

Interim Report of the
Rules, Enforcement, and Maintenance
Working Group

McLean Land Management Committee

June 24, 2009

Charter

Provide information, analysis and recommendations concerning rules for land use, approaches to and challenges for enforcement of these rules, and requirements for and costs associated with maintenance, including ongoing maintenance, trail maintenance and capital expenditures.

Work Plan

Examine practice and experience of existing organizations with substantial land management experience including Trustees of Reservation (TTOR), Mass Audubon (MA), Boston Park and Recreation Commission, and Mass Department of Conservation and Recreation (DCR)

Material included

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Note: also have comparable property profiles

Participants

LMC

Martha Moore, Chair

Andrew Healy

Steve Kidder

Citizen

Liz Allison

Rosalie Kerr

Jeanne Mooney

Roger Wrubel

Summary: Land Manager Interviews and Materials

	TTOR	Mass Audubon	Boston Parks	DCR
Rules of use	Vary by property	Largely standard across eastern MA (Exhibit 1)	Standard for all “urban wilds” – city land whose primary purpose is conservation and passive recreation (Exhibit 2)	Vary by property
Rule development process	Based on: 1) resources TTOR is trying to protect, 2) wishes of donor, 3) historic use, since patterns are hard to change Some. Sometimes post interim rules, then survey visitors before final rules adopted	NA: apply existing rules to all new properties	Started with rules for parks, then modified to reflect conservation purposes	Vary by property
Common elements	Open sunrise to sunset; no motorized vehicles; no fires or firearms;	Same	Same	Same
Site specific rules		NA		
Dogs	Banned from some locations; “green dog” permit program used in others	Generally excluded; very hard to enforce leash rules	Leashed dogs permitted	Vary by property; generally leashed dogs allowed
Bicycles	Vary by size of property; surfaces of trails and walkways; have seasonal closings (mud) and sometimes special resource closings (nesting)	Generally excluded: undue erosion, scares wildlife	Varied by property; most have mix of walker only and dual use trails	Varies by property

Enforcement	TTOR	Mass Audubon	Boston Parks	DCR
Personnel	TTOR staff (rangers and maintenance). Some handed off to local police (e.g. drinking and drugs)	Property manager and supervisors. In high seasons, docents may help but not their responsibility	Some park ranger time but they are mostly focused on Emerald Necklace, so have persuaded local police to incorporate into their beats. Also use city inspection in response to neighborhood complaints Encourage formation of resident groups to serve as eyes and ears	Uniformed park rangers (not empowered to write citations); Environmental police officers (EPO's) – specialized force who can issue citations Neighborhood groups, but important they understand their limits
Major problems	# 1: Dogs off lease, dog waste, dogs and wildlife	# 1: Nighttime visitation Also fires, dogs, vandalism,	Dumping – contractors and property owners Teenage drinking – problem in itself, closely connected to vandalism Biking – create new trails where impact and erosion an issue : use gravel, logs, etc to discourage	# 1: Motorized trail use Also, visitor groups that interfere with others' quiet enjoyment of property\After hours use Neighbor encroachment Dogs off leash
Maintenance	TTOR	Mass Audubon	Boston Parks	DCR
Maintenance planning	Have management plan for most properties (Exhibit 4)	Annual budget cycle – still formalizing	Part of annual city budget cycle	Not his area
Staffing	Have district structure with core maintenance group for each property	Staff (in season) 1 full time direction; 20% property manager (both licensed); approx \$3000 for contracted services	City does major maintenance, Park staff rotates through. Manager is full time coordinator	Not his area
Role of volunteers	Trying to make more use of	Substantial use of	Critical: corporate sponsors	Friends groups very

