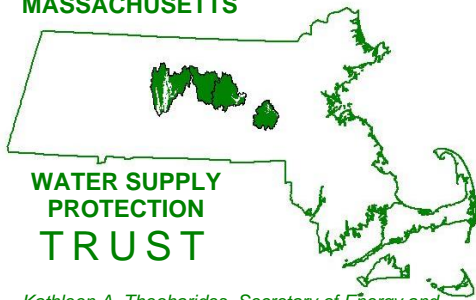


**MASSACHUSETTS**



*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**

September 24, 2020

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

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 Director

Matt Horan, Deputy Director of Finance

Tom Durkin, Director of Finance

Ria Convery, Special Assistance to the Executive Director

Angela Atchue, Associate General Counsel

Jim Conye, Budget Manager

Valarie Moran, Director of Waterworks

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

Lisa Gustavsen, Assistant Regional Director, Quabbin

Joel Zimmerman, Regional Planner

Trish McNally, Budget Manager

MWRA Advisory Board

Joseph Favaloro, Executive Director

Travis Ahern, Director of Finance and Policy

WSCAC

Lexi Dewey, Executive Director

## **The meeting was convened at 10:02 am**

Trustee Laskey welcomed everyone to the meeting and called the roll. Trustees Laskey, Trustee Heyes, Trustee Meehan, Trustee Rao and Trustee Taverna were all present, reaching a quorum.

MWRA General Counsel Carolyn Francisco Murphy noted for the record that the meeting was being recorded and being held by fully remote participation. Trustee Laskey reviewed housekeeping measures.

- 1. Approval of the Minutes** – A motion was made by Trustee Taverna and seconded to approve the June 4, 2020 meeting minutes. The minutes were unanimously approved by the Trust.
  
- 2. FY20 End of Year Report** – John Scannell presented highlights from FY20.
  - The Annual Report is almost complete and will be provided to the Trust within a week or two.
  - Land Acquisition – DWSP purchased five properties in the Wachusett Watershed. At Quabbin, one Watershed Preservation Restriction was purchased in Petersham and 118 acres were acquired in fee in the West Branch of the Swift River. In response to a question from Trustee Laskey, John Scannell explained that purchases are mostly open space, though buildings occasionally have to be removed.
  - Watershed Preservation Restriction (WPR) Monitoring – DWSP is required to regularly monitor WPRs and development rights that are purchased on private properties. A new WRP coordinator was hired in the middle of FY20 and has been doing a great job. Staff have been able to continue monitoring despite Covid19. Parcels purchased with forest legacy grant money are required to be monitored annually. Staff are working towards biannual monitoring for all other parcels. This year in addition to the WRP Coordinator, DWSP has begun involving other staff in both watersheds to keep up with monitoring. GIS staff have updated the monitoring process. John Scannell also discussed enforcement and other public outreach strategies.
  - Land Management – DWSP continued to prepare, sell, and monitor timber lots throughout the year in all watersheds, despite Covid19. The Natural Resource group has developed FY21 forestry information and upon approval from Commissioner Montgomery intends to present it electronically to public. As directed by the Stack Report, research and water quality monitoring continues as part of the long-term paired watershed study at Quabbin and Wachusett. Additionally, ten year forest monitoring continues across the watersheds using both existing and newly hired seasonal staff.
  - Wildlife Management
    - o Bird Harassment Programs operated in both Reservoirs and staff have worked to successfully controlled geese issues in the watersheds.
    - o Staff performed beaver control in Pathogen Free zones.
    - o Deer Hunting continues across the watersheds. Expanded hunting at Wachusett and the permitted Reservoir Zone hunt will continue this year. At Quabbin, there was a controlled deer hunt in Petersham and for the first time an area in Pelham was open for the first two weeks of shotgun season.
  - Public Access Management – FY20 was a challenging year because the number of people being outdoors increased dramatically due to Covid19. The watersheds saw impacts with high visitation in all watersheds. This resulted in ranger's schedules increasing. There was a lot of activity and violations from both first time visitors unfamiliar with rules as well as those individuals who chose not to follow the rules. However, things were more controlled over the summer. There were questions and discussion regarding DCR's response to the situation. John Scannell noted that rangers have been responsive and more written warnings and violations were been issued. The impact and appropriate amount of signage was discussed.
  - Boat Launches – Opened in late June for private boats only and inspections occurred throughout the season. Rentals were not opened this year.
  - Watershed Security – Rangers focused attention on highest priorities across the watersheds.
  - Infrastructure –

