

**PURPOSE:**

To provide the Members a draft of a report explaining the Authority’s reasons for making certain modifications to the Authority’s proposed 2018 Winter and Spring Operating Schedules so that the Members can issue the report on the proposed schedules in accordance with Section 15A of the Authority’s Enabling Act and approve the Authority’s operating schedules for the Winter and Spring of 2018.

**BACKGROUND:**

After the Authority advertised its proposed 2018 Winter and Spring Operating Schedules in May 2017, it received a petition from 61 Falmouth residents on June 8, 2017 asking that the Authority hold a public hearing on the proposed schedules pursuant to Section 15A of the Authority’s Enabling Act. The Authority conducted that public hearing on June 20, 2017. Section 15A of the Enabling Act now requires the Authority, after considering the testimony at the public hearing, to issue a report either maintaining its original proposed schedules, or making modifications to them, and explaining their reasons therefor.

**RECOMMENDATION:**

That the Members issue the Authority’s report on the proposed 2018 Winter and Spring Operating Schedules in the form accompanying this staff summary, with whatever revisions they may determine to be appropriate, and that they also approve the Authority’s 2018 Winter and Spring Operating Schedules in the form attached hereto that make certain modifications to the original proposed schedules for the reasons explained in their report.

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Steven M. Sayers, General Counsel

APPROVED:

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Robert B. Davis, General Manager

**2018  
Martha's Vineyard**

**01/05/2018 - 03/14/2018**

	TRIP		LV WH	DUE VH		VESSEL	TRIP		LV VH		DUE WH
Daily						WH/NAN/MAR	6		6:00 AM		6:45 AM
Mon-Fri	5	***	6:00 AM	6:45 AM		IHM/WH					
Daily						IHM/WH	8		7:00 AM		7:45 AM
<b>Mon-Fri</b>	<b>203</b>	<b>%</b>	<b>6:30 AM</b>	<b>7:15 AM</b>	<b>HAZ</b>	<b>KAT</b>	<b>204</b>	<b>%</b>	<b>7:30 AM</b>		<b>8:15 AM HAZ/Wed</b>
Daily	7		7:00 AM	7:45 AM		WH/NAN/MAR	10		8:15 AM		9:00 AM
Daily	9		8:15 AM	9:00 AM		IHM/WH	12		9:30 AM		10:15 AM
<b>Daily</b>	<b>207</b>		<b>8:35 AM</b>	<b>9:20 AM</b>	<b>HAZ M-F</b>	<b>KAT</b>	<b>208</b>		<b>9:50 AM</b>		<b>10:35 AM HAZ M-F</b>
Daily	11		9:30 AM	10:15 AM		WH/NAN/MAR	14		10:45 AM		11:30 AM
Daily	13		10:45 AM	11:30 AM		IHM/WH	16		12:00 PM		12:45 PM
<b>Daily</b>	<b>211</b>		<b>11:05 AM</b>	<b>11:50 AM</b>		<b>KAT</b>	<b>212</b>		<b>12:20 PM</b>		<b>1:05 PM HAZ M-F</b>
Daily	15		12:00 PM	12:45 PM		WH/NAN/MAR	18		1:15 PM		2:00 PM
Daily	17		1:15 PM	2:00 PM		IHM/WH	20		2:30 PM		3:15 PM
<b>Daily</b>	<b>215</b>		<b>1:35 PM</b>	<b>2:20 PM</b>	<b>HAZ/Wed</b>	<b>KAT</b>	<b>216</b>		<b>2:50 PM</b>		<b>3:35 PM</b>
Daily	19		2:30 PM	3:15 PM		WH/NAN/MAR	22		3:45 PM		4:30 PM
Daily	21		3:45 PM	4:30 PM		IHM/WH	24		5:00 PM		5:45 PM
<b>Daily</b>	<b>219</b>		<b>4:05 PM</b>	<b>4:50 PM</b>		<b>KAT</b>	<b>220</b>		<b>5:20 PM</b>		<b>6:05 PM</b>
Daily	23		5:00 PM	5:45 PM		WH/NAN/MAR	26		6:15 PM		7:00 PM
Daily	25		6:15 PM	7:00 PM		IHM/WH	28		7:15 PM		8:00 PM
	<b>223</b>	<b>#</b>	<b>6:30 PM</b>	<b>7:15 PM</b>		<b>KAT</b>	<b>224</b>	<b>#</b>	<b>7:30 PM</b>		<b>8:15 PM</b>
Daily	27		7:30 PM	8:15 PM		WH/NAN/MAR					
F,S,S & H						WH/NAN/MAR	30	**	8:30 PM		9:15 PM
Daily	29		8:30 PM	9:15 PM		IHM/WH					
Sun-Thurs						IHM/WH	32	****	9:30 PM		10:15 PM
	<b>227</b>	<b>#</b>	<b>8:45 PM</b>	<b>9:30 PM</b>		<b>KAT</b>	<b>228</b>	<b>#</b>	<b>9:45 PM</b>		<b>10:30 PM</b>
F,S,S & H	31	**	9:45 PM	10:30 PM		WH/NAN/MAR					

M/V Island Home 1/5/18 to 1/10/18

M/V Woods Hole 1/11/18 to 3/14/18

M/V Woods Hole 1/5/18 to 1/10/18

M/V Nantucket 1/11/18 to 3/2/18

M/V Martha's Vineyard 3/3/18 to 3/14/18

**Bold indicates freight vessel - limited passenger capacity.**

**Freight vessel trips will not appear on pocket schedules or color brochures.**

\*\* Operates Fridays, Saturdays, Sundays & Holidays (01/15 & 02/19)

\*\*\* Operates Monday thru Friday

\*\*\*\* Operates Sunday thru Thursday

% Trips 203 and 204 are not scheduled to operate on Saturdays and Sundays, however these trips are available to operate if needed.