	volunteers to build stake holding Major issues: - “very challenging” to assemble all volunteer teams that have right mix of skills - Hard for volunteers to enforce rules	volunteers. With local, try to get 70-80 hour commitment per year. Also get help from AmeriCorps (can provide teams). Use professional staff to organize. Some success with prisoner programs	who organize employees very important (Nstar good partner) Also good experience with community service offenders; AmeriCorps Offers training (“how to prune a tree”) in return for volunteer hours	important; NEMBA helpful in trail maintenance projects
Trash, etc.	Cans or not big issue at every site. Clear that leaving trash in place encourages more trash	Each property has own approach. Parking and after hours use create largest problems	Most carry in, carry out Ongoing problem with dog walkers Use summer youth programs	Largely carry in-carry out
Budget	Developed in terms of major line items. (Note: Willing to help develop if committee has financial expertise)		Use city services plus budget of \$10-\$20K bare bones funding for each site plus discretionary funds. This year no discretionary funds	Major area of concern
Sources of funding	Typically don’t accept properties without endowment	State organization plus WHIP and other grants; gets USDA support on regular basis	Continuous search for grants to supplement city budget	Major area of concern
Other observations	Signs: need to be posted at all entrances, but typically don’t post on trails Need clarity re trail boundaries Need to think of impact on neighboring properties Controlling points of access is key to management	Major challenge is building community that care about the land Access points need to be very limited	Controlling points of access is key Need non-park signs to enforce idea of conservation land	

Interview Notes: Land Managers

Notes: Discussion with Steve Sloan, Greater Boston Regional Director, TTOR

March 30, 2009

Rules of Use

Q; How do you arrive at your rules of use?

A: Rules differ for different properties. Things we think about include:

- Current use versus history; hard to change usage patterns of land
- Resources inventory: since purpose is protection and management start with inventory of what we are trying to protect - what are most important features
- Wishes and preferences of donors and funders; try hard to respect intent

Also, re rules. Rules most frequently disregarded are dogs off leash. Largest source of complaints at most of our properties

Enforcement

Q; How do you enforce the rules?

A: Mix of resources, but generally TTOR staff is first line of defense. TTOR has ranger staff on some properties; others have unscheduled visits from ranger staff. Also use TTOR maintenance staff, but larger to point out what the rules are. Some violations (e.g. drinking) are handed off to local police

Key things that make enforcement harder/easier. Single entrance is best; place to post rules, also location for ranger station. Enforcement another key point: need clear sense of who has authority to enforce rules, give an order to stop

Components of maintenance program

Q: What are the components of your maintenance program and how are they arrived at? What is the role of volunteers?

A: Major lines in expense budget are:

Category	Notes
Staff, maintenance and ranger	

Materials: improve trails, wood for fencing	
Signage	
Printed material (trail maps)	
Contractual work (plowing)	
Care of specific resource areas	
Interpretive materials and goals	

TTOR now has management plans for most of its major areas. (see sample) Steve will send several for use by LMC. Would be willing to provide more detail re specific areas once committee has questions and plan.

Volunteers: Most plans have a column for work hours by volunteers; TTOR is trying to have more work done by volunteers as it creates stakeholders rather than users with sense of entitlement. Relying on volunteers is a big cultural shift for TTOR, but have seen volunteer hours increase from 25,000 in plan to 50,000 and are looking to have 300,000 by 2011.

Major issues with volunteers;

- Hard for volunteers to enforce rules
- Balance needed with staff; “very challenging” to assemble all volunteer teams that have enough skills

Trash: Cans or not is always big issue. Clear that leaving trash in place encourages more trash, so it needs to be dealt with promptly. Similar issue with vandalism. “Artist” like looking at their work, so getting rid of it promptly is crucial. If dogs, need place to put dog wastes.

Other observations (mostly in answer to specific questions)

Signs: need to be posted at all entrances in order to enforce

At locations that allow biking, have seasonal closings and sometimes special resource closings

Need to be clear about trail bounds

Another thought about use: don’t allow horses at most facilities, even if facility could accommodate because of likely impact on adjacent properties, i.e. to ride a horse on TTOR property, one has to get there and one would ride through neighboring properties that do not allow use.

Notes: Discussion with Ian Ives, Director, Long Meadow, Mass Audubon

April 6, 2009

Background: Ian has been with Mass Audubon since 2006. He has an MA in environmental studies. His current assignment is to take Long Meadow, a Cape property that had been privately owned and closed to the public and create usage through public outreach

Rules of Use

Q; How did you arrive at your rules of use?

