

# INDIAN PONDS ASSOCIATION

Mystic Lake, Middle Pond, and Hamblin Pond

September 2002

Newsletter

Vol. 2 No.3

## IPA ANNUAL MEETING A GREAT SUCCESS

The Annual Meeting of the Indian Ponds Association was held Sunday, July 21, 2002. Major decisions included the adoption of revised Articles of Organization and By-laws and election of a new Board of Directors. The minutes from the Meeting, prepared by Acting Clerk, Robert Frazee, are included on pp. 4-7.

**PRESIDENT'S LETTER TO MEMBERS/SUPPORTERS OF THE IPA** — At our Annual Meeting late in July, the members voted to approve a new slate of Directors, as well as a new set of By-laws. A copy of the minutes of the Annual Meeting is included in this newsletter. Subsequently, the Directors met and elected officers for the coming year (see below). At the first meeting of the Directors, we established several goals for the coming year. These include:

- a drive to increase IPA membership, and particularly to obtain a greater geographical diversity within the Indian Ponds area (defined in our By-laws),
- efforts to educate the public about IPA, its goals, and the advantages to supporting it, and
- increasing our linkage with the various village, town, county, and State agencies to obtain support for the maintenance and preservation of the three Great Ponds (the Indian Ponds: Mystic, Middle, and Hamblin).

In the past year, under the leadership of Mr. Kevin Kavanagh, we made significant progress in many areas, as shown in the minutes of the Annual Meeting. We have an energetic and dedicated group of Directors and Officers, and thanks to the efforts of Geri Anderson in publishing the IPA newsletter, we have received a number of favorable comments on our activities from individuals and Town officials. We'll continue to focus on maintaining and improving the quality of our environment, and look forward to your support and comments.

**ELECTION OF OFFICERS** — At the first meeting of the new Board of Directors on July 29, 2002, the following officers of IPA were unanimously elected: President – John V. Hansen, Vice President – Sheila Place, Treasurer – John Kayajan, and Clerk – Dave Dawson.

**HERRING RUN UPDATE** — We have made significant progress in getting the Marstons Mills herring run, which flows from Middle Pond into the Marstons Mills River, under the direct management of the Natural Resources Division of the Town of Barnstable. They are doing a good job of conservative operation and water conservation. Mystic Lake and Middle Pond have still not recovered from the herring run being left wide open all winter of 2000/2001. The midsummer water level now stands 27 inches below normal, with the lack of rain a contributing factor. A small group is still determined to lower the run by 1.6 feet, and the Town Conservation Commission and Massachusetts Department of Environmental Protection supports that effort. A suit filed in Superior Court by ten people supported by the IPA stands in the way of this lowering.

At a recent Board of Directors meeting, the IPA has adopted the following policy: "We are presently opposed to lowering the herring run. We want to observe a proven management plan in place and operating for 3-5 years. The IPA will then reconsider its present position."

We continue to try to negotiate with the Massachusetts Division of Marine Fisheries to improve the present management plan. The IPA also continues to maintain representation on and work with the Town Herring and Rivers Committee, which is a discussion and advisory group to develop approaches and solutions to the problems of lake and river water quality and optimum operating procedures for the Town herring runs.

Through the efforts of IPA members, a grant of \$20,000, with the possibility of \$30,000 more later, has been obtained from the Gulf of Maine Council on Marine Environment and given to the Town to rehabilitate the wooden parts of the herring run exit flume.

**RESIDENTS' GUIDE TO LIVING ON THE PONDS** — One of the top priorities for the IPA Board this year is the development of a Residents' Guide to Living on the Ponds. We were recently introduced to this idea by a similar organization which has developed a guide for people in the watershed area for a river. The concerns are the same for all of us who live close to fresh and salt water. As we go about our daily lives, our normal activities can impact the fragile bodies of water that are such an important part of why we love to live here. It was the Board's feeling that having a booklet to serve as a guide for everyone living in the Indian Ponds area might help us all to become more aware of what we can do to protect the Ponds.

This is a big project with a fairly long lead-time, but if, in the meantime, you have any questions about what you might do to help protect the Ponds, please get in touch with one of the Board members. If we don't have the answer, we'll get it!

