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July 7, 2021

Via Email and Overnight Mail

Ashley Erisman, Chair
Nantucket Conservation Commission
2 Bathing Beach Road
Nantucket, MA 02554

RE: Sconset Bluff Geotextile Tube Project, DEP File No. SE48-2824
Proposed Sand Nourishment Program

Dear Commission Members:

As you are aware, our office represents the Siasconset Beach Preservation Fund (“SBPF”) in conjunction with Steven Cohen, Esq. and Epsilon Associates, Inc. (“Epsilon”) with regard to the above-referenced project. As discussed at the June 30, 2021 Commission hearing and as suggested by parties, including Greg Berman, the Commission’s outside consultant and Coastal Processes Specialist for the Woods Hole Sea Grant, the Nantucket Land Council, and Hill Law, on behalf of the Greenhill Family, enclosed for your review please find a proposed four-year Sand Nourishment Program prepared by Epsilon. This Program addresses the shortfall in meeting the permit requirements for sand delivery and brings the geotube system into compliance with the existing Order of Conditions’ compensatory sand requirement.

SBPF respectfully requests that the Commission reopen the June 30, 2021 hearing, reconsider, and rescind its vote to issue an Enforcement Order (“EO”) for removal of the geotubes. Instead, we request that the Commission consider and accept the enclosed four-year Sand Nourishment Program, and issue an EO that incorporates this Program as a requirement of the EO.

Finally, SBPF would like to clarify that it will agree to comply with the sand mitigation requirements in the OOC and any in an EO, which incorporates the Sand Nourishment Program, with the understanding that SBPF remains an Applicant with control of the Phase I project. Should SBPF no longer maintain the project in the future and discontinue operations, SBPF does not intend to provide this additional sand mitigation. As has been stated in the past, it is simply not feasible for SBPF to maintain the existing project unless there is a viable path to building the full-sized project, as has always been the plan. Should SBPF exercise its right to terminate the project, the Town may take over the expense of maintaining the existing project. Should the Town choose

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to abandon the project, a likely result is the breach of Baxter Road and its utilities, phased destruction of the historic neighborhood it serves, and a loss of public access and enjoyment in the area, an outcome we hope to avoid.

Thank you for your consideration of this proposed Sand Nourishment Program and reconsideration of the EO.

Sincerely yours,



Glenn A. Wood

Enclosure

cc: Steven Cohen, Esq. (via email)
Dwight Dunk, Epsilon Associates Inc. (via email)

MEMORANDUM

Date: July 7, 2021

To: SBPF, Nantucket Conservation Commission

From: D.R. Dunk

Subject: **Sconset Bluff Geotextile Tube Project (DEP File No. SE48-2824) | Sand Nourishment Program**

In its current configuration as a 947-foot geotube array, the Order of Conditions (“OOC”) calls for the placement of 22 cy/lf/yr of sand each year which correlates to 20,834 cy/yr. As documented in the 2020 Sand Delivery and Contribution Report (March 2021) and submitted to the Nantucket Conservation Commission with the Annual Report, SBPF documented a sand deficit of 26,637 cy through essentially December 31, 2020.

To make up for that deficiency, the SBPF proposes a sand volume nourishment program to bring the geotube system into compliance with the OOC compensatory sand requirement. To achieve compliance SBPF will place on the template $\frac{1}{4}$ of the deficiency volume (6,659.25, say 6,660 cy) over the next four years in addition to the annual compensatory sand volume per the schedule below:

Year 1: 20,834 cy + 6,660 cy = 27,494cy (say 27,500 cy)

Year 2: 20,834 cy + 6,660 cy = 27,494cy (say 27,500 cy)

Year 3: 20,834 cy + 6,660 cy = 27,494cy (say 27,500 cy)

Year 4: 20,834 cy + 6,660 cy = 27,494cy (say 27,500 cy)

The current year (2021) - Year 1 - the sand will be placed between October 2021 and February 2022 so sufficient sand is in place prior to the onset of the winter storm season.

The subsequent years sand will be placed as follows:

Half the volume 13,750 cy will be placed in the late winter to spring (between February and April) to replace sand lost during the previous storm season, and

Half the volume 13,750 cy will be placed in the autumn (between October and December) to provide sand on the template for the upcoming storm season.

In the event the template cannot accept the increased sand volume, excess sand will be placed at the base of Sconset Bluff fronting the lots between 59 - 85 and 105 - 119 Baxter Road.

Consistent with the OOC, compensatory sand grain size will be evaluated for compatibility with beach and bluff sediment. Further, for any sand sourced from sites other than commercial sand pits, the source site will be evaluated using the EDR Reporting service to screen out any known contaminated sites.