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Re: EEA# 16115 - Response to MA DMF comment letter, dated 11/27/19

In response to the MA Division of Marine Fisheries (DMF) comment letter in regards to the proposed project at Martha's Vineyard Shipyard dated November 27, 2019, Coastal Engineering Company has prepared this letter to clarify uncertainties and ambiguities of the comment letter. The DMF letter was inconclusive and made several presumptuous points that inaccurately represent the proposed project and are not facts. The purpose of this response letter is to state the facts of the proposed project at Martha's Vineyard Shipyard to avoid further misinterpretation and speculation.

**SUMMARY CONCLUSION:**

The DMF letter includes a figure that shows two potential closure areas which are: 1.) the potential marina proper closure (limited to the area between the proposed docks) which is approximately 1.6 acres (DMF letter states that this closure is 2 acres, the project size is 1.6 acres); and 2.) A 10% overnight occupancy scenario closure which is 23.5 acres. The 10% overnight occupancy closure of 23.5 acres should not be implemented because the Shipyard will meet and exceed all measures necessary to enforce a rule of no overnight occupancy of vessels, including enforceability in permit conditions. **The over-night occupancy of vessels at Martha's Vineyard Shipyard will not be allowed.** The marina proper closure should only include the area within the proposed docks. As demonstrated by the shellfish survey conducted of the entire marina proper area by AECOM in March, 2019 and report illustrated by Pamela Neubert, PHD this specific area in fact *is not a significant habitat for shellfish*. As a result of the shellfish survey, the proposed dredge channel was revised and relocated to avoid as many of the identified shellfish as possible. Prior to relocating the proposed dredge channel, there were a total of 25 shellfish observed within the dredge area. After relocating the dredge channel based on the shellfish survey results there are no only 7 shellfish observed within the proposed dredge footprint and project site. For this reason, the area within the project footprint should not be considered a significant habitat for shellfish. To mitigate any disturbances to shellfish as a result of dredging, the shipyard will have the entire dredge area raked to temporarily move any shellfish outside of the dredge area. (Refer to the mitigation plan below for more information).

## **DETAILED INFORMATION:**

The proposed project is to modify the existing Shipyard facility located along and adjacent to Lagoon Pond to maintain the working waterfront of Martha's Vineyard, adapt to climate change challenges of increased tidal surge and storm events, provide centralized, environmentally sound day-use (no live aboard or sleep-aboard boaters and no unauthorized discharge) dockage in the area for public boaters, improve navigation in the area and improve water quality in Lagoon Pond. Martha's Vineyard Shipyard has been in existence for over 175 years and has always co-existed with the coastal environment of Tisbury, MA including the resource areas, wildlife habitat, and shell fishing/ fishing industries.

The proposed in-water docks are in the same location as an existing public boat ramp, shipyard docks and where dredging has occurred periodically for over a century. The docks are proposed for a smaller footprint than the previously dredged area. The proposed project was designed to continue to co-exist with these resources as well as improve water quality. The proposed project will include improvements to the tidally influenced Lagoon Pond shorefront area as well as upland portions of the property that are zoned for and used for used as working waterfront and associated parking. This morning (December 3, 2019), the local shellfish warden announced the first closure of shellfishing in another area of the West Arm of Lagoon Pond, due to two elevated fecal coliform tests. This is currently the off-season for boaters so there are practically no boats in the water in the West Arm of Lagoon Pond (none in the water at Martha's Vineyard Shipyard) at this time and therefore this sudden fecal coliform bloom is not a result of boaters. This sudden closure (in an area that has never been closed) is proof that fecal coliform issues in Lagoon Pond are very likely caused by other factors (such as wildlife or road runoff) and not caused by boating.

