



Pond Use Planning & Regulations



THREATS ADDRESSED

- Excess Nutrients
- Pollutant Inputs
- Algal Blooms
- Invasive/Nuisance Species
- Erosion

STRATEGY GOALS

- Protect
- Manage
- Rehabilitate

STRATEGY CO-BENEFITS

- Habitat (Neutral)
- Aesthetics (Neutral)
- Recreation (Neutral)



- Permittable in Massachusetts**
Local review through Select Board or Town Council. List of potential permits available [here](#).
- Implemented on Cape Cod**
See examples of pond projects implemented on Cape Cod [here](#).
- Listed in 208 Plan Technologies Matrix**
Learn more about the nutrient management strategies in the Tech Matrix [here](#).
- Can be Performed at Homeowner Scale**
- Nature-based Solution**

DURATION OF BENEFITS

- Less than one month
- One season or year
- Multiple seasons or years

MAINTENANCE REQUIREMENTS

- Monthly
- Annually
- Infrequent

DESCRIPTION Pond overuse may adversely impact water quality, pond ecosystem function, visitor experience, and recreational opportunities. Freshwater resource area zoning and regulation are used to manage pond overuse, avoid user conflicts, control exposure to pathogens, and protect water quality. Local governments can establish zoning, bylaws, and regulations in freshwater pond resource areas to control activities in ponds and manage user conflicts. Bans or restrictions can be defined by area, time, or other parameters and may be based on the management issues present, the pond’s physical characteristics, visibility, and the presence of existing management or monitoring infrastructure. Examples include designating swimming, boating, and fishing areas; restricting motorboats from certain ponds or to specific hours, limiting speeds or horsepower, and requiring boats to be cleaned, drained, and dried before entering another waterbody; placing restrictions on docks such as dimensional limits, required water depths, acceptable materials, and storage requirements; and closing beaches to swimming when harmful bacteria is present to protect public health.

ADVANTAGES

- Targeted, localized approach
- Compliance with pond use regulations may improve pond ecosystem function
- Compliance with pond use regulations may enhance the visitor experience
- Inexpensive to implement
- No or minimal equipment required

CONSTRAINTS

- Zones have to be defined and agreed upon
- May be difficult to enact and enforce
- Some pond users may not like areas of their pond being “off-limits” for certain activities
- Requires legal knowledge, and new zoning, bylaws and regulations may be subject to town and state approvals
- May be difficult for ponds that cross town boundaries as zoning, bylaws and regulations are adopted at the local level



IMPLEMENTATION

POTENTIAL ACTORS



Towns: May propose, review, and approve zoning, bylaws and regulations



Pond Groups: May propose or support the adoption of pond use plans and regulations



Private Landowners: May propose or support the adoption of pond use plans and regulations



Land Trusts: May propose or support the local adoption of pond use plans and regulations

SITING REQUIREMENTS

- Ponds where use is high and user conflicts are prevalent

INFORMATION NEEDS

- Review of town's own and other towns' pond zoning, bylaws and regulations
- Pond uses and use statistics
- Mapping of zones for different habitats and uses
- Impact avoidance plan

IMPLEMENTATION EXAMPLES

[Barnstable County's Beach Monitoring Program](#) monitors bathing beaches for fecal bacteria in the summer to protect public health. Town Boards of Health close ponds to swimming if MA Department of Public Health bacteria limits are exceeded.

The Town of Eastham has a [Boating Bylaw](#) regulating the operation of motorboats on ponds to promote the protection of public safety and welfare.

The Town of Sandwich also has a [Boat Operations Bylaw](#) regulating the operation of watercraft to protect public health, safety and well being and protect the quality and viability of the Town's natural resources.



RESOURCES

- The Massachusetts' Department of Conservation and Recreation's [Lakes and Ponds Program](#) provides related resources.

COST ESTIMATE

Variable

Variable depending on scope of planning process and regulations adopted



ADDITIONAL FINANCIAL CONSIDERATIONS

Assessment: Planning and information gathering including researching and mapping pond uses and collecting use statistics

Implementation: Public process including presenting at meetings, developing and posting informational materials, and adopting and enforcing regulations

Maintenance: Information will need to be kept up-to-date and regulations enforced



POTENTIAL FUNDING SOURCES

- Community Preservation Act
- Capital Budget
- Grants
- Private Funding

Additional information regarding potential funding sources is available [here](#).