# Unscheduled freight trips available to operate, if needed.

M/V Woods Hole or  
M/V Nantucket or  
M/V Martha's Vineyard

Triple crew - Operates Monday thru Thursday from 6:00am to 8:15pm and  
Fridays, Saturdays, Sundays and Holidays from 6:00am to 10:30pm.

M/V Island Home or  
M/V Woods Hole

Triple crew - Operates Monday thru Thursday from 6:00am to 10:15pm,  
Operates Friday from 6:00am to 9:15pm,  
Operates Saturday from 7:00am to 9:15pm,  
Operates Sunday from 7:00am to 10:15pm.

M/V Katama

Triple crew - Operates Monday thru Friday from 6:30am to 6:05pm.  
Operates Saturdays and Sundays from 8:35am to 6:05pm

**2018  
Martha's Vineyard**

**03/15/2018 - 04/01/2018**

	TRIP		LV WH	DUE VH		VESSEL	TRIP		LV VH		DUE WH
<b>Mon-Sat</b>						<b>KAT/WH</b>	<b>200</b>	<b>**</b>	<b>5:30 AM</b>		<b>6:15 AM HAZ/Wed</b>
Daily						MAR	6		6:00 AM		6:45 AM
Daily	5		6:00 AM	6:45 AM		WH/IHM	8		7:00 AM		7:45 AM
<b>Mon-Sat</b>	<b>203</b>	<b>**</b>	<b>6:30 AM</b>	<b>7:15 AM</b>	<b>HAZ/M-Sat</b>	<b>KAT/WH</b>					
<b>Daily</b>						<b>KAT/WH</b>	<b>204</b>		<b>7:30 AM</b>		<b>8:15 AM</b>
Daily	7		7:00 AM	7:45 AM		MAR	10		8:15 AM		9:00 AM
Daily	9		8:15 AM	9:00 AM		WH/IHM	12		9:30 AM		10:15 AM
<b>Daily</b>	<b>207</b>	<b>%</b>	<b>8:35 AM</b>	<b>9:20 AM</b>	<b>HAZ/M-F</b>	<b>KAT/WH</b>	<b>208</b>		<b>9:50 AM</b>		<b>10:35 AM HAZ/M-Sat</b>
Daily	11		9:30 AM	10:15 AM		MAR	14		10:45 AM		11:30 AM
Daily	13		10:45 AM	11:30 AM		WH/IHM	16		12:00 PM		12:45 PM
<b>Daily</b>	<b>211</b>		<b>11:05 AM</b>	<b>11:50 AM</b>		<b>KAT/WH</b>	<b>212</b>	<b>%</b>	<b>12:20 PM</b>		<b>1:05 PM HAZ/M-F</b>
Daily	15		12:00 PM	12:45 PM		MAR	18		1:15 PM		2:00 PM
Daily	17		1:15 PM	2:00 PM		WH/IHM	20		2:30 PM		3:15 PM
<b>Daily</b>	<b>215</b>		<b>1:35 PM</b>	<b>2:20 PM</b>	<b>HAZ/Wed</b>	<b>KAT/WH</b>	<b>216</b>		<b>2:50 PM</b>		<b>3:35 PM</b>
Daily	19		2:30 PM	3:15 PM		MAR	22		3:45 PM		4:30 PM
Daily	21		3:45 PM	4:30 PM		WH/IHM	24		5:00 PM		5:45 PM
<b>Daily</b>	<b>219</b>		<b>4:05 PM</b>	<b>4:50 PM</b>		<b>KAT/WH</b>	<b>220</b>		<b>5:20 PM</b>		<b>6:05 PM</b>
Daily	23		5:00 PM	5:45 PM		MAR	26		6:15 PM		7:00 PM
Daily	25		6:15 PM	7:00 PM		WH/IHM	28		7:15 PM		8:00 PM
<b>Daily</b>	<b>223</b>		<b>6:30 PM</b>	<b>7:15 PM</b>		<b>KAT/WH</b>					
<b>Fri &amp; Sun</b>						<b>KAT/WH</b>	<b>224</b>	<b>***</b>	<b>7:30 PM</b>		<b>8:15 PM</b>
Daily	27		7:30 PM	8:15 PM		MAR	30		8:30 PM		9:15 PM
Daily	29		8:30 PM	9:15 PM		WH/IHM	32		9:30 PM		10:15 PM
<b>Fri &amp; Sun</b>	<b>227</b>	<b>***</b>	<b>8:45 PM</b>	<b>9:30 PM</b>		<b>KAT/WH</b>					
Daily	31		9:45 PM	10:30 PM		MAR					

M/V Woods Hole 3/15/18 to 3/23/18

M/V Island Home 3/24/18 to 4/1/18

M/V Katama 3/15/18 to 3/23/18

M/V Woods Hole 3/24/18 to 4/1/18

**Bold indicates freight vessel - limited passenger capacity.**

**Freight vessel trips will not appear on pocket schedules or color brochures.**

\*\* Unscheduled freight trips on Sundays are available to operate if needed.

\*\*\* Unscheduled freight trips on Mondays thru Thursdays and Saturdays are available to operate if needed.

% Trips 207 and 212 may operate as Hazardous on Mondays thru Fridays, if needed.

M/V Martha's Vineyard

Triple crew - Operates 7 days a week from 6:00am - 10:30pm.

M/V Woods Hole or  
M/V Island Home

Triple crew - Operates 7 days a week from 6:00am - 10:15pm.

M/V Katama or  
M/V Woods Hole

Triple crew - Operates Monday thru Thursday and Saturdays from 5:30am to 7:15pm,  
Fridays from 5:30am to 9:30pm and Sundays from 7:30am to 9:30pm.

