

Duxbury Seawall Committee Minutes –06/05/2019

TOWN CLERK

Present: DSWC Members: Alicia Babcock, Paul Brogna, Steve Callahan (9:45), Arthur Haley, Don Norris, Mary Shiebler, Tim Spellman

703 NOT 12 AM 10:45
DUXBURY MASS

Others Present: Ted Flynn, Sean Dahlen-Selectmen; Rene Read-Town Manager; Valerie Massard-Town Planner; John Adams-Town Treasurer; Pat Brennan-Amory Engineering; Leslie Fields- WH Group

1. The meeting was called to order at 9:02 AM in Mural Room at Town Hall.
2. The minutes of 05/14/2019 meeting were approved (6-0) with addition of Town Planner report added.
3. Draft CZM Letter from DSWC approved. Copy attached at end of minutes.
4. NEW BUSINESS-Discussion RE: Seawall Updates
Pat Brennan reviewed that the high water elevation was the basis for the Army Corps changing decision based on a second reviewer who had made a site visit during February full moon tides. The beach grade does not matter. An email response had originally OK'd work under a General Permit. A second email indicated that CZM would be meeting with Army Corps prior to work/permitting proceeding. An individual permit is required if more than 500 feet to be constructed. This requires CZM review and approval for the Corps. DSWC questioned the amount of 'push back' on a parallel course of wall construction and beach nourishment. It was noted we are no longer in an 'emergency' situation but in an *urgent* one in FEMA view. This changes permitting. The Corps suggested that the Town apply for individual permit for entire 4000 feet of wall replacement that would be good for 10 years. Beach nourishment would be considered mitigation. This would allow wall construction in phases as Town able to muster funds. At this point all agencies are in agreement with the Corps evaluation.

Discussion regarding the questioning of licensed surveys and Licensed Engineers stamped drawings by unlicensed engineering staff at the Corps. We have recent documentation of 2 certified surveys and 3 Certified Engineers that indicate the high tide line is below the wall. Sean Dahlen noted that the high tide line is an arbitrary line per the Corps. Engineers noted that a visual assessment does not replace a survey. Paul Brogna volunteered to meet with the Corps to discuss our documentation and the option of separating out the wall from nourishment. This would facilitate faster wall construction and avoid further damage to homes and property over the next 2-3 winters. There is grave concern that the wall needs to be replaced ASAP. We are now in hurricane season – so far we have been very lucky with weather. Currently the wall project hinges on beach nourishment. Town had no objection with Paul proceeding with Corps meeting, although they did not think he would change any minds at the Corps and did not hold high expectations from the meeting.

Sean suggested a clarification in writing regarding when a plan submitted (engineering and survey) as of that date that is accepted as official when submitted.

Valerie Massard noted that this project is using a large amount of public funds and the idea of nourishment is to prolong the life of a new wall required by regulatory agencies.

It was noted that the Army Corps had been asked directly if the damaged 800 feet of wall could be replace (permitted) and nourishment done after wall. The Corps did not answer the question. The permitting from the Corps is necessary to obtain our funding.

Sheila Spelman asked about the new time line for project. Mr. Read noted 18-24 months minimum before wall construction would start. Nourishment would be a year later.

Valerie noted that Grant funding for coastal modeling, environmental concerns, and initial permit (MEPA) are being done this year. Duxbury is working closely with Marshfield and MEPA/CZM/State to facilitate process. We would be applying again next year for additional Grant to continue to fund this process.

Questions from residents regarding alternative/proactive actions if wall delayed 2 winters. Town noted that there is no funding presently for rocks for additional placement. It would take a declared State emergency to place additional stones on beach. Funding during emergency would come from the Town stabilization fund. We have local conservation and MEPA approvals for wall replacement and wall revetment. Town DPW will be repositioning stones (no permit required), patching wall etc. with funding from their budget. Discussion of adding line item to budget for wall repairs/replacement, matching grant funding. John Adams indicated might be worth considering.

