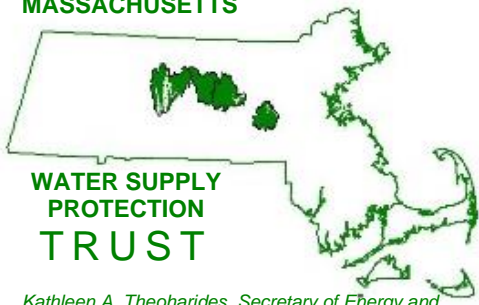


**MASSACHUSETTS**



*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**

December 8, 2021

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  
Michael Altieri, Associate General Counsel  
Carolyn Fiore, Deputy Chief Operating Officer  
Rebecca Weidman, Director, Environmental and Regulatory Affairs  
Sean Navin, Director of Intergovernmental Affairs  
Katie Ronan, Environmental Analyst  
Michael Cole, Budget Director  
Matt Horan, Deputy Director of Finance  
Tom Durkin, Director of Finance  
Valarie Moran, Director of Waterworks  
Ria Convery, Special Assistance to the Executive Director  
Jim Coyne, Budget Manager  
John Gregoire, Reservoir Operations Program Manager  
Steven Estes-Smargiassi, Director of Planning & Sustainability

DCR

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

MWRA Advisory Board

Joseph Favaloro, Executive Director  
James Guiod, Director of Finance

WSCAC

Lexi Dewey, Executive Director

**The meeting was convened at 10:03am.**

Trustee Laskey introduced himself and called the December 8, 2021 meeting of the Water Supply Protection Trust (WSPT) to order. He noted that the public meeting was being conducted via remote participation pursuant to Governor Baker's March 12, 2020 order suspending certain provisions of the open meeting law, that the meeting was being recorded, and that all votes would be 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 Taverna and seconded by Trustee Rao to approve the September 13, 2021 WSPT meeting minutes. Carolyn Francisco-Murphy called the roll and the minutes were unanimously approved by the Trust.
2. **FY22 Financial Progress Report**– John Scannell reviewed DWSP FY22 spending through November, noting that it was 42% through the fiscal year and 28% of the total budget had been spent so far. He reminded the Trust that this is typical and that spending tends to occur in the second half of the year, especially for line items such as KK for equipment purchases and NN for construction projects. He noted that DWSP recently purchased and received a new excavator at Wachusett. DWSP revenue through October is \$465,000.80, a little less than half of what is budgeted.
  - **Major Projects Updates** –
    - DWSPs consultant has prepared 25% design plans for the last direct discharge project on Route 110 in Sterling and is awaiting comments from MassDOT. They hope to complete design soon.
    - At Wachusett, DWSP is working towards using brine to treat parking lots and installing a new salt shed.
    - A contract is being awarded for the remainder of work on the Quabbin Park Cemetery Office Building.
    - Lead and asbestos abatement work has begun at Quabbin Tower, which will be followed by masonry work later this year.
    - DWSP recently placed its annual order for rental boat purchases.
    - A bid is out for a contract to clean the water tank at the Quabbin Administration Building. This work will be done in conjunction with MWRAs project to replace water supply to the building.
    - DWSP recently secured Commonwealth Asset Mitigation funding and approval to address safety concerns at facilities. The funding will be used for a new salt shed at Wachusett, structural repairs to the maintenance building in West Boylston, structural work on the Stillwater Farm barn and window replacement at the Quabbin Administration Building. In response to a question from Trustee Laskey, John Scannell noted that DWSP received just over \$1.5 million and that the additional funding will also allow for completion of work on the Quabbin Park Cemetery Office Building. DWSP has until the end of the fiscal year to spend the funding and expects to do so.
    - John Scannell explained that for a number of years DWSP has been eligible for and received EEA Stewardship Funding, which had been used for habitat restoration and property boundary survey work. However, last year DWSP was pulled from the program and therefore had to use Trust funding to perform necessary property boundary survey work. This year, DWSP was allowed back into the program and will accomplish the survey and habitat restoration work, using Stewardship Funding.
    - John Scannell noted that Former Commissioner Montgomery is no longer with DCR and that the new Acting Commissioner is Stephanie Cooper, who was Deputy Commissioner at DEP and has stepped in temporarily. He noted that Commissioner Cooper previously spent about six years at DCR.

In response to a question from Trustee Taverna about the schedule of the Quabbin Park Cemetery Office Building, John Scannell explained that the work must be complete by the end of the fiscal year based on funding. In response to a question from Trustee Taverna about the New Salem Building, John explained that DWSP is working with MWRA to evaluate design and costs. There should be more information at the next meeting.

- 3. Personnel and Hiring Updates** – John Scannell explained that DWSP is working to fill vacant positions. While currently still at 131 FTEs, DWSP has put forth the remaining 19 positions to be filled. Most are working through the process to be signed and posted, and some interviews have been conducted. A Ranger position at Wachusett was recently backfilled. DWSP is scheduling interviews for the Land Acquisition Coordinator position. John explained that he expects there will be lots of interviewing in the coming months and hoped to fill the positions quickly.