**2018  
Martha's Vineyard**

**04/02/2018 - 05/10/2018**

	TRIP	LV	WH	DUE	VH	VESSEL	TRIP	LV	VH	DUE	WH
<b>Mon-Sat</b>						<b>WH</b>	<b>200</b>	<b>**</b>	<b>5:30 AM</b>		<b>6:15 AM HAZ/Wed</b>
Daily						MAR	6		6:00 AM		6:45 AM
Daily	5		6:00 AM		6:45 AM	IHM	8		7:00 AM		7:45 AM
<b>Mon-Sat</b>	<b>203</b>	<b>**</b>	<b>6:30 AM</b>		<b>7:15 AM HAZ/M-Sat</b>	<b>WH</b>					
<b>Daily</b>						<b>WH</b>	<b>204</b>		<b>7:30 AM</b>		<b>8:15 AM</b>
Daily	7		7:00 AM		7:45 AM	MAR	10		8:15 AM		9:00 AM
Daily	9		8:15 AM		9:00 AM	IHM	12		9:30 AM		10:15 AM
<b>Daily</b>	<b>207</b>		<b>8:35 AM</b>		<b>9:20 AM</b>	<b>WH</b>	<b>208</b>		<b>9:50 AM</b>		<b>10:35 AM HAZ/M-Sat</b>
Daily	11		9:30 AM		10:15 AM	MAR	14		10:45 AM		11:30 AM
Daily	13		10:45 AM		11:30 AM	IHM	16		12:00 PM		12:45 PM
<b>Daily</b>	<b>211</b>		<b>11:05 AM</b>		<b>11:50 AM</b>	<b>WH</b>	<b>212</b>		<b>12:20 PM</b>		<b>1:05 PM</b>
Daily	15		12:00 PM		12:45 PM	MAR	18		1:15 PM		2:00 PM
Daily	17		1:15 PM		2:00 PM	IHM	20		2:30 PM		3:15 PM
<b>Daily</b>	<b>215</b>		<b>1:35 PM</b>		<b>2:20 PM HAZ/Wed</b>	<b>WH</b>	<b>216</b>		<b>2:50 PM</b>		<b>3:35 PM</b>
Daily	19		2:30 PM		3:15 PM	MAR	22		3:45 PM		4:30 PM
Daily	21		3:45 PM		4:30 PM	IHM	24		5:00 PM		5:45 PM
<b>Daily</b>	<b>219</b>		<b>4:05 PM</b>		<b>4:50 PM</b>	<b>WH</b>	<b>220</b>		<b>5:20 PM</b>		<b>6:05 PM</b>
Daily	23		5:00 PM		5:45 PM	MAR	26		6:15 PM		7:00 PM
Daily	25		6:15 PM		7:00 PM	IHM	28		7:15 PM		8:00 PM
<b>Daily</b>	<b>223</b>		<b>6:30 PM</b>		<b>7:15 PM</b>	<b>WH</b>					
<b>Fri &amp; Sun</b>						<b>WH</b>	<b>224</b>	<b>***</b>	<b>7:30 PM</b>		<b>8:15 PM</b>
Daily	27		7:30 PM		8:15 PM	MAR	30		8:30 PM		9:15 PM
Daily	29		8:30 PM		9:15 PM	IHM	32		9:30 PM		10:15 PM
<b>Fri &amp; Sun</b>	<b>227</b>	<b>***</b>	<b>8:45 PM</b>		<b>9:30 PM</b>	<b>WH</b>					
Daily	31		9:45 PM		10:30 PM	MAR					

**Bold indicates freight vessel - limited passenger capacity.**

**Freight vessel trips will not appear on pocket schedules or color brochures.**

\* Operates Fridays, Saturdays, Sundays & Holidays (04/16)

\*\* Unscheduled freight trips on Sundays are available to operate if needed.

\*\*\* Unscheduled freight trips on Mondays thru Thursdays and Saturdays are available to operate if needed.

M/V Martha's Vineyard Triple crew - Operates 7 days a week from 6:00am - 10:30pm.

M/V Island Home Triple crew - Operates 7 days a week from 6:00am - 10:15pm.

M/V Woods Hole Triple crew - Operates Monday thru Thursday and Saturdays from 5:30am to 7:15pm, Fridays from 5:30am to 9:30pm and Sundays from 7:30am to 9:30pm.



# Woods Hole, Martha's Vineyard and Nantucket Steamship Authority

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**Report Issued under Section 15A of the Authority's Enabling Act**  
**on the**  
**Proposed 2018 Winter and Spring Operating Schedules**  
**of the**  
**Woods Hole, Martha's Vineyard and Nantucket Steamship Authority**

## **Introduction**

Section 15A of the Enabling Act of the Woods Hole, Martha's Vineyard and Nantucket Steamship Authority (the "SSA") requires the SSA to post and advertise in newspapers with general circulation in Falmouth, Barnstable, Martha's Vineyard, Nantucket and New Bedford all of its proposed schedule changes at least 60 days prior to their effective date. St. 1960, c. 701, §15A. Accordingly, the SSA placed advertisements of its proposed 2018 Winter and Spring Operating Schedules for the period from January 5 through May 10, 2018 in the following newspapers:

- *The Inquirer and Mirror* and *The Martha's Vineyard Times* on May 11, 2017;
- *The Falmouth Enterprise*, the *Standard-Times* and the *Vineyard Gazette* on May 12, 2017;  
and
- the *Cape Cod Times* on May 13, 2017.

The SSA's Enabling Act also provides that, if the SSA receives a petition within 30 days of those advertisements that is signed by not less than 50 persons who are residents of any of those communities requesting a public hearing on the proposed schedule changes, the SSA is to conduct a public hearing within 14 days of receiving the petition. In addition, the hearing is to take place in the community where the greatest number of petitioners reside. On June 8, 2017, the SSA received a petition with respect to its proposed 2018 Winter and Spring Operating Schedules that was signed by 61 residents of the Town of Falmouth (**Appendix A**). Therefore, the SSA held a public hearing on its proposed schedules at the Falmouth Public Library on June 20, 2017.

