

MMOC Meeting Minutes -- DRAFT

February 14, 2024, ZOOM Meeting, 6:00-8:00pm

As Approved March 13, 2024

Minutes prepared by Matt Eddy, MMOC Administrator

Member Attendees:

- Tom Brady, Kelly Brilliant, Elton Elperin, Parker James, Lisa Kumpf, Arleyn Levee, Sean Lynn-Jones, Jack Schleifer (ENC), Marilyn Ray Smith, Tom Timmons, Freddie Veikley; Matt Eddy (MMOC Administrator).

Other Attendees:

- None

Welcome:

- MMOC Chair Kelly Brilliant welcomed everyone and initiated the meeting.

Phase 2 Updates:

- Tom Timmons reported that Boston Parks and Recreation Department had posted the request for bids for maintenance for [Phase 2 Work Areas 3, 4, 7, 8, and 9](#). To date, no contractors had confirmed their intention to bid or to participate in a planned site walk. Per city policy, the contract is to be awarded to the lowest qualified bidder.
- Tom Timmons summarized the most recent field meeting with the Army Corps, Charter, and the non-federal sponsors. The focus of the meeting was on conditions of various lawn areas, including both those that have technically been returned to local management and those still under warranty. Charter will perform decompaction and reseeding of these areas in the spring. A USACE-authored Operations and Maintenance Manual for Phase 2 is expected soon.
- Matt Eddy met with representatives of CDM-Smith in the field to confirm sampling locations for post-construction water quality monitoring. The first round of testing is scheduled for the last week of February.
- Boston Parks and Recreation is continuing to develop plans to install green stormwater infrastructure (GSI) at Daisy Field. The primary contact at BPRD is Nelle Ward. The near-term focus of the work is on securing a Memorandum of Understanding between Boston Parks and Boston Water and Sewer Commission to establish a legal framework for the project. BPRD is also collaborating with “Engineers Without Borders,” a group of undergraduates at Tufts University, to develop a concept proposal. MMOC members requested more information about the design and timeline for this work.
 - There was discussion of planned changes to lighting at Daisy Field. Marilyn Ray Smith noted that a bill pending in the state legislature (the “Dark Sky

Initiative”) may impact choices about light installation in parks. The bill has been proposed by State Senator Cynthia Creem. Marilyn will provide the Brookline GreenSpace Alliance’s letter of support for the Dark Sky Initiative to other MMOC members.

- Concerns about over-topped filter socks near the Carlton St Footbridge were brought to Tom Brady’s attention. He replied that these areas are still the responsibility of Charter as part of the work at Work Area 6. He also clarified that any work in the area would not occur until spring, as resetting the filter socks now would likely do more harm than good. The area is scheduled for additional decompaction and reseeded in the spring.
- Many trees along the length of the Muddy River have been marked with orange paint, communicating BPRD’s intention to remove them in late February and early March. Per an email from Max Ford-Diamond, there are a total of 60 trees to be removed, many of which are dead specimens of short-lived species such as birch and black cherry, although some very large oaks are also on the list. Per an email from Lauren Bryant (BPRD Project Manager), these trees were assessed by three certified arborists prior to the decision to have them removed.
 - Kelly noted that the MMOC can assist BPRD by posting this information on the MMOC website.
 - Freddie Veikley sent an email reply to Ms. Bryant asking about whether BPRD intended to consult with an Olmsted expert to inform design choices for this replanting effort. She is awaiting a reply.
 - An unspecified number of young trees are intended to be planted as part of the Back Bay Fens Pathways restoration project.
- Matt continues to report damage to vinyl fencing (installed to protect young turf areas) in various Phase 2 areas. Tom Timmons noted that a local resident, presumably concerned for goose welfare, was regularly cutting open the fences. BPRD/Charter have paused repair efforts for the time being.
- Matt also reports trash, graffiti, and damaged aluminum fencing to Boston 311 and BrookOnLine. Both have been very responsive, especially to trash removal and fence repair. Graffiti removal from historic structures such as bridges is a trickier operation, and more follow-up is needed there.

Phase 1 Updates:

- A review of the 2023 Annual Update for Phase 1 (authored by CDM-Smith) revealed significant sediment accumulation (>4 feet) in areas upstream of the Riverway culvert. This was brought to Tom Brady’s attention, who followed up with Jennifer Flanagan (USACE). Tom stated that CDM-Smith had likely used design drawings that were not fully up-to-date, and that he would provide corrected versions for review by the MMOC.
- The overall quantity of accumulated litter along the slopes of Phase 1 has increased in recent weeks. Tom Timmons agreed to bring this to the attention of A&M Home Services.

