Martha’s Vineyard Commission  
P.O. Box 1447  
Oak Bluffs, MA 02557

Re: Safe Harbors DRI 258 M2

Ladies and Gentlemen:

The Lagoon Pond Association (LPA) is writing to express our significant concerns regarding the proposed modifications to the Safe Harbors Marina (Safe Harbors) located in Tisbury and the West Arm of Lagoon Pond. As proposed, the LPA strongly opposes such modifications.

The LPA is a not for profit membership organization with over 300 members. Our mission is to “protect, preserve and enhance the character of Lagoon Pond and all immediate areas. Our interests include water quality, the natural beauty and resources such as fishing, shell-fishing, recreation and safety.”

**Primary Issues with Proposal:**

1. **Environmental Issues:**

   The current proposal would increase the number of boats that could be housed in that location to, as we read in the materials, 146 boats. The existing 56 slips would remain and 10 of those 56 would be put into “valet” service (meaning, we assume, more comings and goings). The size of boats housed would go from 30’ to 35’.

   - Our understanding is the MV Shipyards has 11 moorings in the West Arm and has requested an additional 48 slips (see DRI 314M). The Town of Tisbury has 35 registered moorings in the West Arm. There are numerous “unregistered moorings” at the opening of the West Arm at the Tisbury boat landing. In addition, an undetermined number of boats enter and exit the Pond at that landing. If this modification is granted, the number of boats that could potentially go in and out of this small portion of the Lagoon (not including those going in and out from the landing or the unregistered moorings there) totals 192 boats (240 if the MV Shipyards expansion is approved as proposed).

   This is an excessive number of boats disturbing the shellfish and other species struggling to live in the West Arm, contributing to trash and other debris.

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1 It is difficult to definitively determine how many boats as the materials provided vary and are confusing.
entering the Lagoon, allowing chemicals and potentially human waste to enter the Pond, increasing wave action and marsh erosion in that area, etc. The shellfish closure increases in the West Arm in the last 5 years are reason enough to understand that something needs to improve water quality in that area and an increase in environmental pressure will not help.

- Mud Creek has 2x the level of nitrogen allowed by the TMDL. The Lagoon has been designated by the MA DEP as compromised and the towns of Tisbury and Oak Bluffs have been working to decrease the TMDL in the Pond by over 40%, through development and implementation of their Comprehensive Wastewater Treatment Plans (CWMP) and other initiatives. In addition, the marsh in that area is eroding.

There are no significant amounts of nitrogen being taken out of the Pond by this proposal, and in fact, we question whether it will actually increase the amount of nitrogen entering the Pond through increased run-off and boat and vehicular traffic. The marsh is a critical habitat for fish and waterfowl. It also protects against wave energy and storm surge. Additional boat traffic will inevitably increase that erosion.

- 4 buildings will be removed from the premises and a new concrete slab will be added. Currently, each building is surrounded by gravel or soil—any run-off from the impervious roofs at least has the opportunity to be absorbed by those surfaces before entering the Lagoon.

Despite the gravel “drainage” area shown on one side of the slab, we question whether that “filtration” system will be overwhelmed by the sheer amount of stormwater that could occur during certain heavy storms when coupled with the existing stormwater run-off problems in that area. Will all run-off inevitably go into the graveled area? What exactly happens to substances that go into the graveled area? No drainage plan for the full site has been provided.

- We need to better understand where “dirty water” from washing, rinsing and repairing of boats goes. What is the system for catching the gray water and reusing it? Does any of it ever go into the Lagoon? What is the filtration system for that water and does it filter chemical residue out? We note Safe Harbors at this location is not a “clean marina”. What actions must it take to be certified and how long is it expected for that to take? What currently causes it not to be a “clean marina”?

- The West Arm is a shellfish nursery and its opening has recently been designated as an area for eelgrass propagation. Eelgrass propagation requires that there be little disturbance to the eelgrass in order for it to take hold. The Lagoon provides shellfish seed to all 6 Island towns. The Lagoon has lost all of its eelgrass and as a result, adult scallops are virtually non-existent. How
will the increase in boat traffic affect this new and novel project that the Shellfish Group and the LPA have currently endorsed and funded?

2. Safety/Recreation:

- The sheer number of new boats that could potentially enter the Pond are causes for safety concerns. In the summer months, water skiers, tubing, sailing, paddleboarding, kayaking and shellfishing are all occurring on the Pond. The Sailing Camp gives sailing lessons to children in the Pond, many of them beginners. Kite boarding has become popular in the Pond.

An increase in the number of boats in the Pond (including the size of those boats), will inevitably lead to more safety issues. Policing in the Pond is already spotty. Even if 20 or even 10 of the 40 additional boats enter the already crowded Pond on a weekend, what accidents could occur? What is the expected increase in usage with the additional boats? What is the expected amount of boats that will need the drawbridge raised?

- Wave action from boat traffic in the Pond has caused some elderly and others to complain to the LPA that they can no longer shellfish or kayak because the water is so choppy on account of the existing number of speeding watercraft.

The Lagoon is very sick. In the last several years a variety of methods have been implemented to help improve water quality such as: the testing and development of enhanced septic designs to eliminate nitrogen runoff from septics, shellfish growth and restoration efforts, permeable reactive barriers, eelgrass restoration efforts, restrictions on fertilizers, sewage and water treatment planning and so on. Recovery efforts have had a difficult time keeping up with the growth and expansion of residences and businesses which have increased exponentially over the last 30-40 years. We have been making some headway but efforts appear to have leveled off somewhat and we have a long way to go to get the Pond into the healthy zone rather than tipping back into the dead zone. We need to focus our efforts not on protecting the Pond from additional development, but on cleaning up the mess we already have.

The LPA and others have spent thousands of dollars and man hours studying and trying to fix a dying Lagoon. We’ve been heading in the right direction but there’s a lot more work to be done. We don’t have time to waste and we can’t allow anything that could further harm this fragile ecosystem in any manner. Please deny the Safe Harbor modifications as proposed in the West Arm of the Lagoon Pond.

Sincerely,

LAGOON POND ASSOCIATION

By: Sherry Countryman

Sherry Countryman, President
On Behalf of the LPA Board of Directors