**The Petitioners’ Objection to the SSA’s Proposed Schedules**

In their petition, the 61 Falmouth residents “object to the continued scheduling of freight service from Woods Hole prior to 6:30AM due to the sleep deprivation caused by the noise impact of early morning SSA-related truck traffic on Falmouth and Woods Hole residents.” As advertised, the SSA’s proposed 2018 Winter and Spring Operating Schedules for the Martha’s Vineyard route (**Appendix B**) would include the following trips from Woods Hole prior to 6:30 a.m.:

- During the proposed 2018 Winter Operating Schedule (January 5th through March 14th):
  - 6:00 a.m. *Island Home* (January 5th through January 10th) and *Woods Hole* (January 11th through March 14th)
  - 6:15 a.m. *Katama* (designated as a hazardous cargo trip)
- During the proposed 2018 Early Spring Operating Schedule (March 15th through April 1st):
  - 6:00 a.m. *Woods Hole* (March 15th through March 23rd) and *Island Home* (March 24th through April 1st)
- During the proposed 2018 Spring Operating Schedule (April 2nd through May 10th):
  - 5:30 a.m. *Woods Hole*
  - 6:00 a.m. *Island Home*

**The Public Hearing on the Proposed Schedules**

All five SSA Members, as well as Port Council members Robert S. C. Munier (Falmouth) and Frank J. Rezendes (Fairhaven) attended the public hearing on the proposed 2018 Winter and Spring Operating Schedules. The SSA’s General Manager Wayne C. Lamson (now retired), Treasurer/Comptroller Robert B. Davis (now General Manager), Treasurer-Elect Gerard J. Murphy (now Treasurer/Comptroller), General Counsel Steven M. Sayers, Operations Manager Mark K. Rozum, Reservations and Customer Relations Manager Gina L. Barboza, and Woods Hole Terminal Manager Kevin R. Smith also attended the hearing. Ninety other people signed in at the hearing, and 24 of them gave testimony that day.

1. Roland Beliveau (224 Woods Hole Road) – Mr. Beliveau stated that he has lived close to the intersection of Woods Hole Road and Quissett Harbor Road since 1950 and that he has to sleep with ear plugs and without the windows open. He also stated that, because the SSA’s first trip from Woods Hole is at 5:30 a.m., the trucks are on the road at 4:00 a.m. and use their Jake brakes at the light. Mr. Beliveau believes that it is only fair to get this

freight to Martha's Vineyard moving from New Bedford and have island residents pay their fair share instead of making Falmouth residents suffer.

2. Jenny Marlowe (14 Cowdry Road) – Ms. Marlowe stated that she lives directly next to the United States Coast Guard base, that trucks are invariably there at 4:00 a.m., and that it is like living next to an active construction zone. Ms. Marlowe also stated that the trucks back up with that incredibly loud beeping noise, directly blocking her house and driveway and idling there for an hour. As a result, she cannot sleep past 4:00 a.m.
3. Judy Stetson (261 Quissett Avenue) – Ms. Stetson stated that she has lived at her home since 1960, and she then read the letter that State Representative Dylan Fernandes wrote to the SSA, dated June 20, 2017, which is included in the written testimony that was submitted regarding the proposed 2018 Winter and Spring Operating Schedules.
4. Joe El-Deiry (General Manager of John Keene Excavation) – Mr. El-Deiry stated that John Keene Excavation uses the SSA every day and even twice a day, and that he feel it is very important to understand how important the SSA is as a lifeline to Martha's Vineyard, not just for the commercial interests but also for the island residents who are trying to build and maintain homes. Mr. El-Deiry stated that, while the ferries operate very early in the morning, it is very important for his trucks to get on and off the island and go to do what they need to do when other businesses are open, and that is what his company relies on to be able to get back and forth when businesses are open. Mr. El-Deiry further stated that eliminating these trips would impact the number of reservations available to get back and forth to those establishments when they are open. In addition, Mr. El-Deiry noted that his company has a few employees who live off island who come on the 6:00 a.m. trip to go to work and he stated that if that trip is eliminated, it would impact those employees' opportunity to earn a living. Thus, Mr. El-Deiry said, it is not just freight trucks that use those early morning boats; people also commute on those boats.
5. Dianne McPherson (520 Woods Hole Road) – Ms. McPherson stated that her home is located where the trucks come around the bend from the golf course, and that her house shakes as the big trucks put on their brakes, and there is the noise as well. She also stated that she has been here for 60 years, that there is a big difference now, and that it is noise pollution for those who live right here who don't really see what they get out of this that they have to have this disruption so early in the day. Ms. McPherson stated that they are not saying to stop it, but rather to stop it this early in the day and to respect some peace and quiet that other human beings need to have.
6. Catherine Bumpus (45 Millfield Street and Co-President of the Woods Hole Community Association) – Ms. Bumpus recounted how, when the 5:30 a.m. freight boat was added in 2012, then Falmouth SSA Member Bob Marshall voiced his concerns about what it may do to the community and there were no advertisement of this change in the schedule. In addition, Ms. Bumpus stated that the 5:30 a.m. freight trips did not appear in any of the SSA's published schedules and, even though it was not until the fall of 2015 that people became aware that this trip had been added, everyone had felt that it seemed the traffic was getting earlier and earlier. Ms. Bumpus also noted that the 5:30 a.m. trip had been the

product of an exchange that had cut out evening trips in order to add the early morning trips. Ms. Bumpus also stated that it is unfortunate that the quality of life of Falmouth residents is suffering for the convenience of Martha's Vineyard residents, and that it puts them in an adversarial situation that no one wants to see. Ms. Bumpus also suggested that, if there is a premium for traveling early in the morning, maybe those trips need to come out of another port instead of making Falmouth residents suffer.

