MEMO
Date:  July 30, 2021
To:  Alex Elvin, Martha’s Vineyard Commission (MVC)
From:  Carlos Peña, Foth Infrastructure & Environment, LLC (Foth); Richard Andre, Vineyard Power
Re:  Response to July 27, 2021, Email

1. Any renderings of the project as currently proposed
   Please see the below rendered image.

![Rendered Image]

2. New or revised letters of support (current letters are from the town administrator, selectmen, Julian Cyr and Dylan Fernandes)
   Letters of support shall be forwarded to the MVC as received.

3. Revised timeline for development, if any different than before
   Tisbury Marine Terminal’s (TMT’s) anticipated construction timeline remains unchanged and assumes the first OSW farm will enter commercial operation in 2023. The O&M terminal improvements must be constructed before the OSW farm can begin operation. TMT plans to order steel and long lead time structural components in Q4 2021 and commence construction immediately after local, state, and federal permitting is completed. The construction of the terminal is anticipated to take 16 - 20 months and preparation must begin in Q4 2021 for the facility to achieve substantial completion by May/June 2023. Terminal completion is necessary in order to support service and maintenance operations required by the OSW farm. Construction of the O&M terminal will proceed as scheduled even if the anticipated tenant is not associated with the first OSW project to ensure readiness of the facility by June 2023.

4. Updated or new documents from the state in response to the notice of project change (NHESP determination, Chapters 91 and 401, MEPA and DEP comments, etc.)
   The comments for the MEPA notice of project change (NPC) are due on July 29, 2021. The regulatory comments will be incorporated into the local, state, and federal updated permit and license submittals by August 13, 2021.
5. **Updated stormwater report, as necessary to account for the changes to the pier deck**
The previously proposed TMT building, terminal upland features and stormwater infiltration system designed by Field Engineering in 2020 have been removed from the project and replaced by a pile-supported concrete pier at the O&M Terminal. Field Engineering will update the stormwater system for the concrete pier and feature filtered drains and scuppers along with upland infiltration of stormwater runoff. The updated stormwater report will be refined through the Notice of Intent (NOI) and DEP permitting process and the approved final stormwater report and plans will be submitted to the MVC prior to the commencement of terminal construction.

6. **Essential fish habitat study**
To essential fish habitat study prepared by RPS will be submitted to the MVC by August 2, 2021.

7. **Updated DRI application and/or checklist memo**
Attached please find a copy of the updated DRI application dated August 21, 2021.

8. **Revised landscape and lighting plan, if there are any changes**
The project lighting and landscaping plan is shown on the updated project plans and renderings. The project anticipates minor adjustments to the lighting and landscaping plan as a result of the Notice of Intent (NOI) and Building permit process through the Town of Tisbury and possible adjustments to the location of the terminal entrance and proposed public access facility. At the conclusion of the local permitting process, the updated landscaping and lighting plan will be submitted to the MVC prior to the commencement of terminal construction. The updated landscaping plan will meet design MassDOT and Town of Tisbury design standards. The updated lighting plan will be International Dark-Sky Association (IDA) compliant and meet Town of Tisbury design standards.

9. **The numbers for dredging in the notification of project change don't line up. It says 71,892 sf in the narrative of changes, but the numbers in the resource area tables add up to 74,244 sf. Can you clarify what the total square feet and cubic yards of dredging is?**
The total dredging footprint is 71,892 sf and the updated resource area table accordingly.

10. **Someone had previously stated that if Beach Road is raised in the future, the apron/ramp could be reconstructed to accommodate an increase of between 2 and 4 ft, and the proposed bulkhead structures could be raised 2 ft to accommodate projected sea-level rise. Is that still the case?**
The updated terminal project incorporates regulatory recommendations to raise the pier and terminal structures to accommodate predicted sea-level rise of two (2') feet by 2050 (UMASS 2018). The terminal structure have been raised to an elevation of 8’ NAVD88 from the previously proposed 6’ NAVD88 elevation. The current elevation of Beach Road at the terminal entrance is approximately 4’ NAVD88 and any future raising of Beach Road up to 4’ can be readily adopted to by proposed terminal apron/ramp.

