

April 7, 2015

Coastal Erosion Commission  
Massachusetts Office of Coastal Zone Management  
ATTENTION: Coastal Erosion Commission Report  
251 Causeway Street, Suite 800  
Boston, MA 02114  
[erosion-commission@state.ma.us](mailto:erosion-commission@state.ma.us).

PUBLIC COMMENT

Dear Members of the Commission:

On behalf of the many residents of Nantucket, both year-round and seasonal, who are concerned about the issues of climate change and rising sea level and the impact these realities will have on our island, the Coordinating Team of the Nantucket Coastal Conservancy (NCC) respectfully submits the following Public Comment on the Draft Report of the Coastal Erosion Commission issued this January.

The mission of the Nantucket Coastal Conservancy, founded in 2012, is to protect and preserve Nantucket's coastal resources through education, research and advocacy, ensuring that future generations have the opportunity to use and enjoy them.

We are particularly concerned because, with the recent proliferation of erosion-control projects along our shoreline, Nantucket's natural beaches are at risk. Not only do our beaches make us who we are, they are a key driver of our economy: they are cited time and time again as the main reason people come here to vacation, to live, to work, to raise a family and to invest. For islanders, how we respond to increased erosion and its consequences is not only an environmental issue, it is also an economic one.

Having worked with representatives of the Office of Coastal Zone Management (CZM) during the formation of our local Coastal Management Plan for Town-owned land, we are conversant with the science of coastal processes, including erosion, and the best practices of erosion control (No Adverse Impacts) advanced by the Commonwealth professionals most knowledgeable about these important matters. Representatives of the NCC also attended the March 19 Public Hearing held in New Bedford in regard to the draft Report of the Commission. Members of our Team have read the Report in depth.

With this information, as background, we offer the following comments:

#### REPORT BALANCED, BASED ON THE DATA AND THE SCIENCE

First and foremost, we commend the Commission for responding to its charge by producing a thorough, balanced document, obviously based on the data and the science. We support the work of the Commission and cite the members and staff for the quality of the report.

The report provides a discussion of the underlying science and a very useful inventory of existing structures and efforts meant to reduce or avoid erosion. The science section certainly describes the shoreline as a system, with events in one part impacting other areas.

#### IMPACTS ON OTHERS

Nevertheless, we believe that the report would benefit greatly from more discussion and considerably more emphasis on the fact that measures taken by governments or by private individuals in one area of the shoreline will impact others. We suggest adding explanations of such impacts. (We have heard people say, in essence, that if someone wants to do something to try to protect his or her property from erosion, then there is no reason for others to try to stop the effort. We hope the report can help overcome such lack of understanding.)

#### COSTS OF EROSION-CONTROL MEASURES

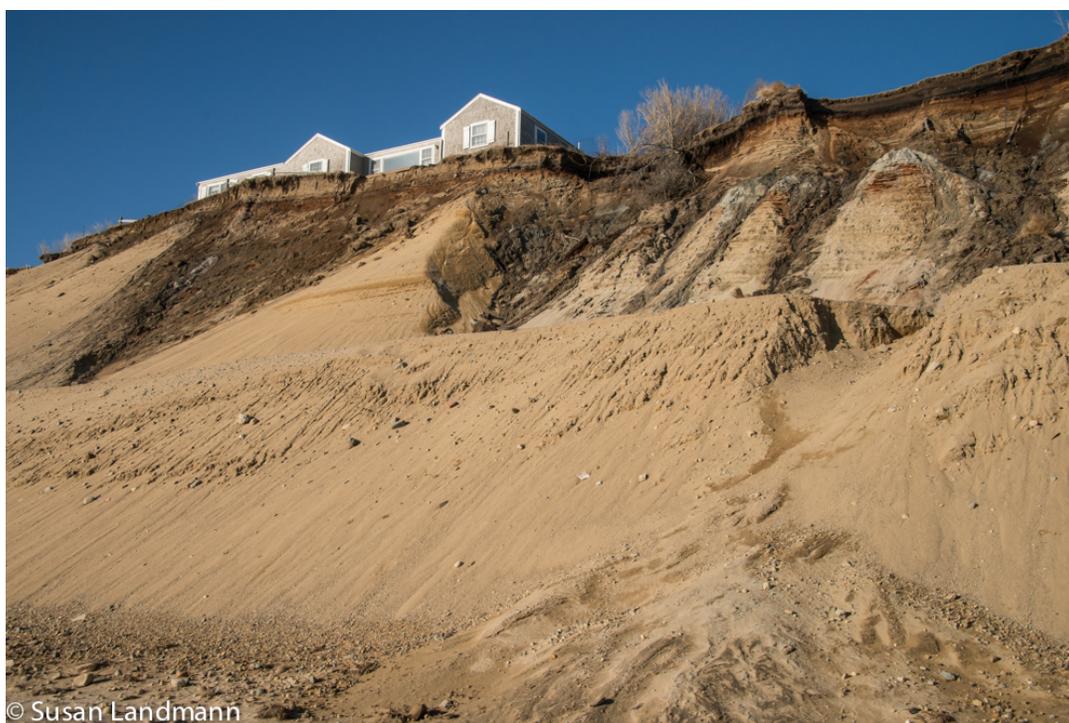
A related point has to do with the costs of potential erosion-control measures. They are expensive. They are likely to be feasible for people or towns with substantial financial resources. In light of our main point (above), the impacts will affect (often adversely) both individuals with fewer financial resources and also less-wealthy towns and communities.