## THOSE DREADED INVASIVE AQUATIC WEEDS

**“DRAIN THE POND AND TURN IT INTO A PARKING LOT!”** — James Straub, Massachusetts Department of Environmental Management, Lakes & Ponds Program Coordinator, attracted the attention of his audience at a recent workshop at the Cape Cod Community College by suggesting a solution for the extremely serious Hydrilla (see Figure 1, p. 3) problem in Centerville's Long Pond. Everyone sat up and took notice when they discovered that Straub was quite earnest when he suggested his solution to the Long Pond problem: “Drain the pond and turn it into a parking lot.” So far, chemicals have been used to combat the invasive weed, but the problem with this type of treatment is that the small tubers which are connected to the roots are not destroyed. Consequently, the Hydrilla tubers, located in the pond's substrate, will undoubtedly continue to grow and chemicals would have to be administered again. It was only last year that Hydrilla was first detected in Centerville's Long Pond. This is the first time that this particular invasive aquatic plant has been found in Massachusetts.

**MILLIONS SPENT IN FLORIDA TO TREAT HYDRILLA** — According to Straub, Florida officials have spent millions of dollars trying to control their Hydrilla problem. He said, “Some lakes in Florida are filled with Hydrilla from shore to shore and from the surface to the bottom. Power boats can't even get through the stuff.” The only way to eradicate the plants is to either apply chemicals or harvest them with expensive machines.

**CAUTION TO BOAT AND KAYAK OWNERS** — The boat ramps at Centerville's Long Pond have been closed in an attempt to prevent the spread of Hydrilla to other ponds. Boat and kayak owners who move their boats from pond to pond are asked to clean their crafts and trailers to prevent the spread of invasive weeds. DEM strongly suggests that small-craft owners should run their car, boat trailer, and boat through a car wash before moving from one pond to another. Special care should be given to also clean the anchor. Kayak owners should wash their kayak and place it in the sun in order to kill every trace of unwanted weeds and their seeds. In cleaning boats and trailers, never use harsh cleaning agents that are harmful to the environment.

**MAINE'S PREVENTION PLAN** — DEM's Straub has pointed out that Maine legislators have passed a law stating that people with boats in tow can be stopped by the police and given a \$500 fine (payable immediately) if any aquatic plants are found on their boat or trailer. The reason for this stiff fine is that the people in Maine are serious about keeping invasive plants out of their state.

**WEED WATCHER WORKSHOP ATTENDED** — Having attended the August 8 Invasive Weed Workshop which Rob Gatewood announced during his IPA Annual Meeting address (see Annual Meeting Minutes, pp. 4-7), IPA members Sheila Place and Geri Anderson are fully armed with the knowledge needed to find and identify all aquatic plants. With the help of Town of Barnstable Coastal Health Resource Coordinator, Dr. Dale Saad, who has agreed to advise the IPA on aquatic health issues, they are prepared to share their information with others in our community. The workshop was sponsored by the Massachusetts Department of Environmental Management.

**FANWORT FOUND IN BEARSE AND GOOSEBERRY PONDS** — Fanwort (see Figure 2, p. 3) was found in Centerville's Bearse Pond during the summer of 1999. Hid Welch, editor of the Wequaquet Lake Protective Association newsletter, reports that Bearse Pond, which feeds into Wequaquet Lake, has been treated with the aquatic herbicide, Sonar (fluridone). This treatment appears to have stopped the growth of the plant, but plant tubers still remain in the pond's substrate. The pond will be carefully watched during the coming years and, if necessary, the herbicide will again have to be applied to control the spread of the plants. A heavy concentration of Fanwort has recently been found growing in a small area of Gooseberry Pond which is separated from Wequaquet Lake by Hayes Point and Long Point. So far, manual harvesting has been the method of treatment, but Sonar may have to be administered in the spring. Motorboat propellers should be restricted from areas where Fanwort is found because the weeds would be chopped causing them to spread faster which would require far more frequent treatment.

**MUDDY POND IN MARSTONS MILLS IS “BEING MONITORED”** — According to Dr. Dale Saad, Muddy Pond in Marstons Mills may have an infestation of Fanwort. She is monitoring the pond to determine if Fanwort is indeed present and, if so, the proper treatment that would be required. Muddy Pond is located west of Hamblin Pond and east of Long Pond in Marstons Mills (not to be confused with Long Pond in Centerville). Muddy Pond, along with numerous springs in the area's cranberry bogs, is actually the source of the Marstons Mills River.