Trustee Laskey thanked Joe Favaloro and Advisory Board staff for their hard work on the issue, noting that legislation had recently been passed strengthening the role of the Trust by providing it the ability to set DWSPs appropriate staffing number. He noted that DWSP is starting to see the results of this work and applauded Mr. Favaloro's tenacity and the commitment of Trustee Meehan, Trustee Heyes and Trustee Taverna on the issue. He noted that it was a team effort, thanked everyone, and hoped things continued in the right direction. Joe Favaloro recognized John Scannell's efforts on the matter and John noted the Secretary's commitment to maintaining 150 FTEs at DWSP.

John Scannell explained that DWSP is now working to backfill various significant positions including the Land Acquisition Coordinator, Regional Director at Wachusett, Civil Engineer at Wachusett, Lead Wildlife Biologist and Lead Interpretive Services at Quabbin. He also noted that several maintenance and labor staff will be hired, which will allow DWSP to return to productivity on various tasks that they have recently been forced to be more reactive on.

Trustee Rao acknowledged that this hiring will be a lot of work for staff in next four to six months and that as some positions are filled, others will need to be backfilled, creating more additional work. She noted that while it is the start of a long process, they are headed in the right direction.

#### **4. COVID19 Updates**

- **DCR** – John Scannell reported that the Commonwealth is moving to a hybrid schedule, staff who telework will be in the office at least one day per week. Staff who have been performing fieldwork throughout the pandemic, will continue to do so. John noted that seven DWSP staff had originally not been compliant with the vaccination mandate. One resigned just before the compliance deadline, while one other will likely be terminated within next few weeks for failure to comply.
- **MWRA**- Trustee Laskey noted that between mid-October and the end of December in 2020, MWRA had eight cases of COVID19 among staff. In 2021, during that same time period, MWRA has had thirty two cases among staff. He noted that it continues to be a struggle to ensure safety, while keeping up productivity.

#### **5. Miscellaneous Updates**

- **Quabbin Park Cemetery Updates** – Dan Clark explained that work on the Quabbin Park Cemetery Office Building will be completed in this fiscal year. DWSP plans to perform another round of hazardous tree removal in the cemetery over the winter with the \$50,000 annual allotment. Staff continue to refine and improve the new cemetery websites, which are designed to help the public and streamline internal processes. Burials at the cemetery are done for the year and will start again in the spring.

Trustee Meehan asked for an update on the issue of damaged headstones, where there are no surviving family members of the decedent. John Scannell explained that sale of a grave is a deeded sale of property and the Commonwealth only retains the right to maintain the grounds. It continues to be a grey area where the Commonwealth does not have legal responsibility and there do not seem to be similar situations where a municipal or government entity has taken over responsibility of headstones. Trustee Meehan noted that The Friends of the Quabbin had been assisting with this issue and requested staff to coordinate with them.

- **Hunting Report** – Ken MacKenzie provided an update on the hunts so far, in the second week of shotgun season at three different locations. He explained that there are 486 permits released at Sudbury and 640 at Quabbin. As expected, archery season was slow and steady, while the first week of shotgun season was busy at all locations. Early harvest numbers indicate that 60 deer have been taken in the Sudbury and 9 have been reported at Quabbin (4 in New Salem, 4 in Hardwick, and 1 in Pelham). He noted these early numbers will increase by the time the deer report is published. Ken gave kudos to the Rangers, who have been out in force, and noted that there have been very few incidences. DWSP has not received complaints from neighbors or adjacent landowners, other than one parking issue which was addressed.

Ken Mackenzie noted that Covid19 antibodies have recently been detected in deer in Massachusetts and that he is in coordination with Mass Wildlife on the matter. It appears that deer got the virus from humans, which is now spreading throughout the deer population. While it is presently unknown if deer can transmit the virus back to humans, they can act as a reservoir. Ken explained that at this point, Mass Wildlife has not issued any safety advisories, but that he will continue to monitor the matter and keep the Trust informed.

- **Ware River Watershed Public Access Plan Update** – John Scannell explained that DWSP started working on the Ware River Watershed Public Access Plan a few years ago. Staff have an upcoming meeting with the Acting Commissioner to review issues. He noted that there has previously been public push back on the plan. During the annual inspection, MassDEP raised concerns about public access in this watershed. DWSP has requested MassDEP to be specific with these concerns during the public review process. John hopes to finalize the update this fiscal year.