7. Kevin Robinson (27 West Main Street) – Mr. Robinson stated that, since 2010, he has run the Captain's Manor Inn, a bed & breakfast, which is located very close to the big curve next to the gas station at West Main Street's intersection with Locust Street. He also stated that when he first moved in he did not have this traffic problem, but that now he has guests complaining that they are having trouble sleeping. Mr. Robinson stated that one particular truck comes flying down the street every morning at 4:45 a.m. and puts on his Jake brakes, waking Mr. Robinson up, and that his guests are complaining, which they had not done in the past. Mr. Robinson noted that, if his guests don't sleep, he is going to lose customers, and that he felt the other residents on the street need to be considered as well. Mr. Robinson suggested eliminating the two early trips and that the SSA talk to the truck drivers, saying that he knows there is a way to drive trucks without putting the Jake brake on. Furthermore Mr. Robinson stated that the truck drivers are driving too fast, that someone needs to monitor them, and that it was the SSA's responsibility to educate the truck drivers so that they reduce the noise pollution they are creating.
8. Stephen Hoss (President of Cape Cod Express) – Mr. Hoss stated that Cape Cod Express has 24 trucks running each day on Cape Cod and that it run 8 trips each day to Martha's Vineyard beginning 5:30 a.m. through 6:00 p.m. Mr. Hoss also stated that the impact of removing the two early boats would increase traffic during the day on Woods Hole Road because those trips would have to be replaced during another time frame, or added at 10:00 or 11:00 at night. Mr. Hoss stated that the SSA has to run those two trips, as there is traffic going to Martha's Vineyard full every day. While Mr. Hoss said that he appreciates the concern and the heartache, it is a logistical problem for everyone to work out.
9. Brian Von Herzen (Executive Director of the Climate Foundation, 3 Little Harbor Road) – Mr. Von Herzen stated that there had been several problems in the past few weeks. The first is that the truck of the SSA's vendor repeatedly arrives at 4:45 a.m., well before 5:00 a.m. when trucks are allowed to arrive at the terminal, and he stated that the vendor should be more responsive. Mr. Von Herzen also stated that two Sysco trucks arrive in Woods Hole at 4:45 a.m., that only one unloads for the Pie in the Sky even though they both use their backup alarms, and that they both then make a right turn and jump in line in front of the other trucks arriving at 5:00 a.m. Mr. Von Herzen stated that this was a key opportunity, observing that if one lifeline is good, two lifelines are better and that a lifeline has to be built from New Bedford. Mr. Von Herzen also stated that the Climate Foundation has done the analysis and that service from New Bedford could address recycling, the re-use of products, and trash for key communities on Martha's Vineyard, and could also reduce the islanders' costs for recycling. Mr. Von Herzen also noted that freight service from New Bedford could also be used in an integrated way that helps trucks coming from New York. Accordingly, Mr. Von Herzen stated that building a second lifeline would help



both Martha’s Vineyard and Falmouth residents, that everyone has to look at the “triple bottom line” which includes financial, environmental and human capital, and that, given that boats can significantly reduce their fuel consumption by reducing their speed, freight service from New Bedford is particularly appropriate for commodities that are not time-sensitive.

10. Katherine Frantz (8 Millfield Street) – Ms. Frantz stated that she is not directly affected by the sound, but she was concerned about the wear and tear on the roads due to the heavy freight traffic. Accordingly, she encouraged the SSA to look at what freight can come from New Bedford, saying that not all of the freight needs to go through Woods Hole and that she was not certain what the benefit is to Falmouth residents.
11. Laurence Noonan (summer resident of New Silver Beach) – Mr. Noonan stated that he has been part of Falmouth for all of his life, and he expressed his deepest apologies for the noise factor of truck traffic in the early morning. But Mr. Noonan noted that it is a real opportunity for hazardous materials (“hazmat”) to move through the crowded streets of Woods Hole before the crowds are out there and that, if that early morning opportunity were removed, it would be a little more dangerous to move the hazmat when there is more traffic on the road. Accordingly, Mr. Noonan said, the more hazmat freight that is moved early in the morning, the better it is for everyone involved. Finally, Mr. Noonan said, his company has told its drivers not to use their Jake brakes, and that there is no need for them to go fast.
12. John Roger Augusta (Falmouth Lumber Company) – Mr. Augusta stated that Falmouth Lumber Company uses the SSA as a lifeline, that it needs its trucks going over to the island, and that they have to go. Mr. August stated that it also needs the extra trucking and the early boats. Mr. Augusta also noted that, if boats were to go from New Bedford to Martha’s Vineyard, they would have to go through some of the most dangerous passages on the East Coast.
13. Nat Trumbull (11 Church Street) – Mr. Trumbull testified about both the history and the impact of the 5:30 a.m. ferry principally by reading from his written statement which is included in the written testimony that was submitted regarding the proposed 2018 Winter and Spring Operating Schedules
14. Doug Jones (Falmouth Selectman, 399 Quissett Avenue) – Mr. Jones read the letter from the Falmouth Selectmen to the SSA, signed by Chairman Susan L. Moran and dated June 19, 2017, which is included in the written testimony that was submitted regarding the proposed 2018 Winter and Spring Operating Schedules.
15. Kevin Cheney (Kevin Cheney Trucking) – Mr. Cheney stated that he has been going to Martha’s Vineyard for 18 years, that the SSA is pretty adamant about informing drivers what they can and cannot do, and that the SSA’s employees are very helpful as far as telling people not to do things. Mr. Cheney also noted that a lot of the trucks that go to Martha’s Vineyard in the morning are the same trucks, that Sysco trucks from Plymouth, himself (who is also from Plymouth), and Noonan trucks show up every day and do the same

routine. Mr. Cheney noted that they are very well informed and, with respect to other truck drivers who fly down Woods Hole Road, the police should stop them. Mr. Cheney stated that, if the early morning trips were eliminated, the regular freight customers would be punished because of the actions of a small few, and that trucks are a part of their lives. While Mr. Cheney acknowledged that there are a few who cause a problem, he stated that not everyone should be punished. Mr. Cheney also recounted how it had recently taken him three weeks to get a reservation to the island, which he said is not fair to the customers over there, and he noted that taking away those first trips in the morning would hurt everyone involved.