11. **Please provide the Notice of Project Change MEPA comment letters**
One comment letter was received from Coastal Zone Management (CZM) in response to the Notice of Project Change. Please find a copy the CZM public comment letter attached.
Attachment 1
Updated DRI Application
Please consult the MVC website or contact the Martha's Vineyard Commission's Development of Regional Impact (DRI) Coordinator for documents that explain the DRI process and how to fill out this application form.

### 1. PROJECT NAME

Tisbury Marine Terminal

### 2. PROJECT LOCATION

190 Beach Road, Tisbury, MA

### 3. PROJECT SUMMARY

The objective of the proposed project is to improve the existing Tisbury Marine Terminal at the subject property to best accommodate future offshore Operations & Maintenance (O&M) facility operations and improve waterfront access for terminal operations. The subject property includes two (2) primary sections. The southern section will continue to support current R.N. Packer operations and utilized as a materials, cargo and bulk transfer/storage facility and marine terminal accommodating a variety of land and water based equipment, vessels and barges. The northern section of the site will serve as the new O&M facility for future offshore wind operations.

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<tr>
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<td>Total area of proposed buildings:</td>
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<td>Estimated cost of construction:</td>
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### 4. APPLICANT

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<tr>
<th>Applicant</th>
<th>Name:</th>
<th>Mr. Ralph M. Packer</th>
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<tr>
<td></td>
<td>E-mail</td>
<td><a href="mailto:rmpacker@vineyard.net">rmpacker@vineyard.net</a></td>
</tr>
<tr>
<td></td>
<td>Address:</td>
<td>199 Beach Road, Vineyard Haven, MA 02568</td>
</tr>
<tr>
<td></td>
<td>Telephone:</td>
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<tr>
<th>Preparer (if different from applicant)</th>
<th>Name:</th>
<th>Carlos G. Pena, P.E.</th>
</tr>
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<tr>
<td></td>
<td>E-mail</td>
<td><a href="mailto:carlos.pena@foth.com">carlos.pena@foth.com</a></td>
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<tr>
<td></td>
<td>Address:</td>
<td>15 Creek Road, Marion, MA 02738</td>
</tr>
<tr>
<td></td>
<td>Telephone:</td>
<td>508-801-4506</td>
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<tr>
<td></td>
<td>Fax:</td>
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5. OWNERS OF RECORD

Map Parcel | Owner’s Name | Lot & Plan | Certificate of Title
--- | --- | --- | ---
10-A-1 | R.M. Packer Co. | Lot A-1, Map 10 |
9-C-16 | R.M. Packer Co. | Lot C-16, Map 9 |

6. REQUIRED PERMITS OR REGULATORY PERMISSIONS

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<th>Referring Agency</th>
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<td>KERKA</td>
<td>NEPA Notice of Project Change</td>
<td>EEA #16190</td>
<td>June 30, 2021</td>
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7. APPLICATION FEE

Application Fee is enclosed To be determined by LUPC

8. ATTACHMENTS

A. List of Abutters NOI Submittal dated August 13, 2021
B. Deed(s) for all involved parcels NOI Submittal dated August 13, 2021
C. Written Authorization(s) from owners of all involved parcels, if other than the Applicant NOI dated August 13, 2021
D. Locus Map NOI Submittal dated August 13, 2021
E. Plan(s) of Existing Conditions NOI Submittal dated August 13, 2021
F. Plan(s) of Proposed Development NOI Submittal dated August 13, 2021
G. Description of Proposed Development and Summary of Impacts NOI Submittal dated August 13, 2021
H. Traffic and Access Impact Report or LUPC waiver dated...
I. Other technical report or document (specify) Responses to MPC PRE-DRI 67/43/30 Meeting dated 9/10/20, REV 11/3/20, NUC meeting 7/1/2021
J. Other technical report or document (specify) DRI Checklist - Attachment B Information dated August 13, 2021
K. Other technical report or document (specify)...

9. APPLICANT'S CERTIFICATION OF ACCURACY

I hereby certify that all the information in this application form and attachments is true and accurate to the best of my knowledge. I agree to notify the Martha's Vineyard Commission of any substantial changes in the information provided in this application, in writing, as soon as it is practicable. I understand that the failure to provide the required information and fee may result in a procedural denial of my project.

