



Nashua River. Photo: Ken Hartlage.

Chapter 5: Post-Designation

Town Votes and Next Steps

In the spring of 2018, the eleven participating towns will vote at their Annual Town Meetings on essentially the same warrant article.

In New Hampshire, the towns of Brookline and Hollis will vote on the following warrant article:

“To see if the town will accept the locally developed River Stewardship Plan drafted by the Nashua River Wild and Scenic Study Committee and its recommendation that the portion of the Nissitissit River flowing through {Brookline}{Hollis} be designated a Wild and Scenic River with the understanding it would not involve Federal acquisition or management of lands.”

In Massachusetts, the towns of Ayer, Bolton, Dunstable, Groton, Harvard, Lancaster, Pepperell, Shirley, and Townsend will vote on the following warrant article:

“To see if the town of X____ will accept the Nashua, Squannacook, and Nissitissit Rivers Stewardship Plan developed by the Nashua River Wild and Scenic River Study Committee, together with its recommendation to seek Wild and Scenic River designation.”

If the town votes are affirmative, legislation will be submitted to Congress. For the rivers to be designated, the US Congress must pass the legislation and the President of the United States must sign it. Once designation occurs, the Study Committee will begin to morph into a Stewardship Council, as defined in the following section.



The Nissitissit River begins here at the outflow of Lake Potanipo in Brookline, NH. Photo: Ken Hartlage.

Post-Designation Stewardship Council

Following designation, the Nashua, Squannacook, and Nissitissit Rivers Wild and Scenic Stewardship Council (Stewardship Council) will succeed the Study Committee and continue its efforts to create a participatory and cooperative stewardship framework.

Organizational Structure. The purpose of the Stewardship Council is to promote the longterm protection of the Nashua, Squannacook, and Nissitissit Rivers by:

- Bringing together on a regular basis various parties responsible for river stewardship.
- Facilitating coordination among them.
- Providing a focus and a forum for all river interests to discuss and make recommendations regarding issues of concern.
- Coordinating implementation of the Nashua, Squannacook, and Nissitissit Rivers Stewardship Plan.

The Stewardship Council will ensure that there is communication among all partners in the protection of the designated sections of the Nashua, Squannacook, and Nissitissit Rivers, and will provide a forum for discussion of river issues, priorities, and proposed actions.

The Stewardship Council will be the principal entity devoted to the implementation of the Nashua, Squannacook, and Nissitissit Rivers Stewardship Plan, and will establish priorities, work plans, action plans, and similar strategies to advance implementation of the Plan.

Advisory Function. The Stewardship Council will work to complement and support the roles and activities of partners working to implement the Stewardship Plan. It will *not* have regulatory authority. It will act as an advisor to existing entities that have management or regulatory authority on the rivers, including the individual member entities of the Stewardship Council. The Stewardship Council may undertake projects directly or sponsor projects in partnership with its individual member entities and partners.



Nashua River. Photo: Cindy Knox Photography.

Responsibilities. The Nashua, Squannacook, and Nissitissit Rivers Stewardship Council will have the following responsibilities:

- Meet on a regular basis, with all meetings of the Stewardship Council open to the public.
- Develop annual action plans and work plans based on the Nashua, Squannacook, and Nissitissit Rivers Stewardship Plan and the priorities set by the Stewardship Council to advance those work plans.
- Establish the approach and/or metrics for evaluation and assessment of progress towards its goals.
- Report annually to the member entities of the Stewardship Council on Council activities, accomplishments, and plans.
- Advise the National Park Service, participating member communities, and state and federal agencies, as well as other stakeholder entities, regarding issues and concerns related to the Nashua, Squannacook, and Nissitissit Rivers.
- Periodically review the Stewardship Plan and consider revisions and updates as appropriate. (See “Revision of the Plan” below.)

Establishment. If the participating towns vote at Town Meetings to accept the Stewardship Plan and its recommendation to seek designation, the Nashua River Wild and Scenic River Study Committee intends to remain active until designation is achieved. Once designation occurs, the Stewardship Council will be established. This will provide continuity and continued momentum between the completion of the study process and a formal designation. It demonstrates the high level of partner commitment to the longterm protection of the rivers.

With the continued presence of the Study Committee while pursuing designation, a number of actions recommended in the Stewardship Plan can be undertaken without delay, through local participation and volunteerism. In the event of no designation, the Plan will be a significant asset for planning and stewardship.

