

Nantucket Coastal Resilience Advisory Committee (CRAC)
Tuesday, July 25, 2023
Via Zoom

*Meetings are audio- and video-recorded

Members present: Gary Beller, Dr. Sarah Bois, Carl Borchert, Peter Brace, Tim Braine, Matt Fee, Dr. Jen Karberg, Doug Rose; joined mid-meeting: Rachel Freeman (10:05 am), Joanna Roche (11:04 am)

Members Absent: Christy Kickham

Staff present: Vince Murphy, Leah Hill (joined mid-meeting at 10:45 am)

Speakers: Emily Goldstein-Murphy, Research Ecologist, Nantucket Land Bank

Others: David Bailey, D.Anne Atherton, Rick Atherton, JohnCarl McGrady

Recording available here: <https://www.youtube.com/watch?v=6llz6n2QlZA>

1. Call to Order – 10:05am

- With no active chair/vice chair, the meeting was called to order by Gary Beller, serving as chair pro-tem

2. Meeting announcements

- Script for remotely conducting Open Meetings
- Meeting is being audio/visually recorded

3. Election of Officers

- After discussion, the following slate was moved (Borchert), seconded (Fee) and approved unanimously:
 - *chair: Peter Brace*
 - *vice chair: Dr. Sarah Bois*
 - *secretary: Doug Rose*

4. Approval of Minutes from May 23rd meeting

- After review of edits, approved 9-0 (Braine abstained)

5. Presentation: Emily Goldstein-Murphy, Research Ecologist for Nantucket Land Bank (NLB), presented an overview of NLB's recent Federal EPA grant proposal submitted to Southeast New England Program (SNEP) for restoration of Lily Pond

- The proposal to this scenic wetland area would enhance parking and pedestrian access, address invasive species, and increase the watershed's capacity to remove suspended solids, nitrogen, phosphorus and bacteria from stormwater, ultimately helping control flooding and improve water quality at Children's Beach and in the harbor
 - *The proposed grant of \$600k would cover Phase I of NLB's Lily Pond Master Plan, prepared by Horsley-Witten Group, Aug 2021, plus a portion of the Sewer Dept master plan.*
 - *If the grant is approved, NLB is committed to providing >100% matching funds*
- In preparing this grant proposal, NLB worked in close cooperation with the Town of

Nantucket (TON) Sewer & Stormwater Department, to ensure no duplication of effort. The proposed restoration of Lily Pond completely aligns with TON's own master plan for a more resilient stormwater system

- Other collaborators include Nantucket Shellfish Association and Nantucket Land Council
- SNEP's decision is anticipated by September-October 2023
- Comments/questions from CRAC members:
 - *Brace asked if redesign will include a flapper valve to prevent salt water back-up; V. Murphy confirmed*
 - *Several members applauded the growing collaboration between NLB and TON on projects that relate to coastal resilience*
 - *Fee pointed out that this area is part of a storm tidewater pathway; asked if the project will require long term maintenance; E. Murphy confirmed that NLB is committed to providing ongoing management, as it does with all its properties*

→ Point of order from Vince Murphy, NRD's Sustainability Programs Manager:

- thanked Beller for serving as today's chair pro tem
- suggested CRAC send letter thanking Mary Longacre and Ian Golding for their service
 - *Rose volunteered to draft letter for review at 8/8/23 meeting*
- welcomed Rose and Braine, suggested they be given time later in the meeting to introduce themselves
 - *Bois asked if there was an 'onboarding' process for new members*
 - ◆ *Leah Hill, NRD's Coastal Resilience Coordinator, described how NRD staff supports newcomers to CRAC*

6. Presentation: V. Murphy provided a brief review of takeaways from the recent joint meetings of Select Board (SB) & Conservation Commission (ConCom), with focus on the concept of Coastal Resilience Districts (CRDs)

- CRDs were identified as a possible strategy for planning/funding coastal resilience (CR) projects
- Town Counsel has provided a summary of the legal grounds for a CRD system, and recommended establishing it via home rule petition (HRP)
- SB has requested that CRAC provide bullet-pointed input/feedback by 9/1/23. SB questions include:
 - *How should districts be defined and mapped?*
 - *Is the whole island the district, and specific benefit sub-districts are mapped on a needs basis?*
 - *Guidance on benefits:*
 - ◆ *should this include people who may benefit in the future?*
 - ◆ *100% on beneficiaries, or percentage on the town?*
 - *Problems with operation & maintenance of projects*
 - *Easements for utilities*
 - ◆ *Town water and sewer*
 - ◆ *Licenses for private electric and telecom (phone, internet, cable)*

