



*Bethany A. Card, 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
December 15, 2022 Meeting Minutes
Conducted via Zoom Meeting

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

David Coppes, Chief Operating Officer
Carolyn Francisco Murphy, General Counsel
Rebecca Weidman, Director, Environmental and Regulatory Affairs
Sean Navin, Director, Intergovernmental Affairs
Katie Ronan, Project Manager, Environmental Permitting
Matt Horan, Deputy Director of Finance
James Coyne, Budget Manager
John Gregoire, Reservoir Operations Program Manager
Michael Cole, Budget Director

DCR

John Scannell, Director, Division of Water Supply Protection
Dan Clark
Ken McKenzie, Director, Natural Resources
Derek Liimatainen, Assistant Regional Director, Wachusett
Lisa Gustavsen, Assistant Regional Director, Quabbin
Trish McNally
Joel Zimmerman

WSCAC

Lexi Dewey, Executive Director

MWRA Advisory Board

Joseph Favaloro, Executive Director
Matthew Romero, Deputy Executive Director
James Guiod, Director of Finance

Other

Clayton Sydla, Quabbin Fisherman's Association
Andrea Bolduc, Environmental Policy Analyst, Commonwealth of Massachusetts

The meeting was convened at 10:03 pm.

Trustee Laskey introduced himself as the Chair and called the December 15, 2022 meeting of the Water Supply Protection Trust (WSPT) to order.

Trustee Laskey noted that pursuant to Chapter 20 of the Acts of 2021 and subsequent acts extending certain COVID19 measures adopted during the state of emergency, the meeting was being conducted via remote participation of the board. The meeting would be recorded and all votes conducted by roll call vote.

Carolyn Francisco Murphy called the roll to establish attendance and a quorum. All Trustees were present.

1. **Approval of the Minutes** – A motion was made by Trustee Rao and seconded by Trustee Heyes to approve the September 27, 2022 WSPT meeting minutes. Carolyn Francisco Murphy called the roll and the minutes were unanimously approved by the Trust.
2. **Financial and Progress Report** – John Scannell provided the following DWSP financial and progress report.
 - **Expenditures** - At 42% through FY23, the DWSP budget is 33% spent. John explained that this is normal and reviewed some recent large expenditures, including a new mini excavator at Wachusett and a new loader at Quabbin, both from the Heavy Equipment line item.
 - **Revenue** – Revenue is up due to hydropower generation and transmission from the Quabbin to Wachusett transfer.
 - **Major Projects**
 - **Wachusett** – A new salt shed was installed at Clinton and DWSP is working on a contract for the next section North Dike fence replacement at Wachusett.
 - **Quabbin** – Abatement of the lower spillway is nearly complete and the Gate 40 culvert replacement is complete. Hazardous tree removal continues, including at the Quabbin Park Cemetery.
 - **Commonwealth Asset Mitigation Funding** – DWSP received Asset Mitigation Funding in FY22 and was allowed to continue to use this non-ratepayer funding for certain projects in FY23, including the Salt Shed and repairs to the Lancaster Street Barn Sill. Most notably, \$1 million will be used for the Quabbin Administration Building window replacement project.
 - **EEA Stewardship Funding** – DWSP is eligible for this non-ratepayer funding for work related to land stewardship. It will be used for several projects including property line survey work, habitat restoration, forest stewardship planning, mowing to remove invasive species and remote monitoring of Watershed Preservation Restrictions using aerial imagery.
3. **Personnel and Hiring Update** – John Scannell reported that DWSP is nearly fully staffed, with 142 of 150 positions filled. All eight remaining positions are in the process of being filled, with positions posted or candidates selected. He noted that future vacancies at DWSP will now be due to normal attrition, thanks to Joe Favaloro of the MWRA Advisory Board. He also noted that the Lead Quabbin Forester position had recently been filled internally by Ken Canfield. Trustee Laskey and others commended John Scannell and credited Joe Favaloro for his advocacy on the issue.
4. **Ongoing Agency Responses to COVID19** – Trustee Laskey noted that MWRA’s COVID19 response continues and that staff are often reminded of safe practices. MWRA also continues to sample wastewater for COVID19 tracking. John Scannell explained that the situation is similar at DWSP and that while the numbers have recently increased slightly, daily operations have not been impacted.

5. Miscellaneous Updates

Quabbin Boat Launch Area (BLA) 3 Road – John Scannell reported that DWSP recently received \$300,000 in a Supplementary Budget for repair of the road at Quabbin BLA 3. Previous estimates value this work at approximately \$450,000. DWSP is investigating to determine if there are any requirements associated with the earmarked funding and aims to provide an update at the next meeting regarding contracting.