- DWSP continues to work with MWRA to maintain major dams and dikes.
- The Clinton Crew Headquarters was completed and opened for staff in January.
- DWSP continues to work on stormwater structures around the Wachusett Reservoir to protect water quality and has coordinated with MassDOT to modify some structures.
- Certain land purchases at Wachusett require building removal. Hazardous material assessments were performed in anticipation of demolition planned for FY21.
- The Quabbin Park Cemetery water system was finished by MWRA in the spring. There are now faucets at multiple locations throughout the cemetery.
- A building envelope study was completed for the Quabbin Park Cemetery Office Building.
- The Quabbin Park Cemetery Garage was reroofed.
- The Boat Launch Area 2 Access Road was repaved in the spring.
- The electrical system at Boat Launch Area 1 was upgraded.
- Staff worked on road maintenance in all watersheds.
- New gravel pits for New Salem and Petersham were opened in new, improved locations.
- Watershed Protection Act – FY20 was fairly quiet for WPA applications. In total, 61 applications were received at Wachusett, 26 in the Ware River, and 8 at Quabbin.
- Education and Outreach – The Quabbin Visitors Center operated for most of the year, but closed in mid-March and remains closed due to Covid19. DWSP has been working to find alternates to get information to the public. Staff receive numerous daily requests for information and are working to enhance the website and other information avenues. New interpretive signage was installed at Wachusett. The Wachusett Interpretive Coordinator started a new Saturday hiking series early in the year, which was put on hold due to Covid19. The top of the Wachusett Dam was open to public in October and was very crowded. It did not open in the spring and will not open in the fall due to Covid19 concerns. Staff have worked hard over the last six months to educate folks remotely.
- Water Quality and Hydrological Sampling – Routine sampling including algae, streamflow, groundwater, snowpack, precipitation, etc., occurred in reservoirs and watersheds after only a short pause as staff transitioned to remote working. Annual Water quality reports were completed for both reservoirs and include changes to improve conveyance of information and use of technology. Staff continue to work on improvements to databases, which provide the ability to analyze water quality changes over time. Staff also continue to work with UMass on modeling and research regarding impacts of salt on water quality.
- Staff continue to work to address the implications of excess road salt in the watersheds. DWSP conducted a training, using MWRA funding, with Bay State Roads for local communities. DWSP is making changes to internal practices at Wachusett and has purchased a new brine system, with the intention of setting a good example and sharing best practices with communities. John Scannell noted that the Trust previously approved funding in the FY21 budget for grants to watershed communities, to encourage the use of new technology to help reduce salt usage. DWSP is working with the Commissioner’s office to get the program running. In response to a question from Trustee Taverna about the grant program, John Scannell explained that \$100,000 was allocated in the FY21 budget. He noted that DWSP is awaiting input from Commissioner Montgomery and Secretary Theoharides, and it is not known when the program will begin. He reiterated that the intention is to encourage communities to invest in salt reduction strategies and to ensure DWSP is receiving information about salt usage. For this reason grant funds will not be distributed to communities without regular updates to DWSP on salt usage.
- Environmental Quality Assessments – These assessments are conducted annually in smaller portions of the watersheds to get more detailed information about potential water quality threats. In FY20, assessments of the Stillwater District at Wachusett and Quabbin Reservation were complete.
- Aquatic Invasives – DWSP continued to monitor for Aquatic Invasives in both reservoirs, streams and some adjacent lakes and ponds that are potential threats. In FY20 staff developed improvements to the monitoring dashboard using GIS to enabled better tracking of MWRA removal contracts, which have been successful at removing invasive plants. John Scannell noted that there are a few ponds in close proximity to the Wachusett Reservoir that DWSP, along with DCR Lakes and Ponds, monitors and treats

in an effort to limit potential of transmission of plant fragments to the reservoir. DCR has also cut phragmites along the Wachusett waterline in an effort to reduce biomass, which has worked well.