Over the past 175 plus years Martha's Vineyard Shipyard has undergone several changes to adapt to the changing climate and marine market of the time period. Of these changes, there have been boat rails, piers, maintenance dredging, and docks to service recreational and commercial boaters. Over this time period the Shipyard has already occupied much of the area off-shore of their property where the project is currently proposed. During this time period the Shipyard has been able to coexist with the shellfish habitat and shellfishing industries (as well as other forms of fishing and environmental resources). Martha's Vineyard Shipyard is a high capacity shipyard that services many boats throughout the season each year so there is already a large presence of vessels using this area, and there has been for many years. There is also another marina, several private docks, and many moorings in the West Arm of Lagoon Pond. Martha's Vineyard Shipyard has always been run by owners who are very conscientious about the marine environment because they know their trade, which is the working waterfront, is dependent upon a healthy marine environment. The Shipyard has been owned by the Hale family for 61 years and is in being run by the third generation. They have already proven that they go above and beyond to ensure their operations are conducted as environmentally conscious as possible. This is represented by the fact that sediment samples were taken from the proposed off-shore footprint of the project and chemical testing of the samples found no contaminants in the sediment. Martha's Vineyard Shipyard is essential to the fading working water front Martha's Vineyard and Massachusetts and the proposed project is necessary for the shipyard to continue to function. Without the revenue from the centralized docks, the climate change and water quality improvements cannot be financed. The proposed project has been designed to improve storm water runoff, reduce the direct flow of pollutants from Beach Road into Lagoon Pond, and increase the coastal resiliency against coastal storms which all benefit the environment and wildlife habitats. For these reasons and many others, the proposed project has been designed to allow the Shipyard to



adapt to the times as it always has and continue to coexist with the shellfish habitat and shellfishing industry of Tisbury, MA.

#### **Concerns/ Questions from the DMF Letter:**

The MA DMF comment was submitted to MEPA as part of the ENF Filing EEA No. 16115 for the proposed project at Martha's Vineyard Shipyard. This letter is inconclusive about several very important points of the project which leaves room for misinterpretation and speculation.

#### **Closure Area and Shellfish Survey:**

One of the major uncertainties that have arisen from the proposed project is the seasonal closure area that will be set by MA DMF. The DMF letter states *"The full extent of the downgrade cannot be determined at this time, but at a minimum, nearly two acres will be automatically downgraded to either a Conditionally Approved or Prohibited classification year-round. The Conditionally Approved classification would limit shellfishing access to the winter season and would only apply if the marina is not operational during that time period and no more than ten boats are in the water. If measures to prevent overnight occupancy are insufficient, greater than 23 acres of the west arm of Lagoon Pond may need to be closed to shellfishing as a result of the proposed marina expansion (see Figure1). At this point, we are still identifying all the necessary conditions that need to be met to ensure that no overnight occupancy is occurring"*.

The original Notice of Intent Application and Shellfish Suitability Statement (which was revised on 12/03/2019 to include additional voluntary yet enforceable mitigation commitments that will be taken by the Shipyard) states that the Shipyard owners will "voluntarily not allow "over-night boaters" (people who plan to stay on their docked vessel over-night) **if it minimizes the footprint of the State** required seasonal shellfish closure area set forth by Massachusetts Division of Marine Fisheries to the smallest size possible (at the two furthest piers of the proposed project)." The quotation from the DMF letter above states that *"At this point, we are still identifying all the necessary conditions that need to be met to ensure that no overnight occupancy is occurring"*. The owners of Martha's Vineyard Shipyard have committed to and are dedicated to meeting any needs necessary to enforce their rule of no overnight occupancy of vessels docked at their slips. They have committed to only rent slips to seasonal boaters rather than transient boaters who could be more likely to sleep aboard their vessels without such a prohibition. The shipyard owners have also provided a sample lease agreement with slip holders that is based on the MA Clean Marina Guide published by CZM and states that no overnight boaters are allowed. Anyone who violates this rule will be violating their lease agreement and will not be allowed to dock their boat at Martha's Vineyard Shipyard. These precautions are in addition to the fact that the entire area is a "no discharge zone" and boaters do not tolerate discharge from neighboring vessels in close proximity. The shipyard owners are also open to work with the Harbormaster, Shellfish Constable, or any other regulatory group to enforce this rule if needed.

The DMF letter includes a figure that shows two potential closure areas which are: 1.) the potential marina proper closure (limited to the area between the proposed docks) which is approximately 1.6 acres (DMF letter states that this closure is 2 acres, the project size is 1.6 acres); and 2.) a 10% overnight occupancy scenario closure which is 23.5 acres. The 10% overnight occupancy closure of 23.5 acres should not be implemented because the Shipyard will meet and exceed all measures necessary to enforce their rule of no overnight occupancy of vessels. **The over-night occupancy of vessels at Martha's Vineyard Shipyard will not be allowed.** The marina proper closure should only include the area within the proposed docks. As demonstrated by the shellfish survey conducted of the

