

Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA 01432 * 978-772-8249 * 978-772-8208 (fax)
Minutes for 5/17/12 – Approved 5/24/12

Location: Ayer Town Hall, 2nd Floor

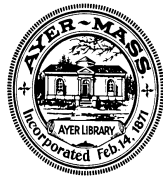
Members present: Bill Daniels (BD, Chair), George Bacon (GB), Takashi Tada (TT), Jessica Gugino (JG, Clerk)

APAC taped: No

Not present: Becky DaSilva-Conde (CA, Conservation Administrator)

7:15 PM – 9:00 PM -- Informal Discussion with Ayer Pond and Dam Committee (PDC)

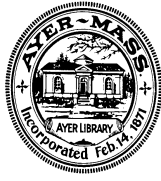
- Present from the Pond and Dam Committee: Don Rzasa (Chair), Marina Giovannini, Michelle Riggs, Fire Chief Robert Pedrazzi, DPW Superintendent Mark Wetzel
 - Mr. Rzasa described the role of the PDC as fact-finding and advisory to the BOS.
- **Recent History of Weed Treatment on Ayer Ponds**
 - BD described the history of weed treatment in the ponds since the 2005 Baseline Biological Survey was done by Aquatic Control Technologies (ACT).
 - After the recommendations of the 2005 study, Town Meeting subsequently voted to allocate \$30,000 for weed treatment in Sandy, Flannagan and Pine Meadow ponds.
 - Because of high water levels, no treatment took place in 2006 but all three ponds were treated in 2007.
 - ConCom had less than \$8000 of the \$30,000 left in its budget after 2007.
 - This was not enough to pay for even spot treatment of Flannagan Pond.
 - Because of the economic collapse, ConCom was explicitly discouraged by a former Town Administrator from even asking for further funding from the BOS.
 - Limited spot treatment was done on Sandy Pond in 2008.
 - No weed treatments took place in 2009 or 2010.
 - The Friends of Flannagan Pond citizens group formed in late 2010 to advocate to the BOS for weed treatment funding.
 - BOS authorized the use of up to \$30,000 in UDAG funds for treatment of Flannagan Pond in 2011.
 - The Friends of Flannagan Pond submitted an RFP to ConCom in spring 2011, and the BOS requested ConCom approve of it and move forward as quickly as possible.
 - The contract was awarded to Lycott Environmental.
 - An additional \$30,000 (Article 38) was voted for further treatment at Spring Town Meeting in 2011.
 - At Fall Town Meeting 2011, Article 38 was voted a funding source from Community Preservation Committee (CPC) funds.
 - Treatments plans were cancelled, however, because of extremely high water levels caused by burst beaver dams.
 - Sandy Pond and Pine Meadow Pond received spot treatments from ACT (via ConCom's separate RFP, issued prior to the Flannagan Pond RFP).
 - This was paid for with the remainder of ConCom's weed treatment budget from the 2006 allocation.



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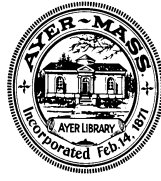
- Side note: Grove and Plow Shop ponds are not on the treatment list because of their prior contamination with heavy metals, arsenic, etc. from former Fort Devens and the old tannery.
 - Leaving it untreated and full of weeds is useful to discourage swimming.
- **2012 Treatment of Flannagan Pond**
 - Flannagan Pond received its first treatment for milfoil using Reward on 5/15, with a second to follow on 5/18.
 - Treatment for fanwort using Sonar is scheduled for 5/23.
 - An additional treatment will be scheduled if determined necessary.
 - Discussion took place over what was the ‘right’ level of the ponds for weed treatment.
 - BD suggested something like a brass marker be affixed to the bridge between Sandy and Flannagan ponds as a reliable means of tracking water levels.
 - It was noted that ACT, in the past, used herbicide pellets, thereby requiring water levels to be low; Lycott in contrast is using liquid herbicide, requiring water levels to be higher so that the plants are underwater.
 - The groups decided it would be interesting to see if there was a difference in the effectiveness of liquid versus pellet.
- **Confirmation of Treatment Efficacy/Funding**
 - Discussion centered around the question of how to accurately determine whether weed treatment was successful.
 - BD described ConCom’s 2011 RFP for treatment of Sandy and Pine Meadow ponds.
 - The RFP required an 85% efficacy rate, to be determined by before/after photographs and sampling taken at designated GPS plot points.
 - It was uncertain whether this requirement was in the Flannagan Pond RFP, which was not prepared by Concom but submitted to ConCom with the request for immediate action by the BOS.
 - BD said that this was as accurate an assessment as was reasonably possible. Aerial photographs taken yearly would be a useful tool but would be extremely costly.
 - BD summarized several points relative to weed treatment on Flannagan Pond:
 - Weed treatment should be done regularly to be effective.
 - The cutting down/mowing of pond weeds should be discouraged because, with the exception of water chestnuts, the resulting fragments grow back more quickly and more abundantly than before.
 - The only way to transform Flannagan from a shallow flooded wet meadow into a deeper pond would be by dredging it, but this is prohibitively costly and securing permits for this work would be a nightmare.
 - BD reiterated that the Town needs to commit to a plan for regular treatment and be willing to spend the money for this every year.
 - Mr. Wetzel said that Will Stephenson, of Lycott, told the PDC that after a certain number of regular treatments, the root systems for the weeds would likely shrink, thereby allowing a yearly treatment to be skipped here and there.