- Wastewater Management – DWSP monitors installation of septic systems, fail systems, and repairs in all watersheds. This year, staff developed a database to document all septic systems in the Wachusett watershed in an effort to improve the ability to track wastewater information. DWSP staff continue to work with MWRA, which manages the Rutland/Holden sewer. The Town of Rutland requested to fund and perform I/I inspections of the sewer, as well as any necessary removal work. So far, investigations have not identified significant I/I in the sewer. There was discussion about how many homes are connected to the sewer.
- Stormwater Management – DWSP is working with a consultant to address the remaining direct discharges to Wachusett Reservoir along Route 110. They are working with MassDOT to review design and to move toward final design and permitting to complete the project. There was discussion regarding the more limited nature of direct discharges at Quabbin, as compared to Wachusett.
- Emergency Response – DWSP continues to have an active and well-run emergency response program, in coordination with MWRA, and conducted trainings throughout FY20.
- Support Staff – John Scannell explained that the end of FY20 was challenging, as core office functions needed to be done remotely. He thanked Trish McNally and her staff.
- FY20 Final Expenditures - DWSP finished the year with a surplus. John Scannell noted that the FTE count is down, resulting in nearly \$1 million not spent. Other subsidiaries, including travel reimburses and utility costs, were impacted by Covid19. Vehicles purchases in KK were underspent because the purchases were delayed and will be charged in FY21.

Trustee Meehan asked about violations, swimming at Wachusett and whether DWSP was supported by the courts. John Scannell explained that swimming at Wachusett is now under control despite an uptick at the beginning of the summer and that DWSP is supported by the courts when matters reach that level. Trustee Laskey asked some clarifying questions which were addressed.

In response to a question from Trustee Taverna, John Scannell discussed why and when citations are issued, noting that while the goal is not to cost folks money, repeat offenders are penalized appropriately to send a message.

Trustee Taverna asked for more information about the timing of expenditures. John Scannell explained that work associated with contracts and vehicle purchases often tends to occur in the second half of the fiscal year, resulting in more spending later in the fiscal year. He also noted that while Covid19 has resulted in many staff working remotely, contracts and maintenance has been occurring continuously.

Joe Favaloro expressed frustration that the June close out numbers did not match the final September numbers, and were off by over a million dollars. He noted that through March, underspending was around 20% and that in the last quarter, underspending was nearly halved. This results in a million dollars that MWRA is carrying as part of the FY21 budget and will not be utilized by MWRA cities, towns and ratepayers. He noted that there seems to be a need for better communication between MWRA and DWSP staff. He reiterated his concern that the numbers were off by so much and noted that it was the first time in 30 years this has happened.

John Scannell agreed that the end of the year was difficult. He explained that DWSP typically work in arrears - spending money and then billing MWRA at the end of each quarter. This year, there were issues above DCR that DWSP was in arrears because they had not yet billed MWRA and DWSP was therefore not allowed to finalize payments. The issues were not resolved until the end of August. John Scannell also noted that Fringe Benefits do not appear regularly and are controlled above DCR. This year, a big piece of Fringe Benefit costs were not charged until later in the summer. John Scannell agreed that there needs to be improvements and hoped that the issues would get resolved.

Trustee Laskey noted that the Trust must be kept informed and that there needs to be some improvements. He also acknowledged that the expenditures appeared to be appropriate, but that timing and reporting is important.

