

**East Beach Road  
Storm Deposited Cobble  
Interim Policy**

East Beach Road is part of the barrier beach system that plays a significant role in preventing storm damage and controlling flooding along the Westport River Estuary. In Massachusetts, a barrier beach is an Area Subject to Protection under the Massachusetts Wetlands Protection Act (WPA) (M.G.L. c. 131, § 40) and its implementing regulations (310 CMR 10.00, *et seq.*). Any activity undertaken within a barrier beach, which will remove, fill, dredge, or alter that area falls under jurisdiction of the WPA. The Westport Conservation Commission (“WCC”) oversees local enforcement of the WPA. This barrier beach system has repetitively been impacted by damaging coastal storms with significant loss of beach material on the southerly lots. To provide the Town of Westport, the Westport Highway Department, and East Beach lot owners an orderly and predictable expectation for post-storm operations following over wash events, the Select Board implements the following policy:

When storms cause over wash of beach sand and cobble onto East Beach Road the Highway Department shall first secure the integrity of the road and prevent further erosion. The Highway Department shall request an emergency certification from the Conservation Commission pursuant to 310 CMR 10.06 as soon as practicable. Per the Emergency Certification, the Highway Department shall move the beach sand and cobble deposited on the pavement of East Beach Road to the southerly side off the paved road, but within the right-of-way. It is understood that work during and after storms can be hazardous and emergency operations take precedence, but is the intent to this policy to remove material from the roadway and deposit the material on the southerly side of the roadway nearest to its point of origin.

Lot owners shall be responsible for spreading the over wash material once it has been pushed to the southerly side of the right of way. It is the lot owners’ responsibility to ensure that spread material is compliant with applicable regulations including, but not limited to the WPA. Lot owners shall apply for any permits/approvals required from the WCC before spreading the deposit materials.

This policy does not override the WPA and its regulations. This policy and any activity described within it is subject to approval by the WCC and/or MassDEP before any activity is commenced.

This policy shall remain in effect until the Westport Select Board adopts a beach management plan for East Beach or otherwise repeals this interim policy.