16. Mark Metell (Warren Trask Company) – Mr. Metell stated that it has been increasingly more difficult over the last few years to stage trucks at the Woods Hole terminal because of the lack of space, but that Woods Hole Terminal Manager Kevin Smith does a good job and no one can do more than what the SSA is doing now. Mr. Metell also stated that there are a few drivers who don't obey the rules, but he noted that the SSA cannot police them all. Mr. Metell stated that he hears the concerns of Falmouth residents, but he was also concerned about Noonan's trucks coming down at a later time when the roads are going to be filled with people, kids and school buses. Mr. Metell stated that people have to realize that the 5:30 a.m. boat was put in for a reason, to keep the trucks off the roads at a later time. While Mr. Metell acknowledged that there will always to be a couple of bad apples, he stated that they are not the SSA's responsibility, who can only ask truck drivers to drive carefully while they are on the roads. Rather, Mr. Metell said, that is the responsibility of the owners of the freight customers and the police, and he suggested that Falmouth residents ask the police to put a cruiser on the road.
17. Ellen Love Pendleton (18 Locust Street) – Ms. Pendleton stated that she has been visiting Falmouth for 25 years and, since she recently has become a small business owner here, she has to comply with a noise ordinance at a certain time of night. Ms. Pendleton stated that, as a resident, she believes the SSA, like any other business, should comply with those noise ordinances. Ms. Pendleton suggested that the SSA's trips go a little bit later in the morning, when there still aren't that many people riding their bicycles, saying that it is not a big deal for the SSA to start an hour later.
18. Philip Logan – (482 Woods Hole Road) – Mr. Logan stated that the SSA addresses its accounting methods simply by looking at its balance sheet and its financial costs and that it ignores all of the other costs that the people have to bear. Mr. Logan also observed that it is nice that the island residents have the SSA to subsidize their existence, but if they were to pay the true cost of what the SSA's business really represents, including having their freight come out of New Bedford and paying higher prices as a result, they would have a reasonable idea of what living on an island truly costs.
19. Jonathan Goldman – (12 Sidney Street) – Mr. Goldman stated that he has convinced himself that there is a river running by his house early in the morning and that some days the river really runs strong. Mr. Sidney also stated that the noise of the traffic is a drone all day, and that the problem is the impact of the constancy of the noise on people's concentration and their ability to sleep. Mr. Goldman then asked the SSA, if it has the

opportunity to change something for human benefit and to reduce human cost, to err on that side. Mr. Goldman also noted that the SSA has a reputation of being somewhat unapproachable, but he said that it is very important to take those kinds of considerations under account, especially when it is a small thing, only an hour. Mr. Goldman also complained about the speed by which traffic travels down Woods Hole Road, and he asked if there are any possibilities of slowing that traffic down. Mr. Goldman noted that his direct experience of being woken up is extensive and he asked at what cost of the human side of things will there be change. Mr. Goldman observed that New Bedford is prepared to handle the freight traffic and that everyone needs to come together on this issue, saying that this is an opportunity for the SSA to generate goodwill from the communities it affects.

20. Abigail Bumpus (45R Millfield Street) – Ms. Bumpus stated that she grew up being told not to walk along Woods Hole Road because of the big trucks that travel on it, and she recounted how she recently had walked to the top of the street and noticed how much noise there is. Ms. Bumpus also stated that when she sees something like this affecting her community so much, she would ask that the SSA consider the alternatives that seem to make sense logically and from the human factor.
21. Pam Stark (9 Little Harbor Road) – Ms. Stark observed that all of the freight going to Martha’s Vineyard goes through Woods Hole, but that during the summer they go to two different ports on the island. Ms. Stark stated that it would be nice if the mainland could also adjust the load a little with two different ports by having New Bedford come on line.
22. Richard Hale (42 Landfall) – Mr. Hale stated that the SSA has to make a decision at some point, either that all of the freight is going to continue go through Woods Hole as traffic grows or that it is going to run a ferry from New Bedford. Mr. Hale stated that he was interested in understanding what at some point the schedule will be in the future. For example, Mr. Hale asked, at some point in the future will the SSA be operating a 4:30 a.m. trip from Woods Hole? Mr. Hale noted that he has been coming here since 1974 and it is astounding how much the traffic has grown. Accordingly, Mr. Hale said, it would be nice if the public knew what the SSA’s thinking is.
23. Nan Schanbacher (14 Cowdry Road) – Ms. Schanbacher stated that everyone lives with the SSA and knows that it is necessary for the islanders, but she noted that, since 1965, she has had to deal with people blocking and being in her driveway and that, while she knows those problems are not the SSA’s responsibility, they have gotten worse over the years. Ms. Schanbacher stated that Falmouth residents are trying to be reasonable and to work with the SSA to find a reasonable solution that would make everyone happy, observing that it is one thing to say that we are lifeline to Martha’s Vineyard, and another thing to say that the schedule has changed for the convenience of the island, when it is not a reasonable solution to force Falmouth residents to be affected by the noise of the trucks. Ms. Schanbacher stated that Falmouth residents are willing to work with the SSA, but that they all feel that their concerns have been handled with contempt and that they have been dismissed because the SSA apparently doesn’t care because they are not the people the SSA serves. Ms. Schanbacher also observed that the noise from the United States Coast

Guard base is minimal, and that the Coast Guard even has its lighting set so that it doesn't go on at night unless there is motion.

24. Bruce O'Donnell (Oak Bluffs) – Mr. O'Donnell stated that a lot of freight shippers are concerned about losing these two early morning boats because it would delay freight deliveries by 2 to 3 hours and the later boats are always full of cars. Mr. O'Donnell also asked if the Town of Falmouth is going to regulate all of trucks coming into Falmouth, and that it would not be fair to regulate only those trucks going to the ferries.