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- Ms. Riggs suggested the Town commit to full treatment of Flannagan for 5 years in a row, after which a future treatment schedule could then be determined.
 - The other ponds would have to be taken into account as well.
- BD said that while regular treatment was a good goal, regular funding requires consistent support from the BOS over time.
 - A selectman's term is up for re-election every 3 years.
- BD also suggested the effort to secure consistent BOS support would be helped by the assessment of an independent evaluator ('someone without a dog in the show', so to speak).
 - Given ACT and Lycott are the two main players in the field of aquatic weed treatment in Massachusetts, this was considered to be a problem.
 - Ms. Giovannini said PDC would be having a representative from the Coalition of Lakes and Ponds address their group in a few weeks and planned to ask them for advice on this.
 - Mr. Wetzel said he would ask some of his contacts at AMEC for suggestions as well.
 - JG suggested perhaps there were some pond weed treatment companies in New Hampshire that could provide this service also.
- It was agreed that the two primary goals/challenges for pond treatment were:
 - 1) to clean and maintain the ponds
 - 2) to find a funding source/s
- While Ms. Giovannini pointed to the possibility of the additional use of CPC funds, JG (ConCom's rep on the CPC) said this was unlikely.
 - The use of CPC money to fund Article 38, as voted at Fall Town Meeting 2011, was hotly debated within CPC.
 - Use of CPC funds is prohibited for ordinary maintenance, especially on land not purchased with CPC funds.
 - The majority of CPC members this year felt that use of CPC money for Article 38 was not a matter of ordinary maintenance but rather an act of preservation of a deteriorating Town resource.
 - The same argument would likely have a hard time passing through CPC for further funding.
- **Roles of ConCom/PDC**
 - Ms. Riggs asked for details of the treatment plan that ConCom currently has in place.
 - BD clarified the matter by saying there was no treatment plan.
 - The 5-year study has expired and the \$30,000 received from 2006 STM has now been expended.
 - The PDC will have to go before Town Meeting for future funding.
 - It was noted that the UDAG funds cover this year's treatment, and Article 38 should cover next year's treatment of Flannagan.
 - Neither of these sums of money are under the control of ConCom.
 - Ms. Riggs asked what the PDC can do to assist Concom in further weed treatment on the ponds.



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- In response, BD said ConCom had been thrilled when the BOS created the PDC with its single focus on care of the Town's ponds and dams.
 - ConCom sees its role as standing in support of the PDC at Town Meeting.
- JG noted the success of the Friends of Flannagan Pond, as a citizens group, in successfully garnering Town funding.
 - ConCom, as an appointed commission with other priority tasks, does not have this impact.
 - In addition, JG said that regular funding at future Town Meetings will require the presence of interested residents to secure its passage.
 - The PDC, with its connection to the Friends of Flannagan Pond, will have more influence over encouraging voter attendance than ConCom.
- It was noted that the PDC does require ConCom participation/approval to perform weed treatments because the Order of Conditions (OOC) for the Town to do this work is held by ConCom.
 - ConCom extends this OOC ever three years.
- **Dams**
 - The PDC is preparing a list of dams and dikes and their status for the BOS.
 - There are 7 dams and 4 dikes in Ayer, only two of which are owned by the Town (Balch Dam and Long Pond Dam).
 - Mr. Wetzel said typically Phase 1 reviews should be scheduled for dams (public or private) every 5 years, and that the two Town-owned dams are overdue for this.
 - In the case of Balch Dam, however, a Phase 1 review is probably unnecessary given that the last time this review was done, it indicated the need for a costly Phase 2 review.
 - Having no funds, this was never done.
 - Mr. Wetzel indicated the DPW was also going to be compiling an inventory of beaver dams in Ayer – where they are, what damage they could cause.
 - Mr. Wetzel pointed to the Stormwater Enterprise Fund as potential source of funding for some of this work.
- **Public Boat Launch?**
 - Mr. Wetzel expressed his opinion that the Central Avenue Pumping Station might be a good location for a public boat-launching dock onto Flannagan Pond.
 - TT said Mass. Fish and Wildlife used to have funds to support such town docks.
 - There was much nodding of heads in approval!
- **Summary Plans**
 - BD said ConCom is eager to support the PDC in their endeavors.
 - JG suggested a list should be compiled of all the tasks necessary to plan and implement weed treatment on the ponds.
 - Once this list is compiled, ConCom and PDC should review it jointly in order to have a clear understanding of which group was responsible for each tasks.