Membership. The Stewardship Council will consist of not more than 15 voting member entities. Core member entities will include the participating towns of Ayer, Bolton, Brookline,



Squannacook River. Photo: Cindy Knox Photography.

Dunstable, Harvard, Hollis, Groton, Lancaster, Pepperell, Shirley, and Townsend; the Nashua River Watershed Association; and the National Park Service. Each core voting member entity will have one vote. Two additional voting member entities may be elected by the core membership from not-for-profit or government entities that the Council feels will provide specialized knowledge and expertise to support the work of the Council.

Appointments. Each voting member entity will be encouraged to appoint one Representative and one Alternate. As stated above, each entity shall have only one vote. Appointments shall be made by each entity as appropriate, and are expected to be as follows: Boards of Selectmen (for towns); Regional Director or designee (for National Park Service); Boards of Directors or designee (for non-profits); and Division Director and/or District Supervisor or designee (for Massachusetts or New Hampshire Divisions or Departments).

Terms. It is recommended that Stewardship Council members be appointed for three years, if that length of time is compatible with the rules of the appointing entity. Stewardship Council members may be reappointed to serve additional terms.

Conflict of Interest. All Stewardship Council members will be required to fill out a Conflict of Interest form and follow conflict of interest laws as applicable.

Suggested Appointees. Appointees to represent the voting member entities could be selected from members of local government boards, riverfront landowners, local experts about a specific outstanding resource, and those who would provide active and informed committee representation.

Advisory Committee. The Stewardship Council may also form a non-voting Advisory Committee whose members may participate in committee deliberations without a vote. Members of the Advisory Committee might include representatives from:

- Devens, an Enterprise Zone, represented by the Devens Enterprise Committee
- Commonwealth of Massachusetts (for example, Division of Fisheries and Wildlife, Northeast and Central Districts; and, Division of Ecological Restoration)



Squannacook River. Photo: Kim King.

- State of New Hampshire (for example, Fish and Game Department)
- US Fish and Wildlife Service (for example, Refuge Manager, Oxbow National Wildlife Refuge)
- US Geological Survey
- Companies that own the three working dams (Hollingsworth and Vose Company; Ice House Partners, Inc./Grady Research, Inc.; and Eagle Creek Renewable Energy, LLC)

Additional Participants. Throughout the implementation of the Stewardship Plan, the Stewardship Council will stay in close touch with a wide variety of stakeholder groups and entities, some of whom may choose to attend regular meetings of the Stewardship Council. Such entities include, but are not limited to: Nashoba Paddler, LLC; Squann-a-tissit Chapter of Trout Unlimited; Ducks Unlimited; bass fishing clubs and local sportsmen’s groups; Regional Planning Agencies; Massachusetts Department of Transportation and New Hampshire Department of Transportation; local and regional land trusts; conservation organizations such as Massachusetts Audubon, Massachusetts Rivers Alliance, and Beaver Brook Association; trail groups; Freedom’s Way Heritage Association; historical societies; local sustainability commissions; and others.



Nashua River. Photo: Cindy Knox Photography.

Procedures.

Decision Making. The Stewardship Council will endeavor to act by consensus whenever possible. Formal votes may be taken from time to time at the discretion of the Chair or by request of any member. On the occasions when votes are needed, a 2/3 vote of the formal voting member entities present is required to pass. *Roberts Rules of Order* will be followed.

Quorum. A quorum at any meeting of the Stewardship Council is 51% of the formal voting member entities.

Officers. The Stewardship Council shall elect a Chair and a Vice-Chair on an annual basis. Other officers may be elected by vote of the Stewardship Council, such as Treasurer and Secretary. The National Park Service shall not be eligible to hold any officer position of the Council, and only town-appointed members may serve as Chair and Vice Chair.

Policies and Procedures. The Council may choose to develop detailed policies and procedures that expand upon the administrative provisions of this Plan. Such expanded policies and procedures shall be consistent with the intent and provisions of this Plan.

Revision of the Stewardship Plan. The Stewardship Council shall conduct a thorough review of the Stewardship Plan and its recommendations at least every five years. If and when the Council determines that meaningful annual action plans cannot be developed consistent with the parameters of the existing plan, or a significant change of some sort needs to be made, the Council should undertake a revision.

When the Stewardship Council does a review of the Plan, it will include an assessment of whether the Plan is providing sufficient guidance regarding actions that can and should be taken on the tributaries of the designated rivers to protect their river-related ORRVs. Furthermore, it is the recommendation of the current Nashua River Wild and Scenic River Study Committee



Let our rivers be an inspiration. Photo: Cindy Knox Photography.

that the future Stewardship Council give careful consideration as to whether there are additional segments of the designated rivers, their tributaries, and their headwaters that might merit a future effort to seek expansion of Wild and Scenic Rivers designation. Examples include, but are not limited to, the North Nashua River.