Signature of Applicant or Legal Representative: [Signature] 
Date: 7/1/21

Signature of Joint Applicant or Legal Representative: [Signature] 
Date: [Signature] 
Date: 7/1/21

Signature of Owner (if different from Applicant): [Signature]
Date: 7/1/21

10. MVC CERTIFICATION OF APPLICATION COMPLETENESS

I hereby certify that this application is complete according to the requirements of the Martha's Vineyard Commission and that a Public Hearing may be scheduled.

Signature of DRI Coordinator: [Signature] 
Date: [Signature] 
Date: [Signature] 
Date: [Signature]
Attachment 2

Tisbury Marine Terminal Shoreline Infrastructure Plans
Tisbury Marine Terminal
Shoreline Infrastructure

Tisbury, Martha's Vineyard
Dukes County, MA
June, 2021

Prepared by:
Foth Infrastructure & Environment, LLC

Drawing Index:

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<tr>
<td>G-001</td>
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Vicinity Map

Location Map
Attachment 3
CZM Public Comment Letter
The Massachusetts Office of Coastal Zone Management (CZM) has completed its review of the above-referenced Notice of Project Change (NPC), noticed in the Environmental Monitor dated July 9, 2021, and offers the following comments.

**Project Description**

The Tisbury Marine Terminal (TMT) project, to maintain and improve existing marine infrastructure and construct an Operations and Maintenance Facility (O&M) for offshore wind operations at 190 Beach Road, Tisbury MA, was previously reviewed by MEPA. The previous filing included barge ramps, berthing areas, a marine support building and a pile supported pier to expand storage and parking for the O&M facility. This filing proposes significant changes from the previously reviewed project design. Changes to the southern portion of the project include, removal of the third barge ramp, siting the proposed barge ramps on the landward side of the steel sheet pile bulkhead, removal of the three timber pile dolphins on the southwest side of the berthing area and removal of the three timber piles along the northern side of the facility. Other portions of the project, including the oversheeting of the existing steel bulkhead, realigning and filling of the existing solid fill wharf, proposed fill to level site to 6.0 feet NAVD88, and maintenance dredging remain the same as originally proposed. Proposed modifications to the northern portion of the project include changes to the dredge area, pile-supported pier, and access road. The marine support building has been removed from the proposed project. The O&M facility and dredge footprint were reduced in area and shifted approximately 5 feet to the north. Site access is via a ramp from Beach Road within the pile-supported pier. The pier for the O&M facility was redesigned as a steel pipe pile-supported concrete or timber deck with an elevation of 8.0 feet NAVD88, which was elevated an additional 2 feet to accommodate projected sea level rise. The pier is approximately 38,821 square feet in area and supported by 204 steel pipe piles. The construction of the pier will include temporary impacts to the coastal beach and coastal dune. Three 36-inch pipe pile mooring dolphins will be installed along the southern boundary of the O&M facility to replace the previously proposed timber pile dolphins.

**Project Comments**

CZM is supportive of the proposed changes to the project from that previously reviewed including the removal of the third barge ramp, removal of one section of steel bulkhead and removal of the marine support building. These changes will reduce impacts of the project to coastal beach and dune resource areas.
Resource Area Impacts

The previous filing did not accurately identify and define all coastal resource areas. With this filing, the coastal dune resource area has been added to the existing conditions plan, however, the extent of the dune is not clearly depicted. The coastal dune should extend from the landward extent of the coastal beach across the barrier beach to the coastal beach or salt marsh boundary on the southeast side of the barrier beach. Project plans should be updated to fully delineate the coastal dune.

