

To: Ms. Libby Gibson, Town Administrator
Dave Fronzuto, Marine Superintendent

From: Jack Wiggin, Interim Director, Urban Harbors Institute

Date: February 27, 2006

Re: State-approved Municipal Harbor Plan

In response to your request, we are providing you with a description of the tasks associated with preparing a municipal harbor plan for state-approval under the regulations at 301 CMR 23.00. These are supplemental to the tasks under our existing scope of work with the Town of Nantucket.

As you can see, the tasks are related to both process and substance. There are a number of consultations and public meetings required at both the scoping and approval stages and the regulations have some specific requirements regarding plan content and documentation that must be produced in support of the state's review and approval process.

Everything we've done to date: the public participation process, the mapping of the planning areas, issue identification, information gathering and analysis, consultations with municipal committees and staff, is consistent with the state's expectations for the harbor planning process, so entering into the state-approval process at this point will not affect what's been accomplished so far.

The state approval process does add time. I believe the scoping process will take four to six weeks and fulfilling the additional plan requirements will take some time; my estimate is that we will be working into mid-summer. At that point, the plan will be in a form suitable for adoption by the town and for submittal to the state. The state's approval process can take many months, but the town can proceed with presenting the plan's recommended implementation measures at the fall town meeting.

Below are the additional tasks related to preparing the Nantucket Harbors municipal harbor plan for state-approval:

1. Prepare, for town official signature, a request for a Scope for the plan as required in the state Harbor Plan regulations at 301 CMR 23.03(1).
 - a) Meet with staff of the Massachusetts Office of Coastal Zone Management (MCZM) and the Department of Environmental Protection's Waterways Regulation Program to obtain guidance on the information to be included in the request to the Secretary of Environmental Affairs for a scope for the municipal harbor plan.
 - b) Request for a scope will include at a minimum:
 - 1) a description of the harbor planning committee;
 - 2) an annotated map of the harbor planning areas;
 - 3) a narrative of the harbor and waterfront land and water, current problems and priority issues;

- 4) a review of the planning efforts to date; and
 - 5) a proposal documenting the planning process and its responsiveness to state guidelines:
 - i) a continuing public participation process, coordination with municipal, committees and officials, and ongoing consultation with state, regional and federal agencies.
 - ii) identification of information sources and methodologies for plan elements such as the inventory of natural resources, issue identification, formation of goals, objectives and policies, and assessment of alternative courses of action.
 - 6) list of relevant MCZM policies and objectives and the specific provisions of the Waterways Regulations (310 CMR 9.00) likely to be affected by the plan.
2. Attend, if scheduled by MCZM, a public scoping session.
 3. Attend the consultation session with the state agencies to finalize the draft scope.
 4. Conduct all research and analyses and prepare plan content consistent with the state Harbor Plan Regulations and as specifically required by the state's Scope for the harbor plan.
 5. Prepare the documentation required by the state Harbor Plan Regulations (301 CMR 23.04(1)(b)) to demonstrate that the plan meets the standards for approval in 301 CMR 23.05(5).
 6. Participate in the public hearing on the plan, if scheduled by the Secretary.
 7. Following the close of public comment period, participate in the consultation session(s) leading to the decision on the plan by the Secretary.
 8. Prepare modifications to the plan as may be required by the Secretary.

Our proposed budget for the tasks above is \$17,500.00. Since the actual level of effort involved with state approval is difficult to determine prior to scoping, this should be considered a not-to-exceed amount. We may well accomplish the tasks for less. I can break this down by task if necessary.

Let me know if you want to discuss.