entire marina proper area by AECOM in March, 2019 and report illustrated by Pamela Neubert, PHD this specific area in fact *is not a significant habitat for shellfish*. As a result of the shellfish survey, the proposed dredge channel was revised and relocated to avoid as many of the identified shellfish as possible. Prior to relocating the proposed dredge channel, there were a total of 25 shellfish observed within the dredge area. After relocating the dredge channel based on the shellfish survey results there are no only 7 shellfish observed within the proposed dredge footprint and project site. In addition 36% of the proposed dredge footprint is already as deep as or deeper than the design dredge depth of -4' MLW and will not need to be dredged. (Refer to figure 1). For these reasons, the area within the project footprint should not be considered to have a negative impact on shellfish habitat. To mitigate any disturbances to shellfish as a result of dredging, the shipyard will have the entire dredge area raked to temporarily move any shellfish outside of the dredge area. (Refer to the mitigation plan below for more information).



Figure 1: Image obtained from the hydrographic survey sketch plan that shows the depth of sediment that needs to be dredged to reach the design grade of -4' MLW (5.29 NAVD88). Note the contours shown are on NAVD88 Vertical Datum.

There have been concerns expressed by the Martha's Vineyard Shellfish Commission and MA DMF that the shellfish survey that was conducted in March 2018 is inaccurate because it was completed in March which is typically after the shellfish season. According to the MV Times Article titled: "Tisbury Scallop Season Curtailed to Protect Seed" dated October 31, 2018 the scalloping season in 2018 was only open from October 27th through November 5th. This was due to reports of "lots of big seed and very few mature scallops". For this reason the quantity of scallops removed by commercial and recreational shell fishermen during the (shortened) 2018 scalloping season would have been practically negligible. This means the results of the shellfish survey that was conducted in March of 2018 *were not inaccurate* due to the removal of shellfish during the previous shell fishing season. In fact, the shellfish survey should have found an abundance of scallop seed *if* the area that was surveyed is a significant habitat for shellfish. According to the article, there was an abundance of seed found by shell fishermen in Tisbury so if the area within the proposed project was a significant habitat for shellfish, there would have been an abundant presence of scallop seed, but there was not.



The Shipyard also plans to provide slip rentals on a seasonal basis only. During the off-season the finger docks will be removed and stored at their storage facility off-site. Only the main docks will be left in place during the off-season. There will never be more than 9 boats docked at the shipyard during the offseason, if any, and none will include overnight sleeping. The shipyard has also offered to allow the Town Harbormaster boat to be docked at their facility in the off-season, an arrangement believed to be very much needed and appreciated by the Town to provide for safe yet speedy access to the open waters as needed. **The shipyard will allow commercial and recreational shell fishermen and women to use the docks that are left in place if the docks are approved, with no overnight usage allowed.** All of the slip holders and finger docks can be removed prior to the start of the commercial scalloping season to ensure the temporary seasonal closure set forth by MA DMF does not affect it. This will allow commercial and recreational shellfishing to continue as it has during the open season. As previously stated, the shipyard has coexisted with the shellfish habitat and shell fishing industry for 175+ years and it will continue to do so as a result of the proposed project. The reasons for impairment of Lagoon Pond's water quality (fecal coliform and high nitrogen levels) are not caused by docks and boating.

#### **Introduction of New Pollution:**

The DMF letter also contains speculation about an introduction of new pollution into Lagoon Pond that does not seem accurate. The letter states *"While proposed upland activities (reduction of impervious surfaces, re-grading, establishment of vegetated buffers) should benefit water quality, boating activities associated with the use of the proposed marina as well as likely increased waterfowl occupancy due to increased roosting habitat from docked boats and floats combine to increase the risk of impaired water quality for this region of Lagoon Pond."* The first statement is correct; the proposed upland improvements will reduce the direct flow of rain runoff into Lagoon Pond, thus improving the water quality. The second statement is inaccurate because the proposed project will not lead to an increase in roosting habitat for waterfowl. The proposed upland site redevelopment includes removing two warehouse buildings that total 20,705 S.F. and replacing them with a smaller warehouse building (5,300 S.F.) and a parking area that is partially reinforced gravel and partially paved. The net reduction of building space is 15,400 S.F. Currently most of the property within the proposed project site is covered by warehouse buildings. The roofs of the buildings provide plenty of room for waterfowl to roost unaffected by any human interaction. As rain falls it can suspend fecal matter from the roofs of the building which then may flow directly into lagoon pond. The proposed project mitigates this by significantly reducing roof space for birds to roost as well as re-grading the site and implementing reinforced gravel parking spaces and rain gardens to filter and rain runoff before it flows into Lagoon Pond. This aspect of the proposed project will greatly reduce the introduction of pollutants that flow into Lagoon Pond from Beach Road or the roof tops of the buildings along Beach Road. The shipyard is willing to install piling caps or spikes on all pilings to help mitigate any bird issues. Additionally there are many measures that can be made to ensure birds do not roost on the proposed docks, boats, or piles which include: spikes/ pile caps on top of the piles, bird deflectors on the top of the vessels, etc.