Beach nourishment discussion. We cannot use approved Town funds to begin beach nourishment study sooner. The Town has hired WHG. The contract will be signed in early September. The CZM Grant starts in July. Leslie noted that the nourishment design and MEPA ENF submitted would be complete by 06/30/20; individual permit within 12 months. WHG study will cover North end of Marshfield/Scituate down to North end of DBR.

Woods Hole Group is working with us and Marshfield for design and permitting. CZM and Fisheries permitting required. Leslie Field from WHG noted that a combination of cobble and sand placement is being looked at. There will be open meetings in several months after initial design completed. Public outreach is part of the Grant requirements. It was noted also that FEMA has announced new Grants for infrastructure funds. Discussion of WADs noted that a lot is involved in creating a breakwater WAD. Leslie noted that right now Duxbury is a sediment starved beach and we need to deal with that issue first. Dredging at Green Harbor and placement of it is being looked at also.

Letter writing/phone call campaign to be deferred until Paul meets with Corps.

Dam/Seawall Grant-current grant funds to be spent within 24 months. Next application (2020) due July 12, 2019. Pat in process of preparing.

Rene responded to DSWC request for Town Representation at our meetings to facilitate communication and answer questions. Rene noted that for many committees, the Chair/members meet with Town staff separately and then report back at Committee meetings. Alicia noted that there are many specific questions that occur at our meetings that require specific answers from staff. Rene/staff/contractors will try to attend.

Rene responded to DSWC question regarding additional representation of Agency meetings. He noted that these meetings are run by FEMA. They are hesitant to include citizens in the meetings. Rene will work with FEMA to include DSWC members.

Rene noted the FEMA is willing to pay for currently standing section of seawall between ORD North and Cable hill damaged walls. It would be considered mitigation funding.

Rene reported that there are 16 Easement letters still outstanding. Several signatures are awaiting copies of wall plans prior to signature. Pat will forward to those parties.

5. The meeting was adjourned at 10:50 AM.

Patricia Bowie, Coastal Resiliency Specialist
Executive Office of Energy & Environmental Affairs
Massachusetts Office of Coastal Zone Management
251 Causeway Street, Suite 800
Boston, Massachusetts 02114

RE: Town of Duxbury Grant Application to Coastal Resilience Grant Program FY2020

Dear Ms. Bowie,

On behalf of the Duxbury Seawall Committee, we support the enclosed application to the Coastal Zone Management Resiliency Program.

This grant will help to provide the critical information needed to design and permit the improvements and repairs to the damaged sea walls along the Gurnet Road in the Town of Duxbury, which were severely impacted in the March 2018 storms. The Commonwealth and the Town, as well as the County, shared in the original construction of the walls, and the Town has maintained the walls to protect the 192 residences, public water and public sewer located here since that time.

The Town responded with limited shoring to protect homes where walls were severely damaged or had missing sections. Efforts have been taken to secure FEMA Federal Disaster Assistance, state assistance, and public support to repair this important piece of infrastructure while maintaining constant contact with the residents of the area.

Duxbury has strengthened an informal partnership with the Town of Marshfield since that time. For example, we have shared drone footage, shared costs of emergency repairs to the Canal Street Bridge in Marshfield (in order to expedite Mass DOT funds for repairs of the Beach Street Bridge which enabled trucks to haul nourishment materials to the Duxbury Beach Reservation for an approved CZM grant funded project), and now this combined effort to promote the longevity of our common shoreline and jointly manage our open ocean coastline.

The Department of Public Works in Marshfield and Duxbury, emergency response, and planning agencies have worked together to incorporate the input from two pre-filing meetings with Coastal Zone Management along with input from the federal and state agencies responsible for permitting the proposed improvements, to carefully design the proposed scope.

The public outreach component is important as it will help to educate the general public relative to shoreline change and vulnerability and the need for maintenance of not only the hard structures, but also the many other remedies that are available.

Thank you,

Alicia Palmieri-Babcock Duxbury Seawall Committee Chair