## HELP SAVE OUR PONDS – BECOME A WEED WATCHER

**JOIN A WEED WATCHER TEAM** — Everyone who has the time and interest in the Weed Watcher Program is invited to become a member of a DEM Weed Watcher Team. Volunteers are needed for all three of our ponds – Hamblin, Middle, and Mystic Lake.

**PART OF A STATEWIDE PROGRAM** — The Weed Watcher Program is a statewide DEM Pilot Plan to educate volunteers who will then identify fast-growing invasive aquatic plants in freshwater ponds before the plants gain a real foothold and become established.

**GOALS OF THE DEM PLANT MONITORING PROGRAM** — A key goal of the Department of Environmental Management's and the Executive Office of Environmental Affairs Lakes and Ponds Initiative is to prevent further infestation of Massachusetts's lakes and ponds by exotic invasive aquatic plants, and to work towards controlling and removing existing populations of exotic invasive plants. To meet this goal, we have developed a new program to train local lake groups to monitor their ponds for the presence of exotic invasive species and to develop a removal plan if an infestation is found. If a pioneer infestation of invasive species is identified early, there is a greater chance that the plant can be eradicated before it becomes established in the lake or pond. Once invasive species are established, they are almost impossible to remove and very expensive to control. Invasive species spread rapidly and form dense mats that can make boating, fishing, and swimming impossible. As the recreational and aesthetic value of the lake declines, property values around the lake also decrease. **By monitoring your lake or pond, you are taking an active role in ensuring the protection of your lake for the future.** (Quoted from DEM Weed Watchers Pilot Monitoring Program description.)

**INVOLVE OUR YOUTH, TOO** — The DEM encourages lake groups such as the IPA to involve the youth in their community in the monitoring program. It is important to teach our young people about the invasive aquatic plants so that they can help locate and identify the weeds when they are swimming or boating. By developing an "each-one-teach-one" system, we will soon spread the word and be better able to prevent a problem in our area.

**TO SHOW YOUR INTEREST IN BECOMING A WEED WATCHER** — If you would like to learn more about the Weed Watcher Program, use the enclosed envelope to send us a message or go to our website at <http://www.indianponds.org> and send us a message by e-mail. Be sure to include your name, address, and phone number so that we can contact you. Indicate, too, if your children or grandchildren would be interested in a Young Scientist Weed Watcher Program.

### Hydrilla

*Hydrilla verticillata*

Hydrilla has the potential to become a serious problem in Massachusetts. A population has been verified on Cape Cod. This species is often confused with the native Elodea. Elodea leaves have very fine teeth that are not easily seen with the unaided eye and the leaves are in whorls of 3 as compared to 4-6 on Hydrilla. The serrations on the edge of the Hydrilla leaf are visible to the naked eye. Hydrilla will break (fragment) very easily.



Figure 1

### Fanwort

*Cabamba caroliniana*

This southern United States native has been established in the acid water ponds of eastern Massachusetts for over 50 years. The plant is separated from the small white flowers and oval, floating leaves that arise from a small stem. The leaves have a fan-like appearance and occur in pairs on the stem. The plant is very bright green in color.

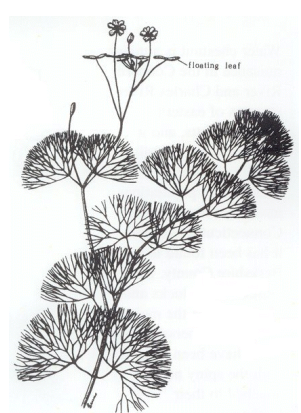


Figure 2

## **MEETING MINUTES OF 21 JULY 2002 ANNUAL MEETING**

### **[TO BE APPROVED AT THE NEXT ANNUAL MEETING]**

Held at the Residence of Board Member John Kayajan, 35 Heath Road, Marstons Mills, MA  
3:33PM Meeting Called to Order by Kevin Kavanagh, President.

Directors Present: Kevin Kavanagh, John Hansen, Bruce McHenry, Sheila Place, Ed Schwarm, Emory Anderson, John Kayajan, Bob Frazee (Vice President Ted Elliott was absent due to a death in his family).

Others Present: Carolyn Garbutt (Past Clerk), Joe Brown (Past President), Jane Smith (Member at Large of the 2002 Nominating Committee), Guest Speaker Rob Gatewood (Administrator, Barnstable Conservation Commission) and approximately 30 IPA members and guests.

