

## **Agenda for Coastal Resilience Advisory Committee meeting on 10/25/222**

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- 1. Link to Nantucket Historic Association Report, published in 2018**

**Report Title "Flood Resiliency Report & Facilities Capital Expenditure Forecast Plan"**

**<https://static1.squarespace.com/static/5f4e3852a61c082019fe2a68/t/5f95d8e2bd21e77cb127dffe/1603655917261/Nantucket+Historical+Association+Sea+Level+Rise+Report+2018.pdf>**

## 2. Original letter from Conservation Commission dated August 11, 2022

### TOWN OF NANTUCKET CONSERVATION COMMISSION

ASHLEY BRISMAN, CHAIR  
131 PLEASANT STREET  
NANTUCKET, MA 02554

CONCOM@NANTUCKET-MA.GOV  
508-228-7230



August 11, 2022

MassDEP Waterways Program  
1 Winter Street  
5<sup>th</sup> Floor  
Boston, MA 02108

#### **Re: Chapter 91 Compliance Questions and Request for Inspections**

Based on a unanimous vote (6-0) at the August 11, 2022 meeting of the Nantucket Conservation Commission, the local regulatory body charged with upholding the protections of the Massachusetts Wetlands Protection Act and the Nantucket Wetland Regulations, I as chair was authorized to provide this letter requesting assistance from the MassDEP Waterways program. The Commission understands that they have no control over the Chapter 91 license process and compliance but want to help insure that decisions that are being made are consistent with the policies and procedures of MassDEP Waterways.

The Commission has been receiving applications for repairs to existing Coastal Engineering Structures like bulkheads and groins over the past years and are seeking some guidance on how these structures are viewed under the Chapter 91 licensing process. Specifically, when these structures were licensed the on the ground conditions were surveyed and placed on plans. As time has passed waterlines have moved landward and resource areas changed with waterlines now against structures during most every tide cycle and cutting off reliable public access. Is there a trigger for an inspection against the Chapter 91 license where a remedy to this situation may be required? Does the license allow for reconstruction even with the original permit conditions no longer existing? As an example whether the original structure being protected is no longer present or that the resource areas have changed. How are these situations addressed?

The Commissions hope is that MassDEP waterways could work with the Commission's staff at the Town of Nantucket Natural Resources Department to assess the existing licensed structures and determine if action needs to be taken or if MassDEP Waterways determines these structures to be in compliance with the existing license and conditions. As climate change and sea-level rise continue to impact Massachusetts coastlines having clear guidance on how these types of

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situations are viewed is of critical importance. This will allow for local regulations to incorporate these important goals of continued public access in a manner consistent with state regulations and policies.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ashley Erisman", with a long, sweeping horizontal line extending to the right.

Ashley Erisman, Chair  
Nantucket Conservation Commission

### **3. Vince & Mary's draft CRAC/Select Board letter**

October **XX**, 2022

MassDEP Waterways Program  
1 Winter St, 5<sup>th</sup> Floor  
Boston, MA 02108

RE: Chapter 91 Compliance Questions and Request for Inspection

The Select Board of the Town of Nantucket and its Coastal Resilience Advisory Committee are writing to join and support the request dated August 11, 2022 from the Nantucket Conservation Commission for assistance from the MassDEP Waterways program to ensure that decisions made locally are consistent with the policies and procedures of MassDEP Waterways.

The Coastal Resilience Advisory Committee delivered a Coastal Resilience Plan (CRP) to the Select Board, which adopted it on January 12<sup>th</sup>, 2022. The CRP recommends measures to increase resilience on Nantucket as its coast is increasingly impacted by the effects of climate change, including erosion, flooding, and sea level rise.

Resilience measures may include (1) further coastal engineering structures as well as (2) maintenance of existing coastal engineering structures such as town owned coastal structures. Maintaining public access over time as coastal conditions change will be an important component of any new design. Having clear guidelines so that local plans and regulations will be consistent with state policy is essential as the Town moves forward with projects to modify coastal environments to increase resilience. Thank you for your consideration

Sincerely,

Jason Bridges, Chair  
Nantucket Select Board

Mary Longacre, Chair  
Nantucket Coastal Resilience Advisory Committee

#### 4. Alternative letter written by Ian Golding

October XX, 2022

MassDEP Waterways Program  
1 Winter St, 5<sup>th</sup> Floor  
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RE: Chapter 91 Compliance Questions and Request for Inspection

The Select Board of the Town of Nantucket and its Coastal Resilience Advisory Committee are writing to join and support the request dated August 11, 2022 from the Nantucket Conservation Commission for assistance from the MassDEP Waterways program to ensure that decisions made locally are consistent with the policies and procedures of MassDEP Waterways.

The Coastal Resilience Advisory Committee delivered a Coastal Resilience Plan (CRP) to the Select Board, which adopted it on January 12<sup>th</sup>, 2022. The CRP recommends that “nature-based strategies should be implemented wherever feasible with a clear emphasis on minimizing ecological impacts and maximizing ecological and public access benefits. Preserving Nantucket’s beaches and coast into the future for as long as possible should be (the) primary goal.”