#### RECONSIDER EXEMPTION FOR PRE-1978 BUILDINGS FROM PROHIBITION ON HARD COASTAL ENGINEERING STRUCTURES

Under the Legal and Policy section, we would like to see a recommended action relative to the exemption in the State Wetlands Protection Act (WPA) from the prohibition on hard coastal engineering structures given to pre-1978 buildings.

Over 35 years have passed since the law was adopted prohibiting the use of hard structures because of their adverse impacts. The science related to hard armoring is well documented, settled and beyond question. Such structures cause irreversible damage that cannot be mitigated because the mitigation effort is neither financially nor environmentally sustainable.

What is even more concerning is that, rather than narrowing this exemption, the State appears to be expanding it, as least from our community's perspective. In one highly visible, recent instance, the State overrode the decision of our local Conservation Commission (an exceptionally well-qualified board on which three PhD. scientists sit) not to permit a 900-foot seawall below the bluff in 'Sconset. In the Superseding Order of Conditions issued by the Department of Environmental Protection (DEP) last December, the department not only allowed the geotube seawall (installed under an Emergency Order) to remain, but did so even though within the seven-lot project area, only two (2) properties have pre-1978 structures on them. (One of these pre-1978 buildings is teetering on the edge of the bluff and appears to be uninhabitable. See photo below, taken March 25. The other is a small ancillary structure left on the lot when the main house was moved out of harm's way.)



This issue of the pre-1978 exemption, and the related one of "gap" lots, will only become more critical, as property owners bring increasing political pressure to bear on the State for more robust erosion-control measures.

Dr. Robert Young, the Director of the Program for the Study of Developed Shorelines, a joint venture between Duke and Western Carolina Universities, was quoted in the *Nantucket Inquirer and Mirror* [December 24, 2014], as saying he believes "Massachusetts needs a new policy for managing the coast." Referring to the protection of pre-1978 buildings in the Commonwealth, he opined that that exemption opens up "almost every shoreline as a candidate for coastal engineering. Is that what the people of Massachusetts want?"

A recommendation in the report from the Commission to our representatives in the legislature to address this matter would be an important first step.

#### GREATER EMPHASIS RE PRACTICAL STRATEGIES FOR COASTAL COMMUNITIES

We also recommend that greater emphasis, and detail, be given to practical steps coastal communities can take, such as set-back requirements and buy-back programs. While such initiatives are referenced in the draft report, they are not recommended as policy, according to Bruce Carlisle, when asked about this at the hearing in New Bedford on March 19. We recommend that the report be stronger in this regard, urging more than just further "evaluation" of such strategies.

In closing, we reiterate that we find the draft Report of the Commission to be a solid piece of work. It should prove helpful, especially with the revisions we recommend, to the policy- and law-makers in our Commonwealth, as they craft coastal management initiatives designed to assist communities like ours in dealing with climate change, rising sea level and subsequent erosion in ways that are both environmentally and financially sustainable.

On behalf of the NCC Coordinating Team,



D. Anne Atherton

#### NCC COORDINATING TEAM

Peter Brace  
Barbara Bund  
Sunny Daily  
Rita Higgins  
Susan McFarland  
Linda Sperry  
Liz Trillos  
Charley Walters  
Mary Wawro  
Karen Werner

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Nantucket Conservation Commission  
Nantucket Board of Selectmen  
Nantucket Planning and Economic Development Commission