The proposed design will impact coastal resources areas and their ability to provide critical function in the coastal environment. These potential impacts as described below should be minimized to the maximum extent practical. The two new steel sheet pile bulkheads proposed on the north (260 linear feet (LF)) and west (185 LF) sides of the site are located on coastal beach, coastal dune, land under the ocean, and land subject to coastal storm flowage resources areas. In addition, the new solid fill boat ramp on the north side of the pier and the new revetment on the northeast side of the site are located in coastal dune. These new bulkheads and the solid fill ramp may adversely affect the form and function of the coastal beach, specifically the ability of the beach to move and shift to dissipate wave energy. The new bulkheads, new solid fill ramp, and revetment may also change the form and function of the coastal dune; reducing dune volume; affecting vegetation; and preventing the dune from moving landward or laterally, from eroding in response to beach conditions, or from changing in response to wind and water flow. Wave reflection off the bulkheads and revetments could result in erosion of the fronting beach and land under the ocean. The berthing area is sited such that dredging of the intertidal and nearshore areas is necessary to achieve the water depths required for the proposed vessels. Dredging of the intertidal area will reduce the beach’s ability to provide wave energy dissipation and storm damage protection to landward areas.

Project Elements

The following section includes comments relating to specific components of the proposed project.

Revetment: The NPC states that the proposed revetment involves the reconstruction of an existing structure. Based on site observations, there does not appear to be an existing structure. The permits and associated plans to document the existing structure should be provided to the reviewing agencies.

Accessway: The proposed accessway to the site will be supported by a new revetment structure that appears to be located on the coastal dune, portions of which are currently vegetated. This accessway will likely eliminate existing vegetation in this area and reduce the ability of the dune to dissipate wave energy and provide storm damage protection and flood control to landward areas. The proponent should evaluate a pile supported ramp from Beach Road to the pile-supported pier instead of the proposed design to reduce impacts to resource areas.

Pile-supported platform: With this filing, the proposed pile-supported platform has been raised two feet to increase resiliency to future climate conditions. However, as designed, it is located at grade in the coastal dune resource area. The design detail included in the NPC also indicates that solid beams under the pile-supported deck will be placed approximately three feet below the dune grade. This proposed design may interfere with the ability of the dune to move and shift in response to high tides, waves, and storms. The ability of the dune to slow down water as it moves across the site is important to providing storm damage protection and flood control to landward areas, including Beach Road, which is an important transportation link for the island. To reduce the impacts of the platform, the proponents should consider elevating it a minimum of two feet above the proposed dune grade and
exploring support beam options above grade to allow the dune to continue to provide storm damage protection and flood control functions.

**Wave attenuator:** As proposed in the preferred alternative, the wave attenuator, designed to provide storm damage protection to the vessel berthing area, would extend to the seafloor. In previous comments on the ENF, comments expressed that this design will likely impede water circulation and some sediment transport between the coastal beach and nearshore. To minimize impacts to water circulation and sediment transport, it was recommended that the proponent reevaluate the wave attenuator design to minimize impacts to water circulation and sediment transport. This recommendation was not addressed in the NPC.

**Fuel tank:** In previous comments on the ENF, additional details were requested regarding the resiliency of the proposed 3,000-gallon fuel tank to be located at the seaward edge of the pile-supported platform, which appears to be located in the FEMA mapped Velocity Zone. This information was not provided in the NPC.

**Landscaping plan:** The NPC did not include details regarding landscaping for the portion of the site adjacent to the pile-supported pier. The proponents should develop a landscaping plan that incorporates native, salt-tolerant, deep-rooted vegetation to reduce erosion and dissipate flood waters moving across the site in coastal storms. Recommendations regarding plantings are available in CZM's *StormSmart Properties Fact Sheet #3: Planting Vegetation to Reduce Erosion and Storm Damage*.

Upon the final configuration and design of the proposed project components, the proponent should develop and distribute a monitoring plan to resource agencies. The plan should track potential impacts to resource areas and provide a baseline to determine mitigation, if appropriate.

**Federal Consistency Review**

The proposed project may be subject to CZM federal consistency review and if so must be found to be consistent with CZM's enforceable program policies. For further information on this process, please contact Robert Boeri, Project Review Coordinator, at robert.boeri@mass.gov, or visit the CZM web site at [https://www.mass.gov/federal-consistency-review-program](https://www.mass.gov/federal-consistency-review-program).

LE/sm/rh

cc: Susan Nilson, Foth Infrastructure & Environment
    Jane Varkonda, Tisbury Conservation Administrator
    Dan Gilmore, Nate Corcoran, MassDEP, Southeast Regional Office
    Stephen McKenna, Rebecca Haney, CZM