Trust and MWRA regarding reserves, as there has been a call for expanding reserves within the Commonwealth which includes water supply lands.

Mr. MacKenzie added that he is encouraged by the entire six-month process through this initiative, and emphasized the importance of utilizing the best available science to aid in forestry management. He is eagerly awaiting the CFC recommendations. Trustee Romero agreed, echoing Mr. MacKenzie’s sentiment.

Trustee Meehan commented that he would like to receive an update from Mr. Scannell at the next WSPT meeting regarding progress on records for the Quabbin Park Cemetery. Trustee Meehan further emphasized his strong support of ranger enforcement, and expressed his interest in discussing the issue further at the next WSPT meeting.

Trustee Laskey inquired about the hunt at Quabbin. Mr. MacKenzie noted its success and commended staff for how efficiently the hunt is performed. Of the 37 total deer harvested, 32 were does. He congratulated all staff involved in the hunt’s success. Trustee Laskey inquired about the large, “once in a lifetime” buck found with a unique configuration. Trustee Rao suggested that Mr. MacKenzie bring photos of the buck to the next WSPT meeting. Trustee Meehan asked Mr. MacKenzie if there were any protesting activities at the hunt, and Mr. MacKenzie responded that there was no significant activity.

A motion was made to adjourn the meeting by Trustee Rao. The motion was seconded by Trustee Heyes. Carolyn Francisco-Murphy called the roll. **The Trustees unanimously voted to adjourn the meeting at 11:16am.**