Other concerns and presumptions have been made that the introduction of new slip space will introduce new vessels into Lagoon Pond (specifically a portion of the West Arm) and therefore introduce new pollutants into the waterbody which may cause the water quality to decline. The introduction of slips will not cause a significant increase of boating activity in the area because *the area already experiences significant boating traffic.* Within the West Arm of Lagoon Pond alone there is a marina (Prime Marina) with 58 slips and over 30 boats stored on racks, approximately 10 private

docks, 90+ moorings, and the most frequently used boat ramp in all of Martha's Vineyard providing access to hundreds of boaters a year. Additionally this Town of Tisbury public ramp is located in prime shellfish habitat and it has coexisted with shellfish despite the huge volumes of boaters that come and go throughout the season. The Shipyard itself hosts a pier currently used by shellfishing boats and two boat ramps, within the footprint of the proposed project, where they haul and launch approximately 100+ boats per season. They also service 100+ boats per year at the existing pier and have been doing so for decades. Over this time period shellfish have continued to exist and the shellfishing industry has not been affected. Throughout the season, there are already several boats that use the existing docking space. Therefore the proposal of 48 new slips does not mean there is an introduction of 48 new boats that were never in Lagoon Pond before the project. Nor does the presence of boats equate to degradation in water quality.

For further assurance that the proposed marina will not introduce new pollutants into Lagoon Pond, the Shipyard owners have drafted their lease agreement with rules and regulations that were determined based on the MA Clean Marina Guide published by CZM. As it operates now, the shipyard meets or exceeds each standard stated in the Clean Marina Guide. The shipyard owners will work with CZM review their potential lease agreement with slip holders to insure all activities, uses, soaps, materials, bottom paints, etc. meet the highest standards possible to ensure there is no pollution added to Lagoon Pond. Certain rules will be set in place for potential slip holders such as: no overboard discharge (which is a federal mandate as Lagoon Pond is already a federal no-discharge zone), all slip holders shall keep a pump-out log, pump-out inspections will be required on a monthly basis, a list of approved cleaning products will be provided to slip holders and will be strictly enforced by the shipyard staff, no over-night occupancy of vessels or live-aboard boaters (as previously stated), use of copper-free bottom paint will be required for all slip holders, and no sub-contractors will be allowed to work on boats in the facility. The Harbormaster and Shellfish Warden can also assist the Shipyard in enforcement of these rules and policies.

For each of the reasons mentioned above, the proposed project will not introduce new pollution into Lagoon Pond. In fact it will reduce the flow of pollutants into Lagoon Pond by reducing the direct flow of rain runoff into lagoon Pond from Beach Road and improve water quality with the use of a floating upweller system (refer to shellfish mitigation plan for more information).

#### **Shellfish Mitigation Plan:**

The proposed project was designed using best management practices to minimize and/or avoid potential negative environmental impacts as a result of the proposed project. In addition, the owners of the Shipyard are formally committing to voluntarily implement additional measures as mitigation to further ensure the health of the shellfish habitat and benefit the local shell-fishing community.

1. The Shipyard is formally committing to voluntarily not allow "over-night boaters" (people who plan to stay on their docked vessel over-night) **if it minimizes the footprint of the State required seasonal shellfish closure area set forth by Massachusetts Division of Marine Fisheries to the smallest size possible (at the two furthest piers of the proposed project).** Additionally, slips will be rented seasonally and not daily to minimize the number of boats utilizing the proposed Project. The owners of Martha's Vineyard Shipyard are formally committing to meet any needs necessary to prove they will strictly enforce their proposed policy of no over-night boaters. They have drafted a potential lease agreement with potential slip holders that states "over-night occupancy is strictly prohibited". They



are also open to work with the town Harbor Master and Shellfish Constable to help enforce this policy. The owners of Martha's Vineyard Shipyard are dedicated to ensure this project does not adversely affect the environment or shell fishing and are therefore formally committing to prohibit overnight boaters if it minimizes the impact on the shellfish closure area set forth by MA DMF.