A: The property had been privately owned so there were not existing rules of use. Mass Audubon has state wide rules for all its properties which were applied to this parcel. Rules include

- No dog walking. Can't have dogs without having people let them off leash...have tried leash laws but failed, and running dogs distract wildlife
- No biking trails; all Mass Audubon properties prohibit biking...undue erosion, scares wildlife
- Wishes and preferences of donors and funders; try hard to respect intent

Enforcement

Q; How do you enforce the rules?

A: Several approaches. During high season have docents, but look to property manager (and Ian) to do most enforcement.

Major violation issues are nighttime visitation; fires and dogs also problems but less so. Have some problem with vandalism, paintballs, etc.

Limitations on access to property

Use is free for Audubon members; ask for \$3-4 contribution from others.

Have 38 parking spaces; try to charge via money pipes.

Surrounded mostly by private land so pretty good control of points of access

Components of maintenance program

Q: What are the components of your maintenance program and how are they arrived at? What is the role of volunteers?

Trash: Audubon properties don't have a unified approach to trash – Long Pasture has no receptacles on trails but does have them at visitor center. Major problems are the after hours kids and the parking areas

Budget: Annual budget is about \$3000 for grounds maintenance plus (in season) time of property manager (40 hr/wk, divided among five properties with Ashumet getting around 20 hr/week. . Ian is on site full time. Supported by about \$5000 from state organization plus grants; WHIP grants, for example are used to maintain open fields. Also get USDA grants on ongoing basis. It's important to maintain these conversations with the district administrator

Volunteers: Use volunteers from several sources: for local volunteers try to encourage 70-80 hours per year. Major issues with volunteers; also get help from AmeriCorps, from who he gets teams and individuals. Backbone of volunteer program is the retirees. He believes this is true of most sanctuaries. Have also experimented with using prisoners with some success.

Other observations (mostly re specifics of care)

Mow fields once each year in the fall. Trails are moved in summer with a brush hog. ...Have about 40 acres of pasture type land. Invasive species are an issue as elsewhere. Control with pesticide applications; property manager is licensed to do applications

Major challenges for coming year are building the community that cares about the land; volunteers are essential.

Notes: Discussion with Paul Sutton, Manager, Urban Wilds, Boston Parks & Recreation

April 30, 2009

[Note: everyone on the call found it very useful call]

Background. Paul is the manager of the “urban Wilds” program for the Boston Parks department. The Urban Wilds program was created in 1999 in acknowledgement of the need for a special authority to manage park properties whose primary purpose was conservation and passive recreation rather in contrast with the active recreation programs at city parks. . Thus the Urban Wilds division is explicitly charged is protecting, maintaining and restoring lands for conversation purposes.

Boston has a total of 45 urban wilds, including several that are comparable in size and terrain to McLean's. . Their criteria for accepting parcels reflect both ecological considerations (significant examples, etc.) and neighborhood needs. (Smaller parcels are accepted in neighborhoods of high population density). However most of his focus is on the larger woodlands areas that are ecologically significant.

Rules of use:

The Urban Wilds are owned by the Conservation Commission but managed by the Parks Department. Therefore they started with the Park Department’s standard rules, but modified them to reflect the fact that these spaces are about conservation, not active recreation. Also developed a distinctive logo to be used on posted signs to reinforce fact that these parcels were different from parks.

Enforcement of Rules

Have park rangers but they are mostly focused on high end properties (Emerald Necklace, etc.). On other properties take several approaches

- During daytime, police incorporate into their beat
- Use city inspection services, usually in response to complaints from residential neighbors
- Encourage formation of resident groups that serve as eyes and ears.
-

Major problems arise when there are multiple and hidden points of access.