Pursuant to the terms of the Revised By-Laws to be voted during this meeting, yellow sheets containing the Nominating Committee's Slate of Directors were distributed to designate Voting Members who were qualified to vote in the ensuing election.

President Kavanagh issued cordial greetings to those assembled and proceeded with the published Agenda. Past Clerk Carolyn Garbutt read the Minutes of the 2001 Annual Meeting which were Approved Unanimously.

President Kavanagh, as Acting Treasurer, gave the Treasurer's Report accounting for the past year's financial activity, with a final balance of \$2786.83 following disbursements for the current Meeting and for an attorney's review of the proposed new By-Laws. The Report was Accepted Unanimously.

President Kavanagh then delivered a brief Review of IPA's 2001-2002 activities:

- Management of the Herring Run out of Middle Pond was a major concern that involved an Appeal to DEP, a well-attended official Site Visit, and ongoing work with numerous agencies, boards and groups. The events of Sept. 11<sup>th</sup> understandably extended the Review Period which ultimately concluded with a denial of the Appeal, but with the formal introduction of a Management Plan for its operation.
- IPA Board Member Emory Anderson met and worked with Paul Diodotti of DMF on a Draft Management Plan that is now nearing completion.
- The Run was operated more or less according to this Plan during this past spring, and herring were let into Middle Pond and Mystic Lake, although with the year's very low water they may not get out.
- The IPA Board of Directors was presented with a proposal to dredge the shallow waters of Middle Pond immediately adjacent to the Run. The Board felt that IPA had no jurisdiction in this matter and referred it to the Conservation Commission without taking a position.
- Board Member Ed Schwarm authored a joint Grant Proposal with the Town and Liberty Hall Club, which succeeded in obtaining \$20,000 in funds for specified work on the Run.
- Perhaps the most significant work for the IPA BOD this past year was to identify and articulate the organization's role for the future. This resulted in the major changes to the By-Laws that are being presented for a Vote at this Meeting.
- Kavanagh said that the past year had been one that clearly demonstrated the value of "working *with* instead of *against*" other interests in the Ponds community.

Board Member Ed Schwarm reported on the status of the Herring Run:

- It is now being operated under Town management, which he identified as a big improvement. Except for one incident of vandalism, it is now being opened and closed with water conservation in mind.
- The Management Plan is still not complete. It continues to use the language "anytime there are fish present" as the trigger for opening the Run, and this is simply too vague and ambiguous. DMF has been impossible to reach and seems too busy to deal with the matter for the present. Until it has been resolved, the Case in Superior Court will be kept Open, technically in abeyance, pending a sincere effort by all parties to settle out of Court.
- The Town Herring Run Committee has proven to be a successful open forum for discussions on matters pertaining to the Run by various interests.

A brief period of questions and answers ensued, covering such issues as:

- potential water loss via the Run

- drawdown by COMM
- the impact of private wells
- the possibility of monitoring water use by individual households
- the relative impact of lawn irrigation
- the challenges of statistical analysis
- confusion between “depth” and “elevation”

Al Baker, Chairman of “The Herring Committee”, rose to inform all that the actual name of the committee is the “Marstons Mills River Committee”, that it embraces the broader concerns of the entire River, and that it is a “really good grass-roots, cooperative effort”. He stressed that the overriding need is to maintain the River.

Ed Schwarm concluded by briefly reiterating a few facts that had appeared in the July IPA Newsletter about the joint Grant Proposal. It had been made to the Gulf of Maine Council on the Marine Environment, for \$50,000 to replace and regrade approx. 900 feet of the Run, and to conduct a study as to its operational needs and impacts. Only \$20,000 was awarded, and it remains to be determined how the smaller sum will be spent. He plans to resubmit the Proposal in November.