### **Written Testimony Regarding the Proposed Schedules**

Although Section 15A of the SSA's Enabling Act requires it only to consider the testimony given at the June 20th public hearing, the SSA decided that, because parties who may be affected by the proposed schedule changes may not be able to attend the public hearing, it should in fairness also consider any written testimony that is submitted regarding the proposed schedule changes. Therefore, in its Notice of Public Hearing, the SSA stated that it would consider such written testimony that is submitted electronically to [schedules@steamshipauthority.com](mailto:schedules@steamshipauthority.com) or addressed to General Manager Wayne C. Lamson.

Copies of all of the written testimony received by the SSA are included as **Appendix C** to this report and, therefore, they do not need to be (and are not) described herein. The Falmouth Board of Selectmen and State Representative Dylan Fernandes submitted such testimony as public officials. The following individuals also submitted written testimony:

1. Kristin Alexander (38 Hilton Avenue).
2. Nicole Goldman (12 Sidney Street).
3. William Hallstein (36 South Road).
4. Anne Halpin (319 Woods Hole Road).
5. Myla and Jon Kabat-Zinn (46 Buzzards Bay Avenue).
6. Stephen Laster (322 Woods Hole Road).
7. Nan Logan (482 Woods Hole Road).
8. Richard Lovering (338 Woods Hole Road).
9. James W. Mavor (19 Standpipe Hill Road).
10. Trina Novak (19 Standpipe Hill Road).
11. Jonathan M. Polloni (24 Summer Street).
12. David Remsen (19 Glendon Road).
13. Philip L. Richardson (146 Church Street).
14. Nat Trumbull (11 Church Street).
15. Jane Vose (188 Gansett Point).
16. Joan Wickersham (96 Ships Watch).

### **History of the SSA’s Early Morning Trips from Woods Hole**

For decades the SSA berthed its two larger passenger/vehicle ferries that routinely provided service on the Martha’s Vineyard route, the *Islander* and the *Martha’s Vineyard*, overnight at its Vineyard Haven terminal so that they both started their operating day on the island, while the SSA berthed its freight boats that provided service on the route overnight at its Woods Hole terminal so that they started their operating day on the mainland. As a result, until 2007, the SSA routinely operated only one trip from Woods Hole prior to 6:30 a.m., which was a freight trip that left Woods Hole at 6:15 a.m. and was designated as a hazardous cargo trip on Mondays through Fridays throughout the year (as well as on Saturdays during the summer operating schedules).

But when the *Island Home* replaced the *Islander* in 2007, the SSA began routinely berthing that vessel overnight in Woods Hole, which resulted in the *Island Home* making its first daily sailing from Woods Hole at 6:00 a.m., the same time that the *Martha’s Vineyard* historically has made (and continues to make) its first daily sailing from Vineyard Haven. This change also resulted in the last trip from Woods Hole to Vineyard Haven being the *Martha’s Vineyard’s* 9:45 p.m. trip, as there was no longer a 10:30 p.m. *Islander* (or *Island Home*) trip any day of the week. The change was made beginning with the 2007 Summer Operating Schedules (*see* Minutes of the SSA’s September 19, 2006 Meeting; Minutes of the Port Council’s October 12, 2006 Meeting; Minutes of the SSA’s October 26, 2006 Meeting), and continued with the following 2007 Fall Operating Schedules and 2008 Winter and Spring Operating Schedules so that the *Island Home’s* sailing schedules remained consistent during all seasons of the year (*see* Minutes of the Port Council’s June 7, 2007 Meeting; Minutes of the SSA’s June 19, 2007 Meeting).

As a result, beginning in 2007 and continuing through the summer of 2011, the SSA operated the following trips from Woods Hole prior to 6:30 a.m.:

- 6:00 a.m.      *Island Home* (or *Nantucket*) – Daily during the spring, summer and fall operating schedules, while only on Mondays through Fridays during the winter operating schedules.<sup>1</sup>
  
- 6:15 a.m.      *Katama* (or *Gay Head* or *Sankaty*) – Daily during the summer operating schedules (with Monday through Saturday trips designated as hazardous cargo trips), only on Mondays through Saturdays during the spring and fall operating schedules (with Monday through Friday trips designated as hazardous cargo trips), and only on Mondays through Fridays during the winter operating schedules (designated as hazardous cargo trips).

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<sup>1</sup> On Friday and Saturday nights during the winter operating schedules, the vessel has berthed overnight at Vineyard Haven so that its first daily sailing on Saturdays and Sundays is at 7:00 a.m. from Vineyard Haven.

During the height of the SSA’s 2011 Summer Operating Schedule (June 23 through September 8, 2011), for the first time the SSA also berthed the *Sankaty*, one of the two freight boats providing service on that route that year, at Vineyard Haven instead of Woods Hole.<sup>2</sup> As a result of this change, the last 10:50 p.m. freight trip from Vineyard Haven (arriving in Woods Hole at 11:35 p.m.) was eliminated, and in its place the SSA added a daily 6:15 a.m. freight trip from Vineyard Haven, which allowed more trucks to leave the island earlier in the morning. (See Minutes of the SSA’s September 21, 2010 Meeting.) The SSA’s freight customers were thrilled by this decision, and many island residents expressed their support as well because the additional trip opened up more spaces on other trips leaving the island during the morning. (See Minutes of the SSA’s October 26, 2010 Meeting.)

Then, in September 2011, the SSA’s staff proposed again operating the *Governor* in lieu of the *Sankaty* during the 2012 Summer Operating Schedule and to resume berthing it overnight in Woods Hole instead of Vineyard Haven. The staff also proposed that the *Governor*’s first trip from Woods Hole be scheduled for 5:45 a.m. instead of 7:30 a.m., which would eliminate both its previous 10:00 p.m. trip from Woods Hole and its return trip from Vineyard Haven that arrived back at Woods Hole at 11:45 p.m. This would also result in the first freight trip from Vineyard Haven leaving at 6:45 a.m., which would be earlier than the first freight trip that left Vineyard Haven before 2011 (7:15 a.m.), but later than the first freight trip that left during the height of the 2011 Summer Operating Schedule when the *Sankaty* was berthed overnight at Vineyard Haven (6:15 a.m.). (See Minutes of the Port Council’s September 7, 2011 Meeting; Minutes of the SSA’s September 20, 2011 Meeting.)