- *Hold harmless clause*
- *Define coastal area, or risk area, or who may benefit*
- *Different or same benefits in flood zones or erosion zones*
- *Include sea level rise so that districts can migrate as waters rise?*
 - ◆ *Done by periodic review or in line with set parameters?*
- *Initial comments/questions from committee members:*
 - *Brace cautioned that a HRP requires a 2/3rd majority vote, and so would call for a concerted community outreach effort prior to Town Meeting*
 - *Fee shared Brace's concern with a HRP, adding that it could also be subject to negative pressure from state and local real estate interests. He suggested that betterments and regulation might be a more practical path, at least as a starting point, because they are a proven strategy without the high bar and long timeline (2-5 years) of a home rule petition.*
 - ◆ *Beller later voiced similar concern over the long timeline required for HRP*
 - ◆ *V. Murphy later commented that betterments are generally better suited to 'one and done' capital improvements (e.g., a sewer extension) rather than projects requiring long term, active maintenance*
 - *Borchert questioned the fairness of asking residents who live mid-island to share the cost of oceanfront resilience projects that do not directly benefit them*
 - ◆ *Brace and V. Murphy commented that this is the primary rationale for carefully 'mapping' CRDs, such that they help ensure that those taxpayers who benefit most directly from any given resilience project pay more than those who do not*
 - ◆ *V. Murphy also reminded members that no areas are immune from the threats posed by climate change and SLR*
 - *Bois commented:*
 - ◆ *appreciated that CRAC guidance can be provided in the form of bullet points; this should allow us to focus on substance over style*
 - ◆ *island-wide vs localized districts*
 - ◆ *CRDs will need to address entire spectrum of CR threats, i.e., erosion, SLR, storm surge, etc*
 - *Braine asked if we should anticipate additional administrative costs with a CRD system.*
 - ◆ *V. Murphy responded that additional costs are likely, though unknowable at this early stage. Example: just the mapping process is likely to involve other committees, PLUS etc.*
 - *Rose offered three thoughts:*
 - ◆ *Regarding how districts are defined and mapped: A possible alternative to defining CRDs geographically might be to group properties by their primary threat status, e.g., all homes in erosion zones, all homes subject to water table rise, etc. V. Murphy later cautioned that this route could add significant complexity; argued for smaller, project-specific districts versus larger districts*
 - ◆ *A critical challenge to a CRD system will be to establish objective criteria for determining which taxpayers benefit and to what degree – i.e., directly,*

indirectly, and not at all -- from each project. Example: improving the long-term resilience of the harbor transportation hub would benefit all of Nantucket, while providing alternative access to homes on Sheep Pond Road would benefit only the handful of residents who depend on it

- ◆ *A CRD system should not in any way infringe on or undermine the authority of regulatory commissions like ConCom*
- *Fee spoke about the importance of incorporating 'hold harmless' language into any CRD system, to protect TON from threat of litigation*
 - ◆ *Argued for using Baxter Road as test*
- *Beller commented:*
 - ◆ *Sees CRDs as an interesting idea, but only if they generate additional funds; Matt confirmed that if CRD residents sign up to support CR projects that benefit them directly, that should produce incremental funding*
- *Brace supportive of an island-wide district to address projects with island-wide benefits, with an overlay of smaller districts*
- *Freeman posed a devil's advocate argument: could the HRP route be beneficial, in that it would require a longer runway, thereby allowing more time to establish community buy-in?*
- *Roche commented:*
 - ◆ *Sees value in a single island-wide CRD as a way to garner buy-in from the community*
 - ◆ *Circled back to Brace's initial comment regarding the need for community outreach, positing that awareness of the CRP is quite low.*
 - *Hill and V. Murphy reminded the committee of the following TON communications resources: NRD social media; TON now has a communications office with two dedicated staffers*
 - *Brace asked if CRAC should appoint a 4th position responsible for posting updates*
- *Next steps/timeline:*
 - *Further discuss and collect CRAC feedback - 8/8/23*
 - *Review draft of bullet-pointed feedback and/or succinct recommendations - 8/22/23*
 - *Submit feedback to Select Board - 9/1/23*

7. Review of second quarter CRAC report to the Select Board

- *Presented by Hill; moved (Roche), seconded (Fee), and approved 7-0 (Braine abstained)*

9. Public comment: none

10. New business, Committee & Natural Resources Dept. (NRD) reports

- *Hill advised the committee of a CZM grant application that was submitted 7/11/23 for development of three design alternatives for Easy Street (30% level). A decision is anticipated in September/October*

11. Discussion of upcoming meeting dates and topics:

- Next meeting is July 25th, 2023 on Zoom.
- Fee suggested two topics for future CRAC agenda(s):
 - *What can be learned from studying other CRDs?*
 - ◆ V. Murphy commented that Nantucket would be the first in MA, and that effort is under way to investigate similar approaches beyond MA
 - *Should there be a subcommittee tasked with recommending capital planning strategies for CR projects?*
 - ◆ Roche is 100% supportive, and indicated that there is some urgency due to upcoming budget cycle
- Rose suggested members come prepared with their own bullet-pointed feedback on the CRD topic for the 8/8/23 meeting
 - *Also: Rose will draft letter(s) of appreciation to Longacre and Golding for review 8/8*

12. Motion to adjourn: moved (Roche), seconded (Borchert) and approved unanimously.