

WEST TISBURY
CONSERVATION COMMISSION
MINUTES OF MEETING
October 27, 2020

Present: John Brannen, Geraldine Brooks, Whit Griswold, Donna Paulnock, Binnie Ravitch, Peter Rodegast, Michael Turnell, and Tara Whiting-Wells

Staff Present: Maria McFarland

Present for all or part of the meeting: Angela Luckey

Whit Griswold called the meeting to order at 5:03P.M. The meeting was held via Zoom in accordance with the Governor's order suspending certain provisions of the Open Meeting Law, G.L. c.30A sec.20.

Minutes: The minutes of the October 13 meeting were approved as written. Roll Call Vote: Binnie, Geraldine, John, Peter, Tara, and Whit voted in favor. Michael abstained.

Public Hearings: There were no public hearings held.

New Business: There was no new business on the agenda.

Old Business

Invasive Species removal/Pear Tree Cove/ Tisbury Great Pond: Maria circulated the photos of the Parrot Feather (*Myriophyllum aquaticum*) taken on October 20.

Whit summarized the site visit he had with Gregory Palermo, who reported the infestation and Keith Gazaille of SOLitude Lake Management on October 17.

Keith told Whit that this species likes fresh water so it would be found at the head of coves. Whit noted that the patches are not that big so if the tide was right a half dozen people with waders could take care of it.

Greg Palermo followed up the October 17 site visit with an email on October 24 to say that the kayakers who found the Pear Tree Cove infestation have looked in all the other coves and did not observe any other stands.

Maria referenced a Division of Conservation and Recreation/Lakes and Ponds Program fact sheet on this that states it can tolerate salinity and routine water level fluctuations. The fact sheet suggested mechanical harvesting, drawdown, and herbicides for removal.

The board discussed the pros and cons of a volunteer hand-pulling project and agreed that if the Board could find someone who knows what they are doing to oversee a project the board would be willing to help. At a minimum, a project would require a Request for Determination of

Applicability. An herbicide treatment would require a Notice of Intent. Whit suggested finding out the best time of year for a project.

Maria is waiting to hear back from Keith Gazaille to see if his company will give the town a proposal to handle this work.

West Tisbury Ponds/ Cyanobacteria: The Commission continued their discussion on the island wide plans to study and address the presence of these bacteria in island ponds that appeared for the first time over the summer.

Whit and Donna participated in a meeting organized by Emily Reddington of the Great Pond Foundation. The speaker was Professor Christopher Gobler, Chair of Coastal Ecology and Conservation at Stonybrook University. Professor Gobler spoke about developing a plan for monitoring and gathering evidence of this bacteria and testing as needed. Professor Gobler told the meeting that there is not much information on the cyanobacterial neurotoxin called “BMAA” and that the jury is out on how dangerous BMAA is.

At the last meeting, Maria was asked to find out what other island commissions are planning. She reported on the responses from Sheri Caseau of the MVC, Emma Green-Beach of the MV Shellfish Group and Liz Durkee from the Oak Bluffs Conservation Commission. She did not hear from the other towns. Emma said she and Sheri are not planning create a formal committee. Emma has offered space at the Hughes hatchery on Lagoon Pond in Oak Bluffs to set up a lab.

Sheri replied that she has contacted several people at EPA who would like to help the MVC learn more and set up a monitoring program. The MVC is looking for a program that will fit their system best. She has been contacted by the EPA Southeast New England Program (SNEP) team who are researching harmful algal blooms in the Southeast New England region. The MVC has received funding from this organization in the past. Sheri is hopeful they will include the MVC in their projects. She is still in contact with UNH who would like to do further research on the picocyanos that they found in brackish waters on the island. In her email, Sheri noted that, “cyanos are everywhere and the levels that were found in our waterbodies are below recreational limits but it bears watching. Excess nutrients and changing climate may be making the habitats more hospitable for them. “She is looking at several small grants to purchase equipment that could be used to identify and quantify concentrations.

Liz Durkee’s comments were more related to sea level rise.

