



# *The Watershed*

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**The Oyster Pond Environmental Trust Newsletter**  
**OPET, P.O. Box 496, Woods Hole, MA 02543-0496**

**Summer 2008**  
**[www.opet.org](http://www.opet.org)**

*Please Join us for the*

## **OPET Annual Meeting**

**Thursday, July 31, 2008**

**7pm Light Refreshments**

**7:30pm Meeting with a Presentation by**

**Dr. Richard Payne**

## THE BATTLE TO CREATE ZINN PARK by *Bill Kerfoot*

In 1986 plans were made public to create a housing development on the Stan Fisher property which contained the only spring inflow to the northern end of Oyster Pond. Bill Kerfoot met with neighbors and adjacent landowners to review the environmental impacts of the expected development. Historical pictures to 1860 showed untouched forests and extensive wetlands. A wetlands protection committee was set up and paid Sabatia for a wetlands and coastal vegetation review and engaged legal counsel (Weston, Patrick, and Redding) to fight the development.

Hearings were attended and appeals filed with the DEP and Town boards. At one point, Bill and Dana Rodin hand-cleared an alternative access down the valley of the Butcher/Morris property to show that an alternative access was available instead of using a roadway on a coastal bank for access to the final planned four-lot, 7.5 acre development (originally planned for 8 lots). An independent arbitrator (judge) met with the wetlands committee and legal counsel and clearly stated that the development could not be stopped but only delayed in progress due to current legal rights of the property owner. He advised the committee approach the owner for purchase of the land. The deputy general counsel of the DEP presided over negotiations under wetlands appeal to allow purchase of the land.

The Oyster Pond Trust was formed and a negotiated price worked out. Three parties gathered together \$25,000 for an initial deposit (contributors: B. Kerfoot, Holger Jannasch, J. Dowling) and found a sponsor (Herb Willett) to assist in collateral for a loan from Plymouth Savings Bank. (The park parcel was named Eleanor Zinn Memorial Park to reflect her and Don's love of the area.) Barbara Lawrence documented funds received by OPT for Salt Ponds Sanctuaries, Inc.



Pat Kerfoot dedicates the Zinn Park plaque at the Park celebration in 2001. Photo E. Hahn

On September 3, 1988 a fundraising effort was begun at John and Judy Dowling's house for the Oyster Pond Trust, a subsidiary of Salt Ponds Areas Bird Sanctuaries, Inc. Bill Kerfoot, Bob Livingstone, and Paul Crocker authored the Oyster Pond Sentinel which was sent out to all identified homeowners near Oyster Pond.

The purchase price of the Fisher parcel was set at \$235,000, assuming 9% interest cost on the mortgage, the target to be raised was \$380,000. The Oyster Pond Trust assumed a capital campaign, with pledges totaling \$125,000 from close neighbors and interested parties.

By 1993 over half the cost of the land had been raised, with only \$160,000 remaining on the \$380,000 goal. But a recession caused concern for Salt Pond Sanctuaries that the remainder

would not be met. Salt Ponds threatened to post a "For Sale" sign on the property and back out of all involvement. The committee was reorganized to form Oyster Pond Environmental Trust. Dana Rodin filed for a separate 501c3, allowing the organization to take charitable contributions. John Dowling was elected the first president with annual meetings at SEA. Cecily Selby worked with John and Judy Dowling to assist in rejuvenated fundraising activities. Salt Pond allowed the

computer program for fundraising documentation and personal contact to be transferred to Bill Kerfoot and OPET.

The parcel was renamed Zinn Park after the passing of Don Zinn in 1996, to honor the families' support of Salt Ponds, the special pathways Don would clear, and his great friendship with neighbors. OPET set up a special committee for land acquisition to follow the received funds for the park. All members enthusiastically participated.

By 2000, the loan to Plymouth Savings was paid off. In 2001, a bronze plaque with a short introductory paragraph containing the names of major contributors was placed at the entrance to the park in a September dedication and baptized with champagne by Pat Kerfoot to commemorate its opening.

Watch your mailbox for this invitation! On August 31, OPET is hosting a Fund Raiser to Celebrate Twenty years of Protecting Oyster Pond and to Address Future Challenges.

*Oyster Pond Environmental Trust*  
***Celebrating Twenty Years of Protecting Oyster Pond***



## OYSTER POND HERRING: A PERSONAL HISTORY

by Wendi Buessler

### Scooping Fish by the Bushel

Herring are a “canary in the coal mine” for judging the health and water quality of Oyster Pond. No one knows more about the history of Oyster Pond’s resident alewife herring population than Carl Breivogel. Carl saw the historic abundance of fish in Oyster Pond, watched the populations dramatically decline in the 1980s and early 1990s and is hopeful about the current resurgence.



Carl Breivogel (right), George Heufelder and K.O. Emery at the first OPET Annual Meeting in 1995. Photo R. Livingstone

Carl served on the OPET Board of Directors for eight years and is currently the Wellfleet Assistant Herring Warden.