2. The Shipyard is formally committing to voluntarily hire commercial shell fishermen to rake the area where the dredging is proposed and will move these shellfish to areas adjacent to the project location but outside the dredging footprint. After dredging the shellfish that were removed can be replaced back to where they were.
3. The Shipyard is formally committing to voluntarily donate \$2,500 per year for the first 4 years upon the completion of the project towards a shellfish seeding budget. This is a total contribution of \$10,000 to the Town shellfish efforts. The Town can select its preferred strategy to use these funds for their seeding program or however it will benefit shellfish. (These numbers were based off of ARC Hatcher in Dennis MA where \$1,340 = 100,000 Quahog seed)
4. The shipyard is proposing two of the floating docks to be floating upweller systems such as a FLUPSY that can be used for shellfish propagation. Refer to images 1 and 2 below. The floating upweller system could be run by an oyster farmer or the town. A floating upweller system can be used for nursery culture of shellfish seed for Hard Clams, American Oyster, European Oyster, or Bay Scallops. "Upwellers have been proven as the optimal way to culture small shellfish seed through their delicate "nursery" stage, right out of the hatchery until they are large enough to be field planted." – Coastal Aquaculture Supply from their FLUPSY Brochure. According to Hoopers Island Oyster Co., their FLUPSY "tank upweller and floating upweller combo can handle 1-2 million seed per season." A FLUPSY fabricated by Hooper Island Oyster Co. costs approximately \$10,000 (before shipping), so the proposal to install two FLUPSYs is another approximate \$20,000 contribution to benefit the growth of shellfish in Tisbury, MA. (A FLUPSY is just an example of a floating upweller system that may be implemented. Other dock fabricators can construct floating upweller systems as well).



Images 1 and 2: Photographs of a FLUPSY obtained from Hoopers Island Oyster Co.

5. The shipyard is formally committing to voluntarily regulate the marina activities by the Massachusetts Clean Marina Guide as developed by the MA Office of Coastal Zone Management (CZM). As it operates now, the shipyard meets or exceeds each standard stated in the Clean Marina Guide. The shipyard owners will work with CZM to draft their potential lease agreement with slip holders to insure all activities, uses, soaps, bottom

paints, etc. meet the highest standards possible to ensure there is no pollution added to Lagoon Pond. Certain rules will be set in place for potential slip holders such as: no overboard discharge (which is a federal mandate as Lagoon Pond is already a federal no-discharge zone), all slip holders shall keep a pump-out log, pump-out inspections will be required on a monthly basis, a list of approved cleaning products will be provided to slip holders and will be strictly enforced by the shipyard staff, no over-night occupancy of vessels or live-aboard boaters (as previously stated), use of copper-free bottom paint will be required for all slip holders, and no sub-contractors will be allowed to work on boats in the facility.

Other measures taken by the project to specifically improve the water quality and promote the shellfish habitat include improvements to existing pump-out facilities as to eliminate any need for others to develop additional discharge locations on the Lagoon Pond area. There is already a pump-out facility as well as bathrooms on the North side of the property. This will ensure there is no additional effluent flowing into Lagoon Pond as a result of this project. The site is located in an existing "no discharge zone" so discharging of any waste will be strongly prohibited by Federal Law. There are also no public fueling operations existing or proposed at either location owned by Martha's Vineyard Shipyard. Overall, this proposed Project meets local and Commonwealth of Massachusetts Wetlands Protection Act Performance Standards and has been designed to improve water quality that will benefit shellfish habitat.

#### **Partnerships with the Town:**

Martha's Vineyard Shipyard is voluntarily taking additional measures to contribute funds to partner with the Town of Tisbury to further improve the coastal infrastructure and environmental resources of the Town. These additional measures include: 1.) Off-season dockage for the harbormaster boat; for ten years (estimated \$10,000 value); 2.) \$20,000 of in-kind mooring work, for Town-owned moorings over a 5 year period; 3.) \$15,000 contribution to the Town for the installation of a pumpout at the Town dock in Vineyard Haven; 4.) up to \$5,000 contribution to a proposed project to improve and clean the Beach Road drainage systems. The voluntary contributions to the Town projects mentioned in points 3 and 4 will directly lead to benefits in the water quality of Lagoon Pond and Vineyard Haven by providing another pump-out location for boaters and improving drainage of rain runoff from Beach Road. These items were based off suggestions made by Tisbury's town administrator as beneficial partnerships for the community. The shipyard owners are willing to continue working with the town to enhance the project, community and environment.

