



TOWN OF WEST TISBURY  
CONSERVATION COMMISSION

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September 6, 2017

Ms. Patti Kellogg  
Environmental Analyst  
Department of Environmental Protection  
Southeast Regional Office  
20 Riverside Drive  
Lakeville, MA 02347

Re: Draft Tisbury Great Pond\Black Point Pond Estuarine System Total Maximum Daily Load for Nitrogen (CN 398.0)

Dear Ms. Kellogg,

Thank you for the opportunity to comment on the above referenced report. Enclosed with this letter is a copy of the draft report marked with comments from this board. Please go through the annotated report and let us know if you have any questions.

The Conservation Commission is primarily concerned with the accuracy of the following information in this report:

- Page ii, Agricultural Uses: The conclusions about the impact of agricultural uses in this report are based on assumptions of N loads which greatly exceeded Bill Wilcox's best estimates of this load at the time of MEP TGP report. (Bill Wilcox was the Water Resources Planner at the Martha's Vineyard Commission at that time.) Through a grant obtained by the Dukes County Conservation District, Bill Wilcox is working with retired Natural Resources Conservation District Director Don Liptack to survey all the farms in the watershed to gain a better understanding of this input. Recognizing that watersheds of our coastal ponds cross town boundaries, all island towns, through an initiative sponsored by their boards of health adopted fertilizer application regulations, effective January 1, 2015.
- Septic Systems: In 2006 West Tisbury adopted a Wetlands Bylaw. The Bylaw regulations for Salt Ponds at Section xi.c.3, requires that all septic leach facilities of a septic system must be at least 100 feet from any adjacent salt pond. In the event that nutrient loading levels in a pond are found to exceed the currently acceptable level of dissolve nutrients, all new construction, or major reconstruction projects are required to install appropriate measures to reduce septic nutrient discharge amounts.
- Eelgrass: On page 8 the report states that Eelgrass was present in the lower portion of the main basin in 1951 according to historic aerial photographs and that subsequent eel grass surveys in 1995, 2001 and 2006 did not include Tisbury Great Pond. The assumptions about the presence of eelgrass in this system are based on a single aerial photograph from 1951 which purportedly

showed a ~50 acre patch off of Middle Point. This was anecdotally supported by a single long term resident, but refuted by other long term residents. This office has a plan dated February 22, 2000, titled, "Mass Eelgrass Mapping Inventory" prepared by DEP which shows no eelgrass beds in Tisbury Great Pond.

- Page 26, third paragraph: Other ponds in the watershed: Mill Pond is not 'the only major freshwater pond in the Tisbury Great Pond watershed'. Mill Pond is one of the last and at 2 acres, one of the smallest of 7 man- made impoundments (not freshwater ponds) in Mill Brook. As follows, Fisher Pond is 10.4 acres, Crocker Pond is 7.8 acres, and Priester's Pond is 4 acres. Two other ponds are Beresford's Pond at 0.1 acre, and Roth Woodlands Pond at 0.4 acres. Additionally, 4.6 acre Look's Pond is the last man made impoundment of 7 in the Tiasquam River.
- Page iv, third and last paragraphs: Pond Openings: It is unclear how DEP arrived at the conclusion that the pond is opened every 3 months and that being able to keep the pond open for a minimum of 17 days is feasible. Additionally, page 2 of the report incorrectly identifies the town of West Tisbury as the entity responsible for opening the Pond. It is the Tisbury Great Owners Association that is the responsible party. As stated in Dr. Kent Healy's report on the Hydrology of Tisbury Great Pond, the pond is open when the elevation is about 5 feet above NGVD. The man made channel can stay open anywhere from 1 to 200 days depending on the weather. According to Dr. Healy's data, (1993 to 2008), there have been 7 years without a 17 day August opening, 4 years with an opening within a few weeks of the 17 day August target (for example, August 21-September 16 in 2000), and 13 years with openings in August that lasted at least 17 days.

This office has just recently received the raw data on water quality sampling for Tisbury Great Pond from 2011, 2013-2015, but we have not seen any written reports on the findings. The Conservation Commission feels strongly that there needs to be consistency in the procedures for sampling and analyses of water quality samples in order to have the most accurate data about conditions in Tisbury Great Pond. This includes consistent testing of the 4 sentinel sites identified in this report, including time of year, handling of samples and lab used.

With respect to ongoing testing, how many successive years will testing be required at the 4 sentinel sites in order for DEP to determine if the goals have been met?

We would like to strongly encourage DEP to continue funding sources to programs like the 604B program that the Town of West Tisbury has benefited from in the past.

Very truly yours,

West Tisbury Conservation Commission

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Tara J. Whiting, Chairman

Enclosure

Copies furnished as follows:

Barbara Kickham, Chief, TMDL Program  
West Tisbury Board of Health  
West Tisbury Board of Selectmen  
Chilmark Board of Selectmen