Carl grew up in Falmouth and remembers coming to Trunk River to watch the herring and sea run white perch run into Oyster Pond while a very small boy. He was so young in fact that he can’t remember a time when he didn’t accompany his father to the Trunk River on Friday nights to watch the spring migration of the fish. Back then, in the 1950s, fish were so abundant that lobstermen and commercial fishermen could bail out bushels of herring over the entire several week spring migration. “The run was so hard and fast that you could scoop and still several dozen fish would pass by,” says Carl, “the run seemed inexhaustible, night, after night, after night fish moved up the river.” His father told him there used to a small shack at the edge of Trunk River for fishermen to get a little sleep or play cards during the long nights of the spring migration.

Back then, the configuration of the river and lagoon were different. There was a culvert with a clapper valve that covered 2/3 of the opening under the then railroad tracks (now the bike path). North of the culvert to the “elbow” of Trunk River was a long wooden trough. This

prevented stones and sand from crumbling into the run and made for easy scooping. The clapper valve allowed fresh water to get out and prevented seaweed from pushing up into the lagoon. Carl remembers the lagoon as a nice little fresh water pond “I caught lots of white perch with a rod and reel” he says “and the entrance to Oyster Pond, where the weir is now located, was a small, shallow stream that you could walk across with knee boots, similar to Trunk River now.”

One of the things Carl misses from those times “Is the sense of anticipation and excitement of the spring fish runs. Waiting for the fish was one of the first signs of spring. It was an event when the first herring or white perch started making their way back up Falmouth’s streams.” His father would wake him up in the middle of the night to say “Herring up”, the old Cape Cod expression for when the herring started their run and they would head out to catch some fish.

### Change in the 80s

Sometime in the 1980s a change was noticed in the Pond. For the first time, Carl saw water from Trunk River flowing into the Pond at tides when it shouldn’t. He attributed it to the DPW over-digging Trunk River, allowing sea water to push farther up into Oyster Pond. This caused dramatic salinity changes in Oyster Pond. Herring and White Perch populations started falling. Once a larger culvert was placed under Surf Drive, this allowed even more salt water into the Pond. Barnacles started showing up on rocks near Treetops at the northern end of the Pond. This was a sign to Carl that the salinity was too high to support fresh water fish populations. But what to do? Many people were concerned, but no one could agree on what the Pond should be. The salinity was randomly changing depending on who operated the DPW back hoe and how deeply they dug out the River, not on science.

Carl took his concerns to Don Bourne of the American Littoral Society. Don Bourne received a grant to start a series of “Pond Lunchers” meetings to discuss the science and the management issues of Oyster Pond. Individuals with an interest and/or expertise would meet

monthly at lunchtime. Many of the attendees became OPET members. Participants were asked to write down their views and concerns on the Pond, Carl wrote 25 pages of handwritten notes, a sign of his knowledge and dedication to the fish of Oyster Pond!

During this time the herring and other fish populations were steadily declining. Yellow perch appeared to completely disappear. Yellow perch in particular are a significant loss as Carl says “They tend to be prolific, like weeds.” On a peak night when other runs in town were teeming with fish, Carl saw only 4 herring and no sea run white perch in Trunk River.

### Present and Future

Once the weir was put in place, which limited the inflow of salt water except on the very highest tides, herring started to make a comeback. Not only did this keep the Pond at the target salinity, but it also stabilized the Pond, preventing the previous wide swings. During one month period in 1992, salinity jumped from 14ppt to 6ppt and back up to 13ppt.

After a few years of improved conditions, the herring started to make a comeback. “We have come a long way from the crash of the mid 1990s,” according to Carl. While other runs in Falmouth are declining or remain steady, Trunk River, though it has its ups and downs, is steadily increasing. Of course it is still not what it could be and there are many possible reasons for that. Off shore herring fisheries still play an unknown role. Though this fishery catches sea herring, river herring might be caught up in the



Herring fry gather at the weir. Photo by R. Livingstone

nets. There are still obstacles in the run itself, rocks in the river and problems in the lagoon might cause an unknown loss. All these things need to be investigated and monitored. This will allow us to once again wait in anticipation for large spring runs of fish coming up the Trunk River and into Oyster Pond and call out “Herring up”.

(continued from page 1) stratification. The strata did not mix well and so a good deal from of the Pond's bottom became anoxic - had no oxygen. The creatures who lived there could no longer do so.

What to do? The town engineers were considering two alternatives: 1) opening a

### *Officers & Directors*

*2007—2008*

<b>President</b> - Lou Turner	John Dowling Max Holmes
<b>Vice President</b> - Michael McNaught	Bill Kerfoot Martin Monk Dana Rodin
<b>Treasurer</b> - Barry Norris	Jonathan Smith
<b>Directors</b> Alfred Al- lenby	<i>Executive As- sistant</i> - Wendi Buessler
Dorothy Aspinwall	<i>Hon. Board Member</i>
Barbara Doe	Robert Liv- ingstone

OPET Board meetings are open to all OPET members. Meetings are usually held on the third Sunday of the month, at 4:30 pm in the Treetops Clubhouse.

We'd love to have you come!

OPET does not have an official phone, but you can leave a message at 508-540-3263.

We'll gladly get back to you!

Or email [lturns67@comcast.net](mailto:lturns67@comcast.net)  
or [wbuessler@comcast.net](mailto:wbuessler@comcast.net)

Please visit our website  
[www.opet.org](http://www.opet.org).