Given that the office of CZM (Coastal Zone Management) has specified in its StormSmart Properties Fact Sheet 7: Repair and Reconstruction of Seawalls and Revetments regarding Beach Access that “According to the requirements of the Massachusetts Public Waterfront Act (Chapter 91), coastal property owners are required to maintain public access along the shore for the purpose of ‘fishing, fowling and navigation’ ...When erosion results in no fronting beach at mean high tide, then the reconstruction or repair of the structure will require a license from the Mass DEP Waterways Program that specifies how the property owner will maintain public access,” we ask that Mass DEP require property owners on Nantucket in future to obtain a license for reconstruction under Chapter 91 in advance before appearing before the Nantucket Conservation Commission for a Notice of Intent to effect said reconstruction.

Thank you for your consideration

Sincerely,

Jason Bridges, Chair  
Nantucket Select Board

Mary Longacre, Chair Nantucket Coastal Resilience Advisory Committee

## **5. Quarterly report from the Coastal Resilience Advisory Committee (CRAC) to the Select Board for July to September 2022.**

**Quarterly report from the Coastal Resilience Advisory Committee (CRAC) to the Select Board for July to September 2022.**

### **HIGHLIGHTS FROM THE QUARTER:**

- On August 9, CRAC invited major downtown harbor property holders to discuss their coastal resilience planning efforts. Participants were Harbormaster Sheila Lucey; Emily Kilvert, Chair of the Rising Sea Level Committee at the Nantucket Yacht Club; Stephen Creese, General Manager of the Great Harbor Yacht Club; and Carolina Magina, Sustainability Manager for New England Development, owners of the Nantucket Boat Basin. With these relationships, CRAC can work to integrate the CRP and best practices for sea level rise with large downtown landowners.
- A proclamation was submitted jointly with ACKclimate to the Select Board, which approved declaring September 2022 as Climate Change Awareness Month for the third consecutive year.

### **COASTAL RESILIENCE PLAN (CRP) ACTIVITIES:**

CRAC continued discussion on **Recommendation 1-14 Update Locally-adopted Sea Level Rise Scenarios and Best Available Flood Hazard Data** and requested additional information from Mass Dept of Transportation regarding public availability of the Massachusetts Coastal Flood Risk Model (MC-FRM) data. The Natural Resources Department has worked with Planning and Land Use Services to have the MC-FRM added to the Town GIS system, and four new layers representing sea level rise scenarios for 2030, 2050, 2070, and 2100 will be available in the near future. Once this is in place and freely available, CRAC plans to conclude the update and recommendation for approval by the Select Board.

CRAC has reviewed all of the Priority 1 projects from the CRP and the “Just do it” list from the March Design Thinking Workshop in an effort to select projects to push forward. General consensus was that elements of **Recommendation 3-4 Madaket Erosion Management and Pilot Project and Ames Avenue Bridge Protection** should go forward as a priority.

### **OTHER BUSINESS**

Prompted by the Conservation Commission, which sent a letter on the subject to Mass DEP on August 11, CRAC has discussed issues surrounding public beach access and passage along the beach in the intertidal zone, as it relates to Coastal Engineering Structures. CRAC has had considerable discussion to understand this issue and is drafting a letter which it expects will be forthcoming in this quarter (Q4) with a recommendation that the Select Board send it to Massachusetts Department of Environmental Protection regarding better understanding the DEP’s approach to ensuring public access to the intertidal zone.

Rachael Freeman, Land Bank Representative to CRAC gave an update on Land Bank coastal resilience plans on August 23. The majority of the presentation focused on the Washington Street area and developing plans to make the waterfront area more resilient to flooding and increase recreational use of the area.

CRAC reviewed the Falmouth Surf Drive resilience plan to understand how other communities prioritize resilience and how choices are made in coastal flood zones.

#### **GRANT APPLICATIONS:**

CRAC was involved in several grant applications with and through the Natural Resources Department and also with other island groups:

- A grant application for a feasibility study and public outreach regarding under the CRP Recommendation **2-6 Downtown Neighborhood Flood Barrier - Phase 1 Project** was submitted to the Mass Office of Coastal Zone Management (CZM).
  - On September 16, notice was received that the grant application was unsuccessful.
- Natural Resources Department had received a Southeast New England Program FEMA Zone Grant for \$158,465.00 for resiliency work in Sesachacha Pond. The CRAC had submitted a letter of support for their proposed oyster reef and land grading project. Part of CRP Recommendation **4-2 Polpis Road Raising, Culvert Expansion, and Wave Attenuation at Sesachacha Pond.**

#### **Requests & Recommendations:**

- Are there current or upcoming issues for which the Select Board would like the CRAC's advice?
- The CRAC requests that the Select Board expand the Environmental Goal of the Strategic plan to include implementation of the 40 recommendations of the CRP in the next ten years as a specific goal.