Outgoing President Kavanagh then delivered his 2002 Report, beginning by thanking his entire Board of Directors for their service, and then by recognizing certain individuals for their particular accomplishments:

- Bruce McHenry as the 2001 recipient of the Barnstable Land Trust’s prestigious “Founders’ Award”
- Ed Schwarm for his enormous efforts working with the Herring Run Committee and writing the Grants to improve the Run
- Emory Anderson for his expertise and efforts working on a viable, lasting Management Plan
- Geri Anderson for her diligent work on publishing the IPA Newsletter
- John Hansen & Sheila Place for their work preparing the revised IPA By-Laws
- Joe Brown and Carolyn Garbutt for their many years of service as IPA Officers and Members of the Board

Kavanagh reflected upon the growth and progress of the IPA area, from perhaps only 80 parcels in 1960 to over 400 today. He noted that despite this growth,

*“...it is a tribute to this community that the Three-Lake / IPA area has not changed measurably. There seem to be no noise or overuse issues as we sit here today, and if Real Estate values mean anything, the IPA area is a very desirable one.*

*“My hope for its next 40 years is that IPA will continue to educate and work with the entire town, and very specifically this village’s associations---the Marstons Mills Village Association, the Marstons Mills Library and Liberty Hall Club---in a concerted ongoing effort.”*

In closing, he singled out the Liberty Hall Club for special recognition as “the backbone of Marstons Mills”, noting the Club’s work to rebuild the Herring Run and its ability to bring people of the village together on many issues. He expressed his personal hope that IPA would become intimately involved with all of the village’s organizations in fulfilling its mission as one of the stewards of the Three Lake area.

Board Member Bruce McHenry then rose to thank Kevin for his two years as President, and led the membership in a round of enthusiastic applause.

Rob Gatewood, Administrator for the Town’s Conservation Commission, had been gracious and kind to give up a Sunday afternoon and accept the Board’s invitation to be the Meeting’s Guest Speaker on the topic: “The Danger of Invasive Aquatic Plants on Cape Cod”.

He began by revealing that he has long taken a very personal interest in these ponds as the site of his almost daily recreational swim, and went on to compliment IPA for its long history and many accomplishments.

From the perspective of the Town’s Conservation and Health Departments, he said the greatest threat to local ponds is from invasive aquatic plants, demonstrated recently by two rather unwelcome “Firsts”: The first pond on Cape Cod found to be infested with invasive Fanwort was Lake Wequaquet’s Bearse’s Pond, and the first pond in the State found to be infested with Hydrilla was Centerville’s Long Pond.

In both cases discovery came long after these plants had initially become established. Treatment, usually involving the application of herbicides, is often controversial, can be extremely difficult, is tremendously expensive, and does

not necessarily yield a completely successful result. In the case of Long Pond, the public landings have been closed by order of the Town Manager to help thwart further spread of Hydrilla.

The Town has established a new project to look hard at other ponds, with the goal of being able to detect the presence of Hydrilla and other invasive species much earlier. The initiative will require training new and existing volunteers to carefully monitor plant populations along with water quality, quantity, clarity, etc. for which they would already be sampling and investigating. These trained volunteers will be essential to the level of vigilance this matter now requires.

An important 1<sup>st</sup> Training Date will occur at Noon, August 8<sup>th</sup>, 2002 in the Meeting Room, 2<sup>nd</sup> Floor, of the COMM Headquarters building in Centerville.

Gatewood concluded by restating that his mission to the Indian Ponds Association was to provide early warning and to advise residents of the IPA area to become involved. In response to questions from the audience he provided the following information:

- the invasive aquatic plants have no known food value for humans or native species of fish.
- As potential agents of transport for invasive aquatic plants, seaplanes are an unknown risk, but waterfowl are more worrisome.
- Neither his Department, nor any other at the Town level, is engaged in "counting herring".

President Kavanagh thanked Mr. Gatewood for his time and excellent information, then introduced Board Member John Hansen to present the proposed changes to the IPA By-Laws.

Hansen stated that it had been a very long time, not since 1983 in fact, that the last substantive review of the IPA By-Laws had been conducted, and that he and Board Member Sheila Place, together as the By-Laws Committee, had found the need for many changes. He referred the membership to the description of these changes that had been presented in the July Newsletter, but generalized that their effort had been primarily to clean up and remove redundancies, tighten checks and balances with respect to fiscal responsibilities, and arrange for a review by an attorney. He concluded by stating that if the new By-Laws were approved, they would become the necessary basis for IPA to file with the IRS as a charitable organization, to proceed with becoming a 501 (c) 3.

Carolyn Garbutt rose to propose three Amendments to wording contained within the proposed By-Laws.