3. FY21 Work Plan and Budget – John Scannell explained that a number of DWSP staff continue to work remotely due to Covid19; work is being accomplished and staff are in the field when necessary. He noted that one of the biggest challenge to working remotely has been database issues and data accessibility. John Scannell reviewed the following highlights of the FY21 Work Plan and Budget.
- The Bird Harassment Program has begun. DWSP has a contract with MassDOT for drone work at Quabbin to help identify locations of birds. Eventually DWSP hopes to have its own drone program.
  - Forestry work is ongoing. The FY21 materials have not yet been publicly advertised and are currently with the Commissioner for review.
  - Hunting – Ken McKenzie will discuss hunting later in the meeting.
  - Road Salt Reduction– DWSP has purchased equipment and is planning to use brine treatment on DWSP properties at Wachusett. The Town of Sterling attended the MWRA training and has reduced salt usage significantly over the winter. DWSP continues to work on the program.
  - Quabbin Water System – The test well produced good quality and quantity of water. DWSP is working with MWRA staff and a consultant to move towards preliminary conceptual design.
  - Annual Inspection with MassDEP – Inspections are upcoming in the fall. Wachusett will be a remote meeting with MassDEP. Plans are not yet finalized for Quabbin, though DWSP expects there will be at least a remote presentation.
  - Staffing – John Scannell explained that, unfortunately, staffing numbers continue to go down. DWSP started FY21 at 135 FTEs and is now at 132. DWSP is not currently authorized for new hiring and has tried to cover some vacancies with seasonal staff. One good example is an aquatic biologist at Quabbin who retired. A seasonal biologist along with staff from Wachusett were able to cover the work and ensure phytoplankton monitoring, however this is not a long term solution.

Joe Favaloro acknowledged that DWSP deserves credit for accomplishing work despite decreased staffing. However, he said it is unsustainable and noted that although the staffing study identified the need for 150 employees, the number has continued to decrease. He expressed frustration that the senior leadership at A&F had not responded to the letter sent by the Trust. He stated that since the Trust funds DWSP, it should make decisions and not be under an arbitrary cap. He suggested going to court if necessary.

Trustee Laskey explained that he had communicated with Commissioner Montgomery, who clarified that while the FTE count is 132, if seasonal employees are included in the count, DWSP is at the accurate staffing level. The current staffing level is 143 and will soon be 144. He noted that the Commissioner said that DCR plans to review and update the DWSP staffing study in spring 2021. Trustee Laskey explained that the Commissioner feels strongly that the DWSP can perform its mission at the current staffing level.

Trustee Rao noted that while the issue continues to be addressed in the long-term and the conversation continues, utilizing seasonal employees seems to be a good compromise in the short-term.

Trustee Meehan noted that he was angry and insulted that A&F never responded to the letter from the Trustees. He wondered whether the problem was with A&F or internal to DCR and noted that it seems like rather than addressing the problem, the numbers are being manipulated. He asked what work is not getting accomplished and suggested getting legislators involved if necessary.

Trustee Taverna asked for more detail about DWSP seasonal staff. John Scannell explained that DWSP seasonal staff fall into two seasons; summer from April to October, and winter from November to March. There are some seasonal staff that have always been at DWSP, such as Fishing Area Attendants who have been on the summer roster for many years. DWSP has also regularly hired staff for lawn mowing every year. However, John Scannell

explained that over the past year and half, DWSP has added additional seasonal employees to cover certain positions because there is not a full time employee in place. For example, a seasonal Aquatic Biologist position was created because DWSP did not have the ability to fill the FTE after a retirement. John Scannell explained that DWSP has always has seasonal staff above and beyond the regular FTE staffing number. He explained that he does not think that the function of the missing FTEs is being accomplished by seasonal employees.

Trustee Laskey asked more specifically, what is not being accomplished. John Scannell noted uncertainty about the 144 number. He explained that there have always been seasonal employees outside of the FTE count and therefore suggested that comparing 144 to 158 (or so) would be more realistic. Seasonal employees that have existed for many years are not performing the function of an FTE, but rather performing a function above and beyond the FTE count. In response to a question from Trustee Laskey, John Scannell acknowledged that recent hiring of additional seasonal employees has occurred because DWSP has been unable to fill FTEs.

In response to a question from Trustee Rao, John Scannell recalled some examples of seasonal employees that have been hired in recent years to fill the gap in FTEs. He recalled a few laborers and a seasonal ranger at Quabbin who is essentially full time because of the lack of an FTE. He estimated that there are about five or six seasonal employees who are doing a function in an effort to replace an FTE that DWSP is unable to fill. In response to a question from Trustee Laskey, John Scannell was unsure when the last time DWSP was at 150 FTEs plus additional seasonal employees, but noted it has not been in the last few years.