- Fences around new trees in Phase 1 appear to be in good condition.

Water Level:

- Kelly summarized a recent meeting (one of several) with Tom Brady. Tom is pessimistic about efforts to press state agencies to find the Army Corps in violation of environmental permits. Lisa Kumpf added that CRWA's lawyer had reached a similar conclusion. Kelly and Arleyn have spoken with Patrice Kish (DCR) and Kurt Gaertner (EOEEA), who concurred.
- Marilyn has observed that the volume of water discharging from Jamaica Pond has been greater in recent months relative to any time in her memory. She made the same observation of water discharging from Ward's Pond.
- Freddie noted that median water levels in the Phase 1 area appear significantly lower than prior to cofferdam removal, although there is certainly some up and down variation, especially after rainstorms. Mudflats and geocell exposure in that area seems to be greater than it was in the past. Low water in Phase 1 areas is probably not explained by cofferdam removal; perhaps there is another cause.
- There was general consensus that continued data-gathering will be important to informing any future political or engineering efforts to address low water.
 - Water levels at the USGS gage at Netherlands Rd continue to reflect increases and decreases, but the overall level is significantly below the 20-year median.
 - CDM-Smith (on behalf of the non-federal sponsors) is monitoring water levels from the former cofferdam area up to Huntington Ave, but not further than that in either direction.
 - Lisa noted that CRWA is deploying water depth gages as part of its own monitoring activity, and that they may also initiate some assessment of benthic macro-invertebrates. She added that the Muddy Water Initiative would like to undertake a herring monitoring program, and that CRWA would be prepared to help with that.
 - Jack Schleifer stated that ENC could assist with riparian vegetation monitoring.
 - Additional monitoring efforts and analysis of design alternatives may be valuable but may be constrained by lack of funds from public agencies.
- Arleyn Levee and Kelly both emphasized that the phrase "water level issue" is being used as verbal shorthand for a varied collection of ecological effects, impacts on historic resources, aesthetic changes to the aesthetics of the area, etc. "The water level issue" is not limited to water volume/depth.
- There was a multi-faceted exchange about how the MMOC ought to proceed from here. A few points that were made included the following:
 - Further conversation is needed to clarify a collective vision for what constitutes an acceptable outcome and what success would look like. These conversations should include public participation.

- We can dig deeper into MMOC records to identify more “baseline conditions” data.
- A “report card” would be a useful tool in interfacing with the public about the condition of the river in this area. Is the river providing the ecosystem services as desired?
- Emphasis should be on applying political pressure rather than legal pressure on USACE. The MMOC has significant political power based on the size of the constituencies of its member organizations.
- It’s not the responsibility of the MMOC (nor are we qualified) to “solve” the problem. Rather, the MMOC should act as advocates for the public interest in pushing for a healthy, aesthetically pleasing river and getting USACE to respond to that request. The Corps has responded positively to similar public concerns in the past.
 - Should we ask USACE to come to a MMOC meeting, or to meet with several MMOC members? Perhaps not yet; the MMOC needs to hone its message before such a meeting would be fruitful. A meeting in the spring would be best.
- The MMOC settled on an “order of events” for the water level issue:
 - Kelly will ask State Senator Will Brownsberger to attend the next MMOC meeting to provide political perspective. (Kelly has already secured Senator Brownsberger’s agreement).
 - Following that meeting, the MMOC (or a subset of committee members) will request a meeting with EOEEA Secretary Rebecca Tepper. Marilyn has offered to assist with arranging for that meeting.
 - The MMOC will request a meeting with USACE representatives later in the spring so we can express our concerns directly.
 - We will continue to discuss the issue to identify strategic opportunities.

Historic Bridges:

- The puddingstone bridge at Higginson Circle (Avenue Louis Pasteur) appears to have been repaired in a haphazard way that did not take into account the historic design of the bridge. Arleyn asked Tom Timmons not to authorize any further bridge repairs without additional consultation.
- Arleyn and Elton Elperin continue to assemble a robust database of information related to all the bridges. They could use help combing through Park Reports for additional details.

Final note:

- Lisa Kumpf encouraged all MMOC members to attend [CRWA's annual meeting](#) on Wednesday, March 27. CRWA will be presenting an award to Tom Brady for his decades-long commitment to the Muddy River Restoration Project.

MMOC Member Business:

- Following motion by Parker James and second by Freddie Veikley, minutes for the MMOC meeting for January 10, 2024, were approved by unanimous vote (with abstentions from those who were not present for that meeting). Final copies of the minutes will be distributed to MMOC members and will be available on the MMOC website.

Adjourned 8:00PM.