- **Other Items**

- In response to a question from Trustee Taverna, John Scannell explained that the amount of violations in the watersheds continue to improve from the beginning of the pandemic, when DWSP was inundated with visitors. He noted that the violations tend to be first time visitors who are unaware of the rules. DWSP Rangers continue to deal with violations head on and as often as necessary.
- In response to a question from Trustee Taverna, John Scannell explained that MassDEP conducted the annual watershed inspections in October and November. DWSP has not received the written reports yet, which typically are received at the beginning of the calendar year.
- Trustee Taverna requested an update on the use of gravel by watershed communities. Dan Clark noted that DWSP recently received the annual requests from New Salem and Petersham. In response to a question from Trustee Laskey, there was discussion regarding how much gravel the communities use on a typical annual basis. Dan noted that DWSP recently identified a new gravel pit for New Salem, because the existing pit had been exhausted. He also noted that it continues to become more challenging to identify acceptable locations for the communities to take gravel, where there are useable resources. He noted that the gravel is primarily used for snow and

dressing roads. There was discussion regarding the finite nature of this resource and future concerns related to community usage.

- Trustee Laskey suggested that MWRA provide an update on various capital projects that MWRA is performing in the watersheds at a subsequent meeting. These projects include structural repairs to the Wachusett Dam Bastion Building, improvements at the Cosgrove storage facility, and improvements at River Road.
- Trustee Meehan requested that DWSP review dam and bridge inspections and ensure compliance with regulatory requirements, prior to the spring thaw.
- In response to a question from Trustee Meehan regarding research permits in the watersheds, John Scannell explained that DWSP reconfigured the permits to be issued annually and noted that he would provide more information.
- Trustee Taverna raised concern regarding several bills related to forestry that were recently heard by the Joint Committee on Agriculture and Natural Resources. There was discussion regarding the bills, one of which aims to effectively end forest management on water supply property by designating the watersheds as either parks or reserves, and therefore disallowing forest management, except for hazardous trees. Dan Clark noted that there was a seemingly high number of participants who testified in support of the proposed legislation, some of which specifically mentioned Quabbin. He noted that while there is still an opportunity to provide written testimony, DCR has limited ability to provide feedback on legislation. Trustee Heyes expressed major concern regarding the bills and suggested that written comments may be appropriate, given the importance of forestry in the watersheds. There was discussion regarding legislative strategy, approach, and the need to ensure coordination with DCR. Trustee Laskey noted that they would continue to monitor the bills closely and draft comments on behalf of the Trustees if necessary.

It was noted that while some of these bills appear to be perennial, both Senate and Joint Committee leadership has recently changed. Joseph Favaloro suggested preparing a factsheet regarding the importance of forest management in the watersheds for the Joint Committee, to provide background information. Trustee Heyes recommended a document written by John Scanlon about Mass Wildlife's carbon profile during forest management, which shows that Mass Wildlife is reaching carbon stocks on a regular basis, even with extensive forest management. He noted that he would distribute the document to the Trust. John Gregoire noted that the watershed forestry programs are an important component of filtration avoidance and a topic of importance to MassDEP for maintaining water quality.

- John Scannell noted that DWSP is working on the Sudbury Public Access Plan and that the Acting Commissioner is currently reviewing it. He noted that they hope to finish it this winter.
- John Scannell noted that DWSP continues to be pressed to allow a new snowmobile trail at Quabbin. By request, DWSP and MassDEP met with the Massachusetts Snowmobile Association. He noted that DWSP has been clear that they are regulated by MassDEP, which is not in favor of expanded public access. He also explained that the proposed trail involves alterations near streams, an activity that DWSP regulates on private property in the watershed. While there has not been further discussion recently, John wanted the Trustees to be aware of the issue. In response to a question from Trustee Laskey, John explained that mountain bikes have not been an issue recently. DWSP has been working through proposals as part of the Ware River

Public Access Plan that would allow mountain bikes in certain areas, in an effort to better protect other areas.

- In response to a question from Trustee Heyes, Dan Clark explained that DWSP owns a stone arch bridge in New Salem which was built in the 1860s with dry stones and no mortar. Unfortunately, an engineering company recently evaluated the bridge and determined that it is in eminent danger of collapsing. DWSP has been in contact with a specialty dry stonemason in Vermont, who they would like to get a second opinion from, given the historical value of the bridge. It is anticipated that the bridge would have to be deconstructed and reconstructed. In response to a question from Trustee Laskey, Dan explained that the bridge spans the west branch of the Swift River and contains an abandoned road, which is now a popular pedestrian path. While not necessary for maintenance or access, the bridge is an interesting historical artifact. There was discussion regarding the cost of rehabilitation and challenges associated with paying the specialty dry stonemason from Vermont. Trustee Heyes mentioned a master mason in Petersham, who may be willing to take a look.
- Trustee Taverna requested an update on the sale of the Pan Am railroad. Trustee Laskey reported that MWRA has been in constant, ongoing discussions regarding various items to protect the Wachusett Reservoir and MWRA water system. He noted that discussions have been constructive, with more information to follow.

Trustee Heyes made a motion to adjourn the meeting, which was seconded by Trustee Taverna. The Trustees unanimously voted to adjourn the meeting.

**The meeting was adjourned at 11:07am.**