- By-Laws—Article II—Officers of the Association:, 5. Clerk: strike "...the annual meeting and board of directors..." and insert in its place "all".
- Articles of Organization—Article II—Purpose:, 3<sup>rd</sup> Paragraph: insert after "...Hamblin Pond," the following: "which are Great Ponds,".
- By-Laws—Article IX—Parliamentary Authority:, 1. Proceedings: delete the word "generally".

After some discussion these three items were consolidated into one Amendment, Moved, Seconded, and Accepted Unanimously.

The Amended By-Laws were then Moved, Seconded and Accepted Unanimously.

President Kavanagh then introduced Past IPA President Joe Brown as Chairman of the 2002 Nominating Committee. Other Committee Members had been Board Member John Hansen and Member at Large Jane Smith.

Brown presented the Proposed Slate of Directors, and asked that each candidate rise to be recognized as his or her name was read.

- |                                 |                                |
|---------------------------------|--------------------------------|
| • <u>Directors for 2 Years:</u> | • <u>Directors for 1 Year:</u> |
| Emory Anderson                  | Joan Christo                   |
| Ted Elliott                     | Curtis Clayman                 |
| John Hansen                     | David Dawson                   |
| Bruce McHenry                   | John Kayajan                   |
| Sheila Place                    | Richard Tompkins               |
| Edward Schwarm                  |                                |

Under Kavanagh's direction Nominations were opened from the Floor. There being none, it was Moved and Seconded to Accept the Slate as presented. The Vote, making use of the yellow sheets provided in order to qualify Voting Members under the revised By-Laws, was Affirmative and Unanimous.

Al Baker rose briefly to announce that the Liberty Hall Club would be organizing Work Parties for River maintenance on an ongoing basis, and would like names of those who would be willing to help. Those interested were encouraged to use links available on the village website: [www.marstonmills.org](http://www.marstonmills.org)

The 2002 Annual Meeting was Adjourned at 5:08pm...with special thanks to our hosts Deirdre and John Kayajan, who entertained one and all with refreshments, good weather and a knockout view of Mystic Lake from their terrace.

Respectfully submitted,

Robert P. Frazee  
Acting Clerk

**IPA SEEKS 501(c)(3) STATUS** — The IPA has submitted copies of our revised Articles of Organization and By-laws to the Massachusetts Attorney General's office for a preliminary review, prior to formally filing with both the State and Federal (IRS) for 501(c)(3) status as a charitable, non-profit organization. Although our current 501(c)(4) status qualifies the IPA as a non-profit, tax-exempt organization, the 501(c)(3) status makes it possible for donor contributions to be deductible as charitable contributions on Federal income tax returns. Once this new status is obtained, we will pursue incorporation of the IPA.

## **JOIN THE INDIAN PONDS ASSOCIATION MEMBERSHIPS MUST BE RENEWED EACH YEAR**

### **IPA membership is open to**

- all property owners whose land abuts any of the three ponds (Middle Pond, Mystic Lake, and Hamblin Pond)
- or is close enough to be affected by happenings thereon,
- **but** not exceeding one lot depth across the bounding highways from the lake area district (**starting at Race Lane east to Route 149, south to Lovells Lane, west to River Road, northwest to Bog Road, north to Old Mill Road, and ending again at Race Lane**).
- To join the IPA, fill out the application form below and send it with a \$10.00 check made out to **Indian Ponds Association, P.O. Box 383, Marstons Mills, MA 02648**.

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### **APPLICATION FORM**

Name\_\_\_\_\_

IPA Property Address\_\_\_\_\_

Mailing Address\_\_\_\_\_

Telephone Number\_\_\_\_\_E-mail Address\_\_\_\_\_

\_\_\_\_ Please find enclosed check for \$10.00 for a one-year family membership in IPA.

\_\_\_\_ **Please find enclosed check for \$\_\_\_\_\_ as an additional donation to the IPA.**

Signature\_\_\_\_\_

**INDIAN PONDS ASSOCIATION BOARD MEMBERS: 2002-2003**

President: John Hansen

Vice President: Sheila Place

Clerk: David Dawson

Treasurer: John Kayajan

Board of Directors: Emory Anderson, Joan Christo, Curtis Clayman,  
Ted Elliott, Bruce McHenry, Edward Schwarm, and Richard Tompkins

**CHECK OUR WEBSITE AT:**

**<http://www.indianponds.org>**

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