Trustee Laskey explained his opinion that the Trust should continue to advocate for the money, while also being realists. He noted that it would be helpful to have an analysis of important work items that are not being accomplished because DWSP does not have the FTEs and to identify the top priorities. He noted that providing water that meets the water quality standards is most important and that the Trust needs to know if there are functions that are not being done that could threaten the ability to protect the water and the system. He suggested proceeding on a two-track approach: 1) continue to fight for the money and 2) have realistic conversations about impacts to operations. Trustee Laskey recalled his experience at A&F and acknowledged current challenges due to Covid19 and resulting impacts. He also reiterated that the policy applies to all employees not funded by the general fund. He reiterated that the Trust should continue to fight for the money, but should also be realistic and prioritize. Joe Favaloro suggested that the purpose of the staffing study, which identified 150 FTEs, was to identify the correct number of FTEs. He also suggested that Covid19 should not be an excuse.

Trustee Meehan asked for clarification on the precise number of FTE's that DWSP has the authority to fill and if seasonal employees were included in that number. There was discussion among the Trustees. Trustee Laskey paraphrased the letter from the Commissioner and stated that his interpretation is that the total staffing level of 143 employees (soon to be 144) that DWSP is authorized to fill includes 132 or 133 FTEs plus seasonal staff. Trustee Meehan asked John Scannell to provide a list of work functions that are unfilled and not being performed.

Dan Clark suggested that, rather than the numbers, the most important thing may be which positions are vacant. He further explained the importance of recognizing that certain positions cannot be performed by seasonal staff, such as supervisor positions, and need to be FTEs.

Trustee Laskey reiterated that from MWRA's prospective water quality is always the most important thing and that he is interested ensuring that all positions related to water quality are filled appropriately.

Trustees Laskey introduced Val Moran, MWRA's new Director of Waterworks.

John Scannell noted that the head of the Wachusett Environmental group, Larry Pistrang, will be retiring in March after 34 years and that hiring a seasonal employee would not suffice to fill that position. Trustee Laskey agreed that they need to keep advocating, while also being realistic.

#### 4. Certification of FY20 Trust Expenditures

Trustee Laskey explained that this is a standard document signed annually by the Trust to certify DWSP spending levels. There was discussion regarding logistics and how to sign the document, given the remote meeting. A motion was made and seconded to authorize Trustee Laskey, as Chair, to sign the certification on behalf of the Trust. MWRA General Counsel Carolyn Francisco Murphy called the roll and all Trustees voted in the affirmative. At the request of Trustee Rao, Trustee Laskey noted that a copy of the Certification would be distributed to the Trustee before submitting.

#### 5. Covid19 Updates- DWSP and MWRA

- DWSP - John Scannell explained that watershed maintenance staff and rangers continue to work full time in the field while remaining DWSP staff are working remotely, until at least January 1<sup>st</sup>. He noted that all necessary fieldwork is being accomplished. There have been IT and other logistical challenges associated with staff working remotely, but they are being addressed. There have been no issues with Covid19 so far despite a couple of scares. Staff have been working very hard.
- MWRA – Trustee Laskey recounted that in March, MWRA transitioned from no one working from home, to hundreds of staff telecommuting and noted that it has gone fairly well. Many safety measures have been instituted for maintenance and operational staff in the field including PPE and assigning different muster locations. MWRA has had 15 confirmed cases and more presumed before testing was widely available. MWRA has taken an aggressive approach to isolating staff that have had possible exposure. He noted things will be different going forward, referencing the “new norm”.

Trustee Taverna asked about data accessibility for DWSP staff working remotely. John Scannell explained that DWSP HR and Finance staff received VPNs relatively early on, while most other staff are not connected and must make appointments to go into the office to retrieve files. He noted that this has been a big challenge and that DWSP has requested VPNs for more staff, which would make things much easier.

