



## **Board Backs Ban on Herbicides Around Squibnocket Pond**

**Ivy Ashe**    *Thursday, May 23, 2013 - 8:38pm*

A group of riparian owners on Squibnocket Pond pressing for permission to use herbicides to control phragmites found no relief from the Chilmark zoning board of appeals this week.

At a public hearing Wednesday the board of appeals voted unanimously to uphold a cease and desist order from the town building inspector that bars the Squibnocket Pond Organization from using the herbicide Rodeo on the invasive plants.

“It’s very simple, the bylaw says no pesticides or herbicides. [They are] a prohibited use,” said building inspector Leonard Jason Jr., who attended the hearing.

The pond organization includes six riparian owners around the pond. In January the group received approval from the Chilmark conservation commission and the state Division of Fisheries and Wildlife to apply Rodeo to 20 phragmite colonies on the pond. But when the group went to Mr. Jason for a permit, the request was denied because of a town wetlands bylaw that prohibits the use of chemical fertilizers, herbicide and fungicides. The bylaw spells out special environmental protection rules under the Squibnocket Pond district of critical planning concern, a special overlay planning district adopted in 1990

through the Martha's Vineyard Commission. "The district is created with special concern for preservation of the unspoiled nature of the pond and adjacent coastal areas, and for the fragile ecology of the area, including fisheries, wildlife, vistas and historical and archaeological resources," the bylaw says in part.

Phragmites, also known as the common reed, are a nonnative species to Martha's Vineyard, although like many introduced species, they are plentiful across the Island. The tall strands of reeds are invasive and grow in mono

cultures, choking out native plants such as cattails. Managing the plants is a difficult task because phragmites reproduce via both rhizomes in the soil and by seeding. In order to eradicate them fully, all the rhizomes must be eliminated.

Several successful phragmites elimination projects have been undertaken on the Island, including at Crystal Lake in Oak Bluffs, Black Point Pond in Chilmark, Edgartown Great Pond and Chilmark Pond. All the projects centered on the use of the Rodeo, which contains the active ingredient glyphosate. Glyphosate acts on plant enzymes to inhibit growth. Other methods for phragmite control include grazing animals, laying black plastic, increasing water salinity and dredging.

At the hearing Wednesday the merits of the project were discussed and debated for three hours. The small meeting room in the Chilmark town hall was standing room only. An Eastham attorney representing the riparian owners was present, along with Tim Simmons, restoration ecologist with the Massachusetts Division of Fisheries and Wildlife, and Seth Wilkinson of Wilkinson Ecological Services. Mr. Wilkinson was hired as a consultant for the Squibnocket Pond Organization in 2010, and first mapped all of the phragmites colonies. The pond organization was formed in 2009 to address the phragmite problem.

Chilmark resident Charlie Parker spoke on behalf of the riparian owners who were seeking a variance from the zoning board.

"It gets down to what kind of pond do we want," Mr. Parker said. If left unchecked, the phragmites would create "what we had at Doctor's Creek — totally choked off, the water can't flow," he added.

Many residents who read from letters at the hearing spoke of their initial opposition to using herbicide, and how their feelings had changed after further research.

"I thought it would be disastrous," Leanne Cowley said. "[But after research,] I became convinced that it's really the only sensible solution."

Sue Regen, an abutter to the pond whose property contains phragmites, said the plants had already spoiled the pristine nature of the pond the bylaw was intended to protect.

"There is no one simple solution," she said, largely because the phragmite colonies are both on land and in the water.

But Margaret Whitton, a member of the Squibnocket Pond advisory committee, was more skeptical, saying that in her own research she had not found any long-term studies for the effects of Rodeo.

"The Squibnocket charter forbids these chemicals," she said.

Ms. Whitton acknowledged the success of herbicide in other locations, but said nobody could be positive it would work in Squibnocket.

"Given that the characters of the ponds are so different, what works in one may not in the other," she said, asking that other options be considered. Ms. Whitton said she has phragmites on her property, and resorts to cutting them "back to the nub" as often as needed.

Zoning board member Frank LoRusso asked why dredging was not a viable option. Mr. Simmons said he had tried that method in 1987 in Butler's Hole in Edgartown, but that the process only broke phragmite rhizomes below the surface and made more plants.

Board member Chris Murphy said the arrival of the phragmites was part of the changing nature of the pond itself.

"When I look at it, I just don't see it as this terrible disaster that is going to ruin the pond," he said, adding that the phragmites had formed a filter at the far end of the pond that prevented the Squibnocket barrier beach from losing sand mass. "The pond is changing, it's always changing," Mr. Murphy said. "The phragmites form a filter that in many respects can be useful. It's not the end of the world, it's just a change."

In the end, Mr. Jason said, "I think everybody here cares about Squibnocket Pond," but he said the applicants failed to meet the test of a variance, which is narrowly defined under the law and mostly construed to give relief in cases of hardship.

He suggested that the owners take their case before Chilmark voters by proposing an amendment to the Squibnocket district bylaw.

The board agreed and voted to deny the variance.

Reached by telephone Thursday Mr. Parker said he did not know what the next step would be for the riparian owners.

"There are many alternatives," he said.

"I think it's an extremely important issue to the Vineyard. It's not just a Squibnocket issue, it's not just a Chilmark issue."