In summary, the potential voluntary financial contributions made by Martha's Vineyard to the Town of Tisbury to benefit shellfish habitat, shell fishing, and the coastal environmental resources include \$10,000 for shellfish seed, approximately \$20,000 for two floating upweller systems, \$10,000 for dockage of Harbormaster boat, \$20,000 for in-kind mooring work, \$15,000 for the new pump-out installation, and \$5,000 for Beach Road drainage improvements. The total cost of these contributions is \$80,000. If the Town of Tisbury, Town Shellfish Committee, or MA DMF recommends these funds are spent in other fashions of mitigation, Martha's Vineyard Shipyard is very open to discuss with the agencies. Other financial benefits to the Town from this project include increased taxable benefits from the marina (estimated \$17,000 +/- tax increase per year), increase in boat excise tax (estimated \$50,000 +/- per year), and a donation to Affordable Housing on Martha's Vineyard (as required by the Martha's Vineyard Commission) of approximately \$85,000. Bring a total year one contribution to \$232,000 and over \$500,000 in the first five years. We believe this shows the organizations commitment to the community and town.



**Alternative Analysis:**

The MA DMF letter also requested an analysis of the alternative for implementing a proposed marina on the Vineyard Haven side of their property. The alternatives analysis has been revised and updated to include this alternative which is also included below (refer to the updated alternatives analysis for Alternatives 1 and 2).

**Alternative 3 – Redevelop the existing Shipyard Marine Facilities on their Property along the Northwest Side of Beach Road**

This alternative was not included in the original Alternatives analysis because it is not a possible alternative. This area is directly exposed to Northeast winds which allows significant swell to develop during Nor'easter storms, as our climate changes the shipyard is seeing these Nor'easters happen with more and more regularity and intensity. Refer to the pictures below that demonstrate the severity of the impact from Nor'easter storms on this location. From these pictures it can be observed that the existing pier is almost completely submerged and there are at least 8-10 foot breaking waves. Another major obstacle for a proposed marina is that Martha's Vineyard Shipyard only owns approximately 80 feet of frontage along the shoreline. This means there is no room for additional or dockage along the shore, so any additional docks would have to be constructed in the Northwest direction and further offshore. There is no room to expand further out because there is a federal navigational channel and several moorings that exist just outboard of the existing dock meaning there is no room for any expansion. Extending further in this direction would also mean extending into an area that is even less protected and more vulnerable to severe wind and wave conditions from Nor'easter storms. Photograph 3 (following page) demonstrates Vineyard Haven's exposure to winds out of the North and East (as well as winds out of the Northeast). The purple dot is the shipyards location. It can be observed that this facility is incredibly exposed to winds out of these directions and as severe weather becomes more frequent, the shipyard has become increasing more vulnerability to climate change. For these reasons, constructing new dockage space in this area to rent slips is unsafe, impractical, and not possible.



Photograph 1



Photograph 2

Photographs 1 and 2 were taken from the Martha's Vineyard Shipyard office during an extreme Nor'easter storm. Note: the ship in these photographs is 154 feet long and 170 tons. The breaking wave off the stern of the ship is approximately 8-10 feet high.



Photograph 3

### Conclusion

The purpose of the proposed project at Martha's Vineyard Shipyard is to adapt to climate change, improve the coastal resiliency of the shipyard, maintain the working waterfront, and increase access to the water for public boaters. Due to recent developments of private homes along the shoreline of Martha's Vineyard, the working waterfront as well as the access to the water for recreational and commercial boaters is declining. The proposed project will allow the Shipyard to make necessary changes to adapt to changing times as it always has. The shipyard has been in existence for over 175 years and has always coexisted with the Town, environmental resource areas, and wildlife habitat. The proposed project was designed to continue to co-exist with these resources which specifically include the shellfish habitat and shell fishing industry. The owners have requested to discuss the proposed project with the Tisbury Shellfish Constable and have not received a response. They are very open to discussions with the Shellfish Committee, MA DMF, or any other group to ensure closure areas and any potential impacts to shellfishing and the shellfishing habitat as a result of the project are minimized.

Please feel free to contact me anytime to discuss our comments as stated.

Respectfully,

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CAA/cad

cc: Martha's Vineyard Shipyard  
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