Trustee Meehan credited Clayton Sydla for working with State Representative Smolow to secure the funding. He also noted that Mr. Sydla was recently elected Vice Chair of the Quabbin Watershed Advisory Committee. There was discussion and questions from the Trustees. John Scannell noted that DWSP is working to understand if there are any funding requirements related to contracting and would provide more information.

Hunting Report – Ken MacKenzie provided the following preliminary update on the 2022 DWSP Deer Hunt.

- **Wachusett Reservoir Zone** – There were 278 Reservoir Zone applicants and 250 permits issued. Next year, the Reservoir Zone will be included in the 5-year Watershed Permit, which will streamline the hunt while continuing to maintain acceptable deer populations.
- **5-year Watershed Permit** – The 5-year Watershed Permit now includes the Sudbury watershed, in addition to Wachusett and Quabbin watersheds. There are currently 3,274 active 5-year Watershed Permits, with 746 new permits issued in 2022.
- **Quabbin** – Hunting continues in Pelham, New Salem and Hardwick during the two-week shotgun season. DWSP is waiting for regulation changes that would remove the shot-gun season designation from these areas and allow for a longer season.
- **Preliminary Results** – Preliminary results indicate that 28 deer have been harvested to date. DWSP expects to receive many more reports.
- **Prescott Controlled Hunt** – A controlled 2-day hunt was conducted on the Prescott Peninsula, which is generally closed to the public. 338 permits were issued and 250 hunters participated. DWSP received valuable information on density and characteristics of the deer population. In total, 47 deer were harvested, 31 male and 16 female. Next year, more antlerless permits may be issued.
- **COVID19 Survey in Massachusetts Deer** – DWSP worked with MassWildlife to test over 30 deer for COVID19 antibodies during the Prescott Peninsula hunt. The goal is to contribute to research about deer/human transmission and whether deer can act as a reservoir for the virus. Because the deer on the Prescott Peninsula have very little contact with humans, they will likely serve as a control group for the state. DWSP will report the results when available. There was discussion regarding other diseases including tick-borne diseases.

Ware River Watershed Public Access Plan Update – John Scannell explained that DWSP has Public Access Plans for all of its watersheds, which are generally updated on a ten-year basis. DWSP is currently working to complete the Ware River Public Access Plan.

Dan Clark provided the following presentation. He explained that DWSP's primarily goals for updating the plan were to improve watershed protection, maintain recreation and/or enhancing certain activities where possible, and to adjust existing polices to provide an adequate level of watershed protection. The process began in 2018, when DWSP conducted several meetings with the Ware River Watershed Advisory Committee (WRWAC) and stakeholder groups as well as a survey of watershed residents. DWSP worked hard to identify solutions, find compromises, and build consensus among the various user groups. Although COVID19 was a disruption, the process is now moving forward and the proposed plan is under public review.

Dan discussed permitted recreational activities in the Ware River watershed, as compared to permitted recreational activities on various public lands across the state, including state parks. Watershed lands are often the most restrictive, typically only permitting pedestrian access, as in the Sudbury, Wachusett and Quabbin watersheds. The Ware River watershed currently allows more recreational access and would continue to allow many activities under the proposed plan, though certain aspects will change to increase alignment with other agencies, watersheds, and State Parks. MassDEP has provided feedback encouraging the Ware River watershed to align more closely with the Quabbin and Wachusett watersheds. MassDEP has also provided specific feedback regarding certain activities including night access, horseback riding permitting, and bodily contact with water at Long Pond.

Dan Reviewed the key elements of the proposed plan as followed.