Funding/Staff. The Stewardship Council will be responsible to secure funding for its work and staffing. Member entities will not be assessed or responsible for funding. That said, it is anticipated that the National Park Service (NPS) will provide a basic level of staff support and funding to the Stewardship Council and its operations through the Partnership National Wild and Scenic River designation, dependent upon congressional appropriations.

It is likely that the NPS may enter into a Cooperative Agreement with an incorporated member entity of the Council—as was done during the Study through the Nashua River Watershed Association—as the vehicle through which to provide such funding and staff support. Cooper-

ative Agreements are formal written agreements between NPS and a local partner to create the ability to designate federal funding or other federal assistance for supporting the implementation of the Stewardship Plan. The local partner would act, in essence, as the fiscal agent for the Stewardship Council and NPS. It is not anticipated that the NPS could enter into Cooperative Agreements directly with the Stewardship Council as an entity, as it lacks the sufficient legal foundation. It has been typical of Partnership Wild and Scenic Rivers in New England for the Cooperative Agreement to be established with a local non-profit organization, such as a land conservation group or a watershed association. Decisions about how available funding is to be spent are made by the Stewardship Council.

Roles of the Partners

Towns. The Stewardship Plan calls for each town to be an active, voluntary participant in the Stewardship Council and in stewarding the ORRVs. As described above, each town will appoint a member and alternate to represent their interests and be responsible for communi-

cation between the town and the Council. It is expected that the Conservation Commissions and Planning Boards will continue to play important roles.

Nashua River Watershed Association. The Nashua River Watershed Association (NRWA), nearing the 50th anniversary of its founding, offers comprehensive knowledge of local issues associated with the ORRVs and has been working actively to steward them. The NRWA played a coordinating role in the Study Committee, and is available to play a similar role in the Stewardship Council if Council members so desire. The NRWA will appoint a member and an alternate to the Council.

National Park Service. If the Wild and Scenic River designation occurs, the NPS will coordinate any funding that is authorized by Congress for use in implementing the Stewardship Plan. The NPS will take an active role on the Stewardship Council, and, as funding allows, provide staff support and technical advice.

In addition, the NPS will represent the Secretary of the Interior in fulfilling the legislative mandates of the Wild and Scenic Rivers Act: the NPS will review proposed projects that require a federal permit or use federal funding. Any such projects will be evaluated for consistency in protecting and enhancing the ORRVs, which make the rivers appropriate as components of the Wild and Scenic Rivers System.

There are no new regulatory permits associated with the designation. NPS conducts its reviews through existing federal regulatory programs, such as permitting under the Clean Water Act by the US Army Corps of Engineers or the US Environmental Protection Agency, and through the processes required by the National Environmental Policy Act, which provides for environmental impact reviews of proposed federal actions.

Commonwealth of Massachusetts and State of New Hampshire. Both states have departments that are active in managing water quality, supporting open space conservation, planning roads, and interfacing in innumerable ways with the anticipated activities of the Stewardship Council.

Landowners. There are no new regulations or rules associated with designation that impact private landowners. Private landowners, especially riverfront landowners, will be kept informed through a variety of means regarding the activities of the Stewardship Council, the many avenues to offer input, and ways in which they can help steward the ORRVs.

Dam Owners. The owners of the Hollingsworth and Vose Dam, the Ice House Dam, and the Pepperell Dam are important stakeholders. Over the years, they have partnered with member entities of the Study Committee on impactful projects benefitting the ORRVs, such as riverbank restoration and management of aquatic invasives. Their continued partnership will be important to the success of the Stewardship Plan.

Other Stakeholders. There are many other engaged stakeholders, as the list of entities who offered input and support attests, and they each will play an important voluntary role in stewarding the ORRVs as we go forward.

What if Designation Does Not Occur

If designation never occurs, this Stewardship Plan can nonetheless serve as a blueprint for how the local towns and stakeholders can work together to maintain and enhance the Outstandingly Remarkable Resource Values of the rivers. That said, in the opinion of the current Study Committee, it would be enormously beneficial for the rivers to be designated as Partnership Wild and Scenic Rivers and to be eligible for federal funding and assistance to work in partnership to steward these spectacular rivers for generations to come.