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By Charlie Breitrose/Daily News staff

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## Natick commission nears decision on herbicide proposal

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Members of the Conservation Commission have yet to make a ruling on a plan to use herbicides in Lake Cochituate, but whichever way they go their decision will likely be appealed.

The commission on Thursday closed its public hearing on the state Department of Conservation and Recreation's plan to use diquat several times over the next five years to control Eurasian milfoil near the beach and boat ramp.

Those areas are on the north side of Middle Pond and the treatment area is within 900 feet of the town's drinking wells.

The commission asked for the Board of Health's ruling about using diquat. Based on the information, said Public Health director Jim White, the Board of Health could not support use of the chemicals.

"What we did is we put the onus on (the state) to 100 percent guarantee to us that diquat would not get into the drinking water," White said.

Warren Lyman, an expert in water chemistry who has been worked with the Board of Health in the past, said he could not recommend using the chemicals, based on the information he reviewed, White said.

The Board of Health's vote is a recommendation, White said, and the Conservation Commission is not bound to it. If the Conservation Commission approves use of diquat, the Board of Health could appeal the decision in court, but White said that is highly unlikely.

Conservation Commission member Kathy Rehl said she has similar concerns about the chemical getting into the water system.

"I have worked with plants for years and I have seen one chemical after another outlawed because they are found to cause cancer," Rehl said. "I have a real aversion to putting chemicals in a lake were we have wells."

When the proposal came to the Conservation Commission two weeks ago, people opposing and those supporting the use of chemicals gave testimony for about two hours. The appeals continued Thursday night.

Anne Monnelly, acting director of the state Department of Conservation and Recreation's water resources office, said the state had tried several non-chemical efforts to remove the milfoil, including a water circulator called a Solar Bee and placing mats over the weeds to kill them. Nothing has succeeded.

"At the request of citizens, we tried two years of the Solar Bee, three years of benthic matting and three years of hand pulling," Monnelly said. "If there was another large-scale technique that would be appropriate, I would try it."

Benthic mats block the sun, which stymies plant growth.

When the Conservation Commission approved the state's proposal to use diquat a few years ago, a group called Protect Our Water Resources appealed, and the chemical wasn't used.



PHOTO/ ALLAN JUNG/DAILY NEWS STAFF

Aquatic plants, mixed with dead leaves from last year, wash up on shore at Lake Cochituate in Natick.

Conservation Commissioner Matthew Gardner said another appeal is likely if diquat is approved.

He asked Monnelly if the state would consider dropping its proposal because an appeal is almost a certainty. Monnelly said no.

"Our thought is if you deny it, we're likely to appeal (the Conservation Commission's ruling)," Monnelly said. "We would like a ruling from the Department of Environmental Protection."

Some people have said the Conservation Commission should allow chemicals near the beach, because a swimmer could get tangled in the weeds and drown.

Martin Levin, a lawyer representing Protect Our Water Resources, said that should not be part of the commission's decision.

Levin said the onus is on the state to clear the weeds from the beach to make it safe for swimming.

"I think it is really an issue of money. The DCR is saying we don't have the money for any alternative," Levin said. "If they can't control the weeds then maybe they can't allow people to swim."

John Dwinell, district manager for the state Department of Conservation and Recreation region that includes Lake Cochituate, said he expects use of the beach to skyrocket with the bad economy.

Most years the park draws 150,000 visitors. This year officials predict it could go as high as 250,000.

Protect Our Water Resources and the town had applied for a state grant to buy a weed-suction boat, called a DASH boat, but the proposal was denied. Monnelly said she is working with the group to see if the plan can be revived.

"We will continue to work on the DASH boat project," Monnelly said. "We are willing to do a pilot project."

The Conservation Commission also heard more comments about scientific studies showing either that diquat is safe to use or that it could pose a danger to humans.

After the public input, Conservation Commission member Douglas Shepard said he was ready to close the hearing.

"This is a typical scientific issue where you have 800 scientists on this side that say this, and 800 on that side," Shepard said.

The board will take up the proposal again April 15.

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