Violations

Major issues are:

- Illegal dumping by contractors, landscapers and adjacent property owners. Problem is server when there are hidden points of access. Also problem with homeowners, especially in adding to invasive species problem.knotweed is big problem.
- Teenage drinking: Both a problem in itself and because it is closely connected with vandalism,

e.g. graffiti on rock outcroppings. This is very hard to remove and send the wrong signal to other visitors.

- Bikers: Motor and trail bikers create new trails where erosion and impact of vegetation are major issues. More of a problem in denser neighborhood. Try to control by a) working with the terrain to eliminate paths most attractive to bikers, b) adding erosion bars that make biking less pleasant, c) putting down tree trunks, d) adding thorny vegetation, and e) putting down heavy gravel at entrances.

Enforcement is continuing challenge. Made focused effort to eliminate bikers from other towns. NEMBA has been helpful in this. But really need rangers or others on the ground.

Maintenance

City does major maintenance; tree pruning, removal, replacement; there is a city arborist. City contracts for mowing and upkeep of vegetative corridors. Spring/fall have neighborhood cleanups.

Developing relationships with corporate and non-profit sponsors is crucial to maintenance....UW reaches out in many ways:

- Several corporate sponsors who rent dumpsters, encourage their people to come.
- Non-profit sponsors of a cleanup day
- Community service offenders – work closely with Sheriff's Department in Suffolk; offenders do routine maintenance such as picking up trash
- Several grants from Federal stimulus program
- AmeriCorps programs provide help for routine maintenance
- Most innovative program is offering classes ("How to prune a tree,") free in return for 10 hours of work on Park.

Have certified a few citizen groups to work independently, but most need to be supervised. Major use of Sutton's time.

Trash

Only have a few sites with barrel. Most are carry-in, carry out.

Ongoing problem with dog walkers. Do have some dispensers, but then need to have cleanup days because people leave bags by side of trail. Try to get neighborhood groups to organize but hard. Lot depends on neighborhood: have neighborhoods where people are hostile/neutral/position.

Boston has summer youth programs; currently using 3 crews with a DCR grant

Have to always be searching for new grant.

Budget:

Begin year by meeting with Finance people and Parks Commissioner and establishing budget for each area. Virtually all money goes to maintenance. Budget varies from \$10,000 to \$20,000 per parcel. Used to have discretionary fund, but this year nothing.

Also allowed to piggyback on city wide contracts for some services, e.g. waste hauling

But mostly have to work with outside groups to do anything beyond bare essentials. NStar and Keyspan have been very good outside partners.

Notes: Discussion with Andy Backman, Director of Regional Planning, DCR

May 19, 2009

Background. Andy is the director of planning for eastern Massachusetts for the Department of Conservation and Recreation. Unlike other with whom we have talked, Andy's primary responsibilities are planning rather than direct land management. He is, for example, the planner for the Waverly Oaks redevelopment. Most of the properties for which has responsibility are either significantly larger (e.g. the Fells) or smaller and more "parklike."

Thus he began with some general planning points, e.g. the importance of mapping the parcel. While outside the responsibilities of the subcommittee, we were able to tell him that this core requirement had been accomplished. He also had some concern that the subcommittee's agenda included looking to the DCR for resources, either through financial grants or human resources (e.g. asking for Park Rangers for this parcel. Martha attempted to assure him that this was not our agenda.

On the specific questions posed to other land managers:

Rules of use:

Because DCR parcels vary so widely in size, there is no standard set of rules

Enforcement of Rules

DCR uses a combination of several groups: 1) traditional park rangers. They are not empowered to write citations, but they are in uniform and thus have some implied authority. They are expected to function largely through "attitude adjustment" and physical presence. They also use a specialized group of "environmental police officers (EPO's), who are part of the Office of the Secretary. DCR also works with state and local police and have established a number of neighborhood "Park Watch" programs for the neighbors. He notes that it is essential that the neighborhood groups understand the limits of what they can do.

