

Tim Carroll

From: Roland I Samimy [rsamimy@umassd.edu]
Sent: Tuesday, September 27, 2011 3:46 PM
To: Tim Carroll
Cc: Brian Howes; Howes Brian
Subject: MEP in Town of Chilmark

Hi Tim,

As we discussed on Tuesday (Sept. 27), please find a brief summary of where the MEP stands with regard to Tisbury Great Pond, Chilmark Pond and Menemsha/Squibnocket Pond and what is necessary moving forward to safeguard match from the Commonwealth.

Overview:

The Massachusetts Estuaries Project was initiated in 2002 as a partnership effort between the MassDEP, SMAST at UMass-Dartmouth and the municipalities throughout southeastern Massachusetts. The concept was that the MassDEP as the Commonwealth's environmental agency would work within its regulatory mission to do TMDL's as mandated under the Federal Clean Water Act; SMAST as the regional university would provide independent state-of-the-art scientific analysis through SMAST and the municipalities as the primary stewards of their coastal waters, would gain the best information available on the health of their estuaries and refined targets to minimize costs of management/restoration. The project approach was selected after a year of review by USEPA and MassDEP (and others) and MEP Assessment and Threshold Reports began to be released in 2003. Since that time, MEP analysis has been completed for over 50 estuaries in southeastern Massachusetts, with more than 60 expected before June 30, 2012. To date the MEP has completed estuarine analyses for 4 systems on Martha's Vineyard (Edgartown Great Pond, Sengekontacket Pond, Farm Pond and Lagoon Pond) with 3 others nearing completion (Tisbury Great Pond, Oak Bluffs Harbor and Lake Tashmoo). Part of the prioritization process for these 60+ systems has been positive actions by the associated municipalities in the form of establishing a MEP Committee (to provide a technical interface with the MEP) and providing matching funds.

For the benefit of your discussion with the Board of Selectmen next week, it may be useful to you if I summarize some of the more salient aspects of the project that have arisen over the last 2 to 3 years. This period is notable as it marked a re-acceleration of the project after two years (2007 to 2009) of delayed State matching funds, as MassDEP and the University determined how to conclude the effort and how contracts and data would be handled. One product developed to accelerate the project was a Memorandum of Understanding (MOU) between the MassDEP and the University, clarifying procedures moving forward and more importantly a shift to a multi-year ISA to ensure that State matching funds would arrive in a timely manner. These steps have resulted in the most productive years since the inception of the MEP. Moreover, the EPA and MassDEP recertified the approach and scientific underpinnings of the MEP and over the past few years the MEP has garnered positive findings from multiple independent reviews related to specific issues raised in municipal reviews.

Another important development which should be communicated to the BOS was that while at the outset of the MEP, 89 estuaries were to be evaluated, only 70 slots are available for State matching funds in the present ISA, which requires work to be completed by June 30, 2013. While there will likely be a slight extension to include a few more estuaries, it is clear that municipalities that have not "signed up" in the next year will have missed out on the 50% State matching funds. Please also communicate to the Board of Selectmen that as the USEPA and MassDEP continue to take required actions under the Clean Water Act, it is likely that the Town of Chilmark will have to complete an MEP scale estuarine analysis even without State match, effectively doubling the financial burden to the tax payers of Chilmark.

9/27/2011

Status of MEP in Chilmark:

As you are well aware, the Town of Chilmark fully matched the MEP analysis for the Tisbury Great Pond System a long time ago. The MEP Technical Team is proceeding towards modeling and reporting for that system with the intention of completing the DRAFT Threshold Report at the latest June 30, 2012 and as early as December 31, 2011. The MEP Technical Team obtained the MVC Landuse Analysis at the end of the summer 2011 and is currently building the N-loading model.

With regard to Chilmark Pond, the Town has not provided match for that system as of this date. However, the Chilmark Pond Association, eager to have a hydrodynamic model to address circulation and dredging questions, contributed \$20K towards the MEP budget. That amount was sufficient to complete the hydrodynamic model for Chilmark Pond but additional town funds will be necessary to complete the water quality model and develop the appropriate nitrogen thresholds. It should be noted that the hydro model was just recently completed (end of August 2011). All other field data collection needed by the MEP has been completed for Chilmark Pond but we need the Town match to finish data synthesis and reporting.

As far as Menemsha/Squibnocket Pond is concerned, it should be noted that as the system is shared between two towns and the Tribe, to date the Tribe has contributed its full share of match and Aquinnah has contributed half of its share of match. The required field data collection has been completed, however, the MEP can not proceed to completion of its analyses in this estuary without the remaining required match from Chilmark and Aquinnah.

Moving Forward:

To ensure that state funds remain focused on the Town of Chilmark's remaining systems (Chilmark Pond and Menemsha/Squibnocket Pond) and are not shifted to other estuaries, we will need to get some kind financial committment from the Town for at least some portion of the required match for either of the two remaining systems. In my opinion it would be most prudent if Chilmark re-confirmed its interest in proceeding with the MEP analyses by deciding to appropriate some Town funds towards completion of the analysis for Chilmark Pond. Chilmark Pond is already partially matched by non-state funds, as the Chilmark Pond Association contributed \$20K for the hydrodynamic study which counts towards the needed Town match. This support from the Association reduces the required match from \$74,500 to \$54,500 going forward. In addition, it would also be important to have the Board of Selectmen express in writing its intention of developing a warrant article for Spring Town Meeting to secure the remaining match for Chilmark Pond and the Menemsha/Squibnocket Pond system. This will help to safe guard the match from the state by showing the MassDEP that the Town of Chilmark is serious about proceeding towards completion of the MEP analysis of its remaining estuaries.

I sincerely hope you find this helpful. Please do not hesitate to call me if you have any further questions.

Respectfully,

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