#### 6. Miscellaneous Updates

- Quabbin Park Cemetery- Dan Clarke provided the following updates.
  - o The irrigation system is complete with spigots strategically placed throughout the cemetery.
  - o The Well Pump House and Storage Building are planned for demolition. MWRA has taken the lead and Dave Coppes noted that MWRA is in the process of awarding a contract and should be able to schedule demolition and hazardous material abatement soon.
  - o The Garage roof was replaced at the end of FY20.
  - o A consultant conducted a building envelope study for the Office Building to assess the exterior and provide recommendations for repair, replacement, upgrades, etc. DWSP recently received the final report and estimates, which include approximately \$300,000 in repairs. Trustee Laskey requested a copy of the report.
  - o DWSP GIS staff have been working to upgrade cemetery records and have developed a new GIS application containing cemetery data and information. The application will improve records management and be available to the public to find and retrieve information.
  - o In addition to regular maintenance, there were six burials over the summer and several grave markers were set.

Trustee Taverna asked about the Quabbin Administration Building Water Supply. John Scannell explained that results from the test well indicate that a new well may be a viable option. There was discussion and it was noted that DWSP would coordinate and share information with MWRA. Trustee Taverna suggested that folks should be prepared to explain why water from reservoir is not the best option.

- Wachusett and Quabbin Hunts – Ken McKenzie explained that there were several types of deer hunts across the watersheds. For most, the number of deer taken from specific properties are provided as a range, because

they were not reported at check stations. DWSP aims to collect more precise data (numbers and location) next year by having hunters self-report via the DWSP webpage. Ken reviewed the following highlights.

- Petersham was the only controlled hunt. 18 deer were taken, at a 50/50 sex ratio.
- Overall, 166-140 deer were taken across all hunts at various dates, time periods and locations including Sudbury, Wachusett, Wachusett Reservoir Zone, Petersham and Pelham.
- The Proposed Quabbin Park Hunt was cancelled and will be postponed another year.
- In response to a question from Trustee Laskey, Ken explained that overall the hunts have been successful at reducing deer density in the watersheds, especially at the Sudbury Reservoir and Wachusett Reservoir Zone.
- Hunting plans for next year include the following.
  - Reservoir Zone Hunt – the duration of the hunt will be increased due to the addition of archery season. Hunt will be deer only beginning October 19<sup>th</sup> instead of December 1<sup>st</sup> and an increased number of one-year permits will be available. DWSP has already conducted a virtual orientation session with over 215 hunters.
  - Sudbury Hunt will be deer only, beginning October 5<sup>th</sup>.
  - At Quabbin, three zones will be open for the entire 2-week shot gun season from November 30<sup>th</sup> – December 12<sup>th</sup>. The hunt will be foot access only and every hunter that applies will receive a permit. An additional 300 antlerless permits will be issued across for the three zones.
- DWSP has submitted a request for changes to hunting regulations to allow hunting at Quabbin outside of two week shot gun period. They hope it will be approved next year and Quabbin hunt will be open for longer period of time.

Trustee Taverna asked about the Quabbin Park Hunt and Ken explained that the Commissioner has requested more public input on the proposal, which was stalled due to Covid19 restriction. DWSP hopes to revisit the proposal next year and will find creative ways to involve the public if necessary. Ken noted that all hunters that were originally accepted would be reaccepted when the hunt happens.

Trustee Meehan asked about how the number of additional antlerless permits at Quabbin was identified and Ken explained that the number was determined in conjunction with Mass Wildlife.

In response to a question from Trustee Laskey, Ken explained that the ultimate goal is to transition away from controlled hunts and for DWSP hunts to become part of the statewide hunt. He explained that the controlled hunts aim to reduce density to a manageable level and to meet forest regeneration goals. At that point, many areas can be open to regular hunting. Though some specific areas in the watersheds will always be more restricted, due of access issues. Trustee Laskey acknowledged the importance of the Quabbin Park Hunt and offered potential assistance from the Trust if necessary.

- Green Certification – A presentation regarding Green Certification was rescheduled for the next WSPT Trust meeting. Brian Keven of DWSP put together a presentation but fell ill.

Trustee Laskey asked if there were any further questions from the Trust, agency staff or members of the public. In response to a question from General Meehan, John Scannell reiterated that DWSP would provide the Trust with more specific information about tasks that are not being accomplished at current staffing levels before end of October.

**A motion was made and seconded to adjourn the meeting at 12pm.**