Violations

Major issues are:

- Motorized trail use
- Large groups of visitors that interfere with others' quiet enjoyment of the property.
- After hours use, often with alcohol and drug problems; typically problems with young people
- Neighbor encroachment, where abutters do dumping or otherwise make use of land
- Dumping: cameras have been installed at some sites to limit. Ongoing problem with access points not readily visible
- Dogs off leash, major part of enforcement
- Invasive species

Maintenance

Since Backman's role is planning, not his area. He thought that park rangers played an important role and noted that NEMBA volunteers had been very helpful in trail maintenance projects.

Trash

Andy believes that DCR has carry in/carry out policy at many sites. (Not sure about western part of state) Depends on size and type of activities.

Budget:

Mentioned use of WHIP grants and volunteers. Did not provide specific budget numbers.

Agendas (distributed in advance to all participants)

REM Study Group/Land Management Committee

March 31, 4 – 5 pm

Conference Room 1, Town Hall

Item	Discussant	Handouts
Introduction: Steve Sloan, TTOR	Martha Moore/Liz Allison	
Questions for discussion	Steve Sloan	REM chart
How did you arrive at your rules of use?		
- How do you enforce them? What is the role, if any, of volunteers?		
- Is use of your property limited to TTOR members? If so, how do you manage this?		
- What are the components of your maintenance program and how are they carried out? What is the role of volunteers?		
- What is your maintenance budget?		
Discussion of follow up questions and other	All	

REM Study Group/Land Management Committee

April 6, 4 – 5 pm

Conference Room 1, Town Hall

Agenda

Item	Discussant	Handouts
Introduction: Ian Ives, Manager, Long Pasture Wildlife Center , Mass Audubon	Martha Moore/Liz Allison	
Questions for discussion	Ian Ives	Description, Long Pasture
How did you develop at your rules of use? How site specific are they?		
How do you enforce them? Do you use rangers? Volunteers?		
What are the 2-3 types of violations that concern you most?		
Is use of your property limited to Audubon members? If so, how do you manage this?		
What are the components of your maintenance program and how are they carried out? What is the mix of paid staff/volunteers		
How do you manage trash?		
How do you budget for the property? What is the annual budget and major categories within that budget?		
Follow up questions /items	All	

REM Study Group/Land Management Committee

April 30, 1- 11 am

Conference Room 1, Town Hall

Agenda

Item	Discussant	Handouts
Introduction: Paul Sutton, Manager of Urban Wilds, City of Boston	Martha Moore/Liz Allison	
Questions for discussion	Paul Sutton	
How did you develop at your rules of use? How site specific are they?		
How do you enforce them? Do you use rangers? Volunteers?		
What are the 2-3 types of violations that concern you most?		
How do you limit access, e.g. at night or by prohibited users?		
What are the components of your maintenance program and how are they carried out? What is the mix of paid staff/volunteers		
Who are the supervisory personnel assigned to these sites? What are their responsibilities?		
How do you manage trash?		
How do you budget for the property? What is the annual budget and major categories within that budget?		
Follow up questions /items	All	

REM Study Group/Land Management Committee

May 19, 10-11 am

Conference Room 1, Town Hall

Agenda

Item	Discussant
Introduction: Andy Backman, Director of Regional Planning, DCR	Martha Moore/Liz Allison
Questions for discussion	Andy Backman
I. Management Plans.	
How do you develop a management plan for a parcel?	
What are your key areas of focus?	
What is your process?	
We know that each of your management plans includes a budget for the parcel. How are these budgets developed?	
Once in operation, how do you budget for a property? What is the range of annual budgets? What are the major budget items?	
II. Specific s	
<i>Rules and Enforcement</i>	
How do you develop your rules of use? How site specific are they?	
What resources do you use to enforce the rules, e.g. police, rangers, volunteers, other?	
What are the 2-3 types of violations that concern you most?	
How do you limit access, e.g. at night or by prohibited users?	
<i>Maintenance</i>	
What are the components of your maintenance program and how are they carried out? What is the mix of paid staff/volunteers	
Who are the supervisory personnel assigned to these sites? What are their responsibilities?	
How do you manage trash?	
<i>Other</i>	

***Note: SEE PDF FILES FOR SAMPLE RULES AND TTOR
MANAGEMENT PLANS***