

To all:

Earlier this week, the Conservation Commission (ConCom) rejected the application by the Town of Nantucket and SBPF for a non-emergency permit for erosion protection measures on ‘Sconset Beach and Bluff. The Siasconset Beach Preservation Fund (SBPF) is shocked and dismayed by this shortsighted decision. In rejecting this proposal, the Commission ignored science, the facts and the law as interpreted by the state Department of Environmental Protection (DEP).

Though we are disappointed, we are hardly surprised given the ConCom has consistently been dominated by flawed ideological thinking. Such thinking led to their original denial last fall and our subsequent emergency permit request to the DEP, which ultimately overrode their denial. We expect to continue to appeal their flawed decision making and believe that we have both science and the law on our side.

As we have discussed in the past, the three-tiered Geotube System installed in January 2014 under the auspices of an emergency permit performed extremely well during this winter’s storm season. Though we had originally hoped to build upon that success by adding a fourth layer to that system, through our permitting process this winter and spring, we changed course. Based on the comments made by the Commission during the April 2 meeting, we and the Town had every reason to believe that they would ultimately approve a temporary permit for the project “as-built” subject to stringent conditions in order to provide further opportunity to observe and test the system. Instead, without either proposing or voting on such conditions, the Commission unconditionally denied the joint application.

The ConCom's findings on a series of critical matters in this proceeding are strongly contradicted by the facts on their own record. For example:

- They ignore the fact that any system of biodegradable bags designed to lose all of their sand during a major storm is not sufficient to protect against the major losses that will occur in this location now that there is so little distance to Baxter Road, public infrastructure and historic homes. This has already been affirmed by the state DEP in this very case! And an example of biodegradable geotube failure occurred just last year in a nearby project.
- The ConCom originally proposed that the project include sand replacement at a rate of 1.5 times the current erosion rate (a level higher than required by the Commission in other similar projects) and then concluded that such an approach would be ineffective, despite a full array of engineering support and DEP approval for this approach.
- The project continues to be judged in comparison to other erosion control systems that DO NOT include the series of mitigation steps, financial supports and options for removal that SBPF has incorporated into this program.
- They prevented the planting of beach grass and woody plants on the Bluff to prevent erosion from wind and surface run-off, something the Commission routinely approves in other areas.

- They criticized the use of local sand for mitigation even when that is what the Commission requires in other permits, including adjacent projects.
- The final ruling ignores the provision in state law that requires it to permit coastal engineering structures to protect pre-1978 houses.

There is a clear cost of doing nothing to limit erosion on Sconset Beach and Bluff – including costs associated with closing Baxter Road, lost property tax revenue and decreased access to Sankaty Light. This is also a lost opportunity to test a system potentially capable of preserving all of Sconset in the face of rising sea levels.

SBPF expects to appeal this shortsighted decision and will continue to advocate for sustainable erosion control methods that are scientifically sound and can balance the varied needs of our community.

Sincerely,