

MEMO: Menemsha Pond and the proposed ACE project to re-dredge the Channel from Chilmark Harbor into the Pond.

FROM: Dennis Jason, Harbormaster

TO: Board of Selectmen, Isaiah Scheffer, Stephen McKenna (CZM), Chilmark ConCom, and To Whom It May Concern

DATE: 10 March, 2014

This letter is to express my concern about the proposed project of the Army Corps of Engineers to re-dredge the existing channel from Red Nun #4 buoy through to numbers 7 and 8 which are the day beacons located to the south and southwest ends of that channel. My concern is that this project will create problems beyond our ability to regulate and cope with adequately. The chances for examples of the law of unintended consequences accompanying this project are far too high for us to make any decisions without thorough review and scientific advice.

Although the authorities in Aquinnah have apparently adopted our Waterways Rules and Regulations which prohibit any overnight mooring in the Pond I am very concerned that recreational boaters will attempt to use the Pond for overnight mooring and that the numbers will grow. When that regulation was adopted in 2008, it was to limit the size and nature of the boats using the Pond and to prevent any possibility of overnight mooring because of safety and environmental concerns. Currently access to the Pond is limited and this fact is well known throughout the yachting and recreational boating community. Further, a deeper channel will encourage use by larger vessels.

The first anticipated problem is one of safety – inexperienced recreational boaters attempting to navigate the channel during the evening hours and going aground or possibly anchoring in the channel instead. Any boats aground would require having to tow them off, which has its own inherent dangers -- maneuvering in the dark and trying to rig towing bridles, etc. To counter the argument that the Coast Guard (just around the corner) could do this, they only act when life and/or property are endangered; the burden of this problem would fall squarely on the harbor department.

Any dredging would increase the possibilities of dramatically increased traffic and the possibility of growing recreational use of the Pond, including waterskiing and speeding personal watercraft operating in restricted areas. We have been receiving increasing numbers of complaints about the latter two activities endangering passive recreational users (swimmers, kayakers, etc.).

A second problem would be a broad variety of potential environmental problems ranging from pollution from marine toilets, to potential oil spills (pumping of bilges, etc.) and of far greater importance and relevance to Menemsha Pond, the endangerment of the shell fishing resources. Any anchoring, for instance, in the Eel Grass beds (themselves very sensitive) will jeopardize the flourishing shellfish resources that Chilmark has worked so hard to propagate and protect, including danger to the shellfish propagation rafts. Further, I am very concerned that re-dredging the channel may change the dynamics of the circulation in Menemsha Pond, endangering the shellfish propagation program.

A third problem is that opening up Menemsha Pond to larger craft will enable recreational boaters visiting the area to anchor rather than utilizing the Town's moorings and slips in the Harbor. This could significantly reduce revenue generated from the Harbor.

My greatest concerns are that this project will create the problems above and many others as yet unforeseen because it will allow for greatly increased usage. Although we do patrol up into the Pond, our harbor staff is fully engaged with the Harbor and the moorings in the Bight. In order to properly monitor and regulate increased use of the Pond would require increased harbor staff.

The current shoal channel naturally restricts the size of the vessel and the use of the Pond, limiting the Pond to smaller vessels – mostly small sail boats and vessels with outboards, or the picnickers. The current use of the Pond has a very low “invasive” impact on the Pond and on the homeowners around the Pond. Deepen the channel and you will increase the use by larger vessels; larger vessels equate to larger headaches.

I respectfully submit this testimony as my official opinions about the proposed project. I will be happy to answer any questions that you may have.

Dennis Jason  
Harbormaster