- Intake exclusion zone – There is no public access around the intake structure allowed, for security.
- Creation of a 1-km buffer zone around the intake for pedestrian access only.
- Installation of a barrier in the parking area off Route 22, to prevent vehicle access to the river.
- Hours of access – The watershed is currently open 24/7, which creates security concerns. The proposed plan will limit access to one hour before sunrise to hour after sunset.
- Dogs are currently allowed in the watershed, which will not change. A leash regulation will be implemented for all dogs, except those in the act of hunting or training.
- A single network of well-defined trails for all user groups have been agreed on. This network will avoid sensitive environmental areas, include BMPs at necessary stream crossings, avoid private property, emphasize connectivity and reduce redundancy. Overall, there is a net increase of about 18 miles from the 2010 plan. Snowmobiles will be permitted on the trail network as well as a few additional trails, resulting in a net increase for snowmobilers too. Although night access will be eliminated, there will be a permit for trail grooming at night.
- Currently most roads are open throughout the year, which poses security concerns and promotes illicit activity. Under the proposed plan, two roads will be open, Coldbrook Road which runs north to south, and a small section of Intervale Road which provides vehicle access to the prison camps. A series of roads and gates would also be open to permitted hunters from October to December, to encourage hunters to disperse throughout the watershed and control deer density. There were questions and discussion regarding the prison camps, which are a cultural resource composed of remnants of a former prison hospital.
- DWSP owns and manages the shoreline and water of Long Pond, in which swimming is not allowed. MassDEP provided specific feedback that all bodily contact with the water, including water skiing and tubing, should not be allowed. Therefore, large motor permits will be eliminated at Long Pond.
- DWSP manages much of the eastern shoreline of Comet Pond. There are private homes along the western shoreline as well as a State Park swimming beach. Although swimming is allowed, DCR recently implemented an agency-wide policy which prohibits open-water swimming across the state, except at Walden Pond. Therefore, open-water swimming will no longer be permitted at Comet Pond. DWSP plans to work with the private homers and boat owners to phase out boat motors larger than 25-horsepower over time.
- New Procedural Items
 - DWSP will notify WRWAC if temporary closures or adjustments to the trail network or roads are necessary.
 - An annual review process will be implemented for proposals from user groups to add to or modify the trail network.
 - DWSP will rely on user groups to assist in reinforcing the rules. A friend group may be created to assist with maintenance in the future.
 - DWSP reserves the right to become more restrictive if access issues persist and cannot be resolved.

- Next Steps
 - The public comment period on the proposed plan ends February 28, 2023.
 - DWSP is hosting follow-up meetings with user groups to address outstanding comments and will make revisions as needed.
 - DWSP hopes to adopt the final plan in early spring 2023.

There was discussion regarding the plan. Joe Favaloro expressed concern regarding the significant expansion of trails and questioned whether the various user groups would cooperatively share the trail network as proposed. John Scannell explained that the user groups proposed and have agreed upon the set of multi-use trails. There was discussion regarding e-bikes. It was noted that DWSP understand that e-bikes are not allowed on watershed land. In response to a question from Trustee Rao, John explained that MassDEP has provided input on the proposed plan and seems to agree that it will provide improved protection now and into an uncertain future. Also in response to a question from Trustee Rao, John outlined some of the items of concern from the public including road closures, disallowing night access and disallowing waterskiing at Long Pond. Trustee Meehan referenced his connection with the WRWAC and Senator Gobi and asked how these concerns will be addressed. John Scannell explained that WRWAC and other user groups have been involved extensively throughout the process, as requested by Senator Gobi, and that DWSP will continue to meet with them to address concerns. It was noted that the new administration will likely need to be briefed and provide input on the proposed plan.

Forestry Program – John Scannell explained that DWSP is continuing with normal forestry operations. DWSP recently received approval from the Commissioner’s office for the FY23 forestry lots.

Other

Trustee Meehan noted that fishing season typically opens in April, which leaves a window of opportunity to perform improvements to the Gate 43 Access road without closing the fishing area. He noted that it is the most heavily used fishing area and advised DWSP to work closely with the Quabbin Watershed Advisory Committee (QWAC) on the matter.

Trustee Meehan referenced the June QWAC meeting minutes, which stated that there are 120 people interred in Quabbin Park Cemetery without associated records. He asked for an update on solutions. Dan Clark explained that DWSP GIS staff recently created a digital databased of existing cemetery records. Unfortunately, many of the original paper cemetery records are missing, a result of files being handed down over the years since the cemetery was constructed. Staff are working to locate and digitize all available original paper cemetery records. There was discussion among the Trustees regarding the records.

Trustee Meehan requested an update on Ranger Enforcements and the idea to distribute educational brochures. He expressed continued concern regarding Rangers’ inability to issue tickets, particularly in regard to less significant offenses. Trustee Laskey and Trustee Rao noted that MWRA and DCR lawyers are researching the issue and will provide an update at the next meeting.

Dan Hammock noted that Gene Thoreau of QWAC recently secured funding to perform monument cleaning at Quabbin Park Cemetery and encouraged the Trust to support these efforts.

Trustee Laskey requested a motion to adjourn the meeting, which was made by Trustee Rao and seconded by Trustee Taverna. Carolyn Francisco Murphy called the roll and Trustees unanimously voted to adjourn the meeting.

The meeting was adjourned at 11:22 am.