Donna noted there would be a need for volunteers. Whit expressed concern for the ponds and the health of the shellfish industry. No action was required.

State Forest/Sheriff’s Meadow Foundation (SMF)/ Natural Heritage and Endangered Species Letter of Non –Compliance:

Members reviewed and revised a draft letter prepared by Tara and edited by Whit and Geraldine. Tara said she did not think the letter was strong enough. She suggested the addition of a

sentence referring to two previous MESA violations by Sheriff's Meadow Foundation dating back to 2008. Members agreed.

Peter offered to recuse himself as he works for SMF. He told the board that the issue is getting resolved and a low priority at the state level given the pandemic. He does not think additional pressure will help. SMF met with the state today but he did not know the outcome of the meeting. He continued that the trails were cut in conjunction with the former state forest warden and that SMF thought that the project was properly permitted. No one at SMF knew that he was not fully authorized to conduct the trail work that was done. He said the letter was a little overboard.

Tara expressed her outrage at what has been going on for such a long time. Members agreed.

A motion was made and seconded to approve the letter as revised. Roll Call Vote:
Roll Call Vote: Roll Call Vote: Binnie, Geraldine, John, Michael, Tara, and Whit voted in favor. Peter recused himself from the vote.

Revisions to Bylaw regulations Members reviewed and edited the drafts of final proposed changes to Section 4 (Buffer Zone) and to a new section on view channels.

Buffer Zone changes: Maria explained that the changes to Section 4 are based on the MACC model regulations for the Buffer Zone. It is largely an expansion of the language governing activities in the No-Disturbance and No-Build Zones. The revisions to the Buffer Zone section were finalized.

View Channel Regulations: Proposed edits were reviewed and discussed. All revisions were finalized with the exception of the section on performance standards dealing with how to determine the size of a view channel. Acknowledging that every site is different, the performance standards should provide a property owner with basic parameters of an allowable view channel depending on whether the view channel is for a new or existing house.

Maria was instructed to do some additional research to find examples of language delineating the dimensions of a view channel and a diagram that could be used to illustrate an acceptable view channel. Mike offered to look at some language on view channels.

Administrative:

Charter of Conservation Commissions: In light of the discussion of the Commission's role in commenting on the State Forest matter, Whit would like the Board to look at its role beyond the administration of the Wetlands Protection Act.

Maria will pull together the two state statutes that relate to conservation Commissions duties and responsibilities as well as the enabling town bylaw that created the West Tisbury Commission. She referenced the Massachusetts Association of Conservation Commissions handbook that is an excellent source of information on the role Commissions play in wetlands and natural resource protection. John will do some research.

Certificate of Compliance: Maps 5 & 13, Lots 1, 4, & 5/ SE79-309/200 Obed Daggett Road: Maria referred the Commission to the photos of her site visits on October 8 and 20 that she sent to the board last week. The project is in full compliance with the Order of Conditions. A motion was made and seconded to approve the Certificate of Compliance. Roll Call Vote: Binnie, Geraldine, John, Michael, Tara, and Whit voted in favor. Peter abstained.

Associate Member: The board met with Angela Luckey regarding an associate member position. She is currently an online student at American University pursuing a Master's Degree in Environmental Science and Policy. Since moving back to the Vineyard, she has joined the Mill Brook Watershed Management Committee and is interested in joining the Commission.

A motion was made and seconded to recommend Angela to the Board of Selectmen for appointment to the Commission as an Associate Member for a one-year term. Roll Call Vote: Roll Call Vote: Binnie, Geraldine, John, Michael, Peter, Tara, and Whit voted in favor.

The bill for the MACC Fall Conference for \$190 was approved for payment.

Correspondence:

In: Letter of Interest re: Associate Member position/Angela Luckey
Out Map 12 Lot 3/SE79-418/Christensen/Order of Conditions:

There being no further business to conduct, the meeting adjourned at 6:45 PM.

Respectfully submitted,

Maria McFarland
Board Administrator
APPROVED
11/17.2020