



September 1, 2022

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MV Commissioners
PO Box 1447
Oak Bluffs, MA. 02557

Dear Commissioners:

The Board of Tisbury Waterways, Inc. (TWI) is writing regarding the proposed Safe Harbor Marina project currently before your commission. This letter serves as TWI's addendum to our previous written communication.

As is well known, Lagoon Pond is compromised according to the Massachusetts Estuaries Project (MEP) and the Towns are under a mandate to clean it up. The West Arm of the Pond is, in particular, very impacted. Mud (Bass) Creek contributes run-off, nitrogen, erosion and bacteria. That area of the Pond is vital as it is a prolific shellfish nursery and home to a variety of fish species. It is unfortunate that the poor water quality in this area has caused closures to shellfishing by the Division of Marine Fisheries.

The Lagoon Pond has been the focus of much study and many efforts to improve water quality. The Permeable Reactive Barrier is an example of a project to capture groundwater nitrogen prior to reaching the pond. The EPA study has focused on technologies to divert and filter stormwater that impacts the pond. The millions of shellfish seed that the Shellfish Group develops, nurtures and spreads in the pond has disappointingly not improved the fishery. If we are considering allowing expansion of uses of the pond that are known to negatively affect the water quality (arguably much of the development in the watershed), we must recruit participants and redouble our efforts to mitigate those impacts and reverse the process of deterioration that we find ourselves in.

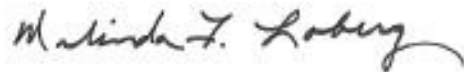
Some of TWI's board met with Chris Scott, the manager of Safe Harbors, to learn more about the details of their project and, in particular, their efforts to address water quality in the Lagoon Pond. Mr. Scott seemed genuinely interested in improved water quality in the area of the West Arm of the Lagoon near the marina, but felt there was little Safe Harbor could do on their own. To mirror language used by the MVC, there appear to be both benefits and detriments to the proposed project. On the one hand, storing boats on land as opposed to in

the water results in a benefit. On the other hand, as you discussed during your last meeting, it is very difficult to assess the potential effect on the waterway of this net additional boat traffic in the Lagoon Pond having no base data for comparison. We hope that, should approval be granted for the additional boat storage, the MVC would require Safe Harbors to collect and report statistics related to frequency of boats being loaded and off-loaded from the racks going forward. Additionally, there should be a condition that in-water boat storage cannot be added back beyond the 37 vessels SHM are currently proposing. There will be an additional burden of shrink wrap. The MVC should confirm that the recycling program is working as intended.

We seek solutions to pollution in the West Arm where shellfish, including scallops, used to thrive. Since no single source of this problem can be expected to address this alone, we would like to propose establishment of a collaboration to develop strategies, and propose feasibility studies and projects to address the continuing deterioration of the pond. As an abutter to the West Arm, Safe Harbors' involvement - personally and financially - in a collaboration of this type should be a condition of any MVC agreement to approve this project. The suggested constituents include representatives from both towns of Tisbury and Oak Bluffs, the Shellfish Group, representatives from LPA and TWI, a representative of Safe Harbors, and, if possible, employ the expertise of the MVC's Water Quality expert. This group would focus on solutions such as dredging and large storm-water management systems.

Thank you for the opportunity to contribute to the deliberations on a project that should play a key role in the future health of the Lagoon Pond.

Sincerely,

A handwritten signature in black ink that reads "Melinda Loberg". The signature is written in a cursive style with a long, sweeping underline.

Melinda Loberg, President
TWI