Later that month, the SSA tried out the proposed revised schedule for the *Governor* on a trial basis, having its first trip leave Woods Hole at 5:45 a.m. instead of 7:30 a.m. The trip repeatedly left full. However, this change created a problem when the *Governor* returned to Woods Hole at 7:30 a.m. and was still in Slip #2 when the *Island Home* arrived at 7:45 a.m. Specifically, the *Island Home*’s Captains expressed concern about the safety of approaching Slip #1 in Woods Hole during foggy mornings with the *Governor* sticking out so far in Slip #2. Therefore, the SSA’s staff began considering whether the *Governor*’s daily sailing schedule should be changed again to start at 5:30 a.m., which would allow it to depart Vineyard Haven at 6:30 a.m. instead of 6:45 a.m. and then depart Woods Hole on its second round trip at 7:30 a.m. It would also result in the boat departures from Vineyard Haven being more evenly spread out in the early morning, with the *Martha’s Vineyard* leaving at 6:00 a.m., the *Governor* leaving at 6:30 a.m. and the *Island Home* leaving at 7:00 a.m.

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<sup>2</sup> The *Sankaty* replaced the *Governor* as one of the two freight boats on the Martha’s Vineyard route during the height of the 2011 Summer Operating Schedule. Prior to 2011, the *Governor* berthed overnight at Woods Hole, leaving on its first trip at 7:30 a.m., and arriving after its final trip of the day from Vineyard Haven at 11:45 p.m. Because the *Governor* has no sleeping quarters for its crew, the SSA has to berth the vessel overnight at Woods Hole so that the crew can either go home to sleep overnight or stay in the accommodations the SSA has for them at 228 Palmer Avenue in Falmouth. (See Minutes of the SSA’s September 21, 2010 Meeting.)

But then Falmouth Port Council member S. Eric Asendorf expressed concern that the earlier departure from Woods Hole might disturb the SSA’s neighbors, and he asked the SSA’s staff to be certain to be sensitive to the amount of noise from the SSA’s operations at that time in the morning. General Manager Wayne C. Lamson assured Mr. Asendorf that the SSA would be sensitive to that concern, noting for example that the SSA will continue to require that trucks have their engines turned off while waiting to be boarded. Mr. Lamson also observed that, because the *Governor* is a drive-through freight vessel, there should not be any backup alarms that would wake up the neighbors. The Port Council then voted unanimously to recommend that the SSA Members approve the staff’s proposed 2012 Summer and Fall Operating Schedules, with the *Governor*’s daily operating schedule starting at 5:30 a.m. instead of 5:45 a.m., provided that management remains sensitive to the amount of noise from the SSA’s operations in Woods Hole at that time of the morning. (See Minutes of the Port Council’s October 4, 2011 Meeting.)

When the proposed 2012 Summer Operating Schedules were presented to the SSA Members for their consideration, then Falmouth SSA Member Robert S. Marshall stated that he had the same concern that had been expressed by Mr. Asendorf, namely, that such an early-morning departure from Woods Hole should only be allowed on the condition that the SSA remain sensitive to the amount of noise from its Woods Hole operations at that time of the morning. In response, Mr. Lamson stated that he agreed with that concern and that the SSA’s management would work towards reducing the amount of noise from the SSA’s operations as much as possible. Dukes County SSA Member Mark N. Hanover similarly cautioned that there should not be any excessive noise in either Woods Hole or Vineyard Haven, observing that if the SSA’s operations begin to cause problems at that time of the morning, the early trips may have to be discontinued. (See Minutes of the SSA’s October 18, 2011 Meeting.)<sup>3</sup>

As a result, the SSA operated the following trips from Woods Hole prior to 6:30 a.m. during 2012:

- 5:30 a.m.      *Governor* – Daily during the summer operating schedules.
- 6:00 a.m.      *Island Home* (or *Nantucket*) – Daily during the spring, summer and fall operating schedules, while only on Mondays through Fridays during the winter operating schedule.
- 6:15 a.m.      *Katama* (or *Sankaty*) – Daily during the summer operating schedules (with Monday through Saturday trips designated as hazardous cargo trips), only on Mondays through Saturdays during the spring and fall operating schedules (with Monday through Friday trips designated as hazardous cargo trips), and only on Mondays through Fridays during the winter operating schedule (designated as hazardous cargo trips).

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<sup>3</sup> Although in prior years the SSA had placed newspaper advertisements of its proposed schedules in accordance with Section 15A of its Enabling Act, it failed to do so with respect to its proposed 2012 Summer Operating Schedules.

The 5:30 a.m. freight trip worked well during the 2012 Summer Operating Schedule, in that it allowed the SSA to move more trips into the earlier part of the morning when there is the greater demand for service and many freight shippers and island residents want to travel. Therefore, in 2013 the SSA operated that trip during both its Summer and Spring Operating Schedules. (See Minutes of the SSA’s June 19, 2012 Meeting.)<sup>4</sup> However, during the 2013 Spring Operating Schedule, the freight boats assigned to the Martha’s Vineyard route were the *Sankaty* (April 10th through April 18th) and the *Katama* (April 19th through May 15th) instead of the *Governor*, so trucks had to back up when they were being loaded onto the freight boats during that schedule.

In addition, because the SSA had only one freight boat assigned to the route during the 2013 Spring Operating Schedule, the 5:30 a.m. freight trip during that schedule took the place of the previously scheduled 6:15 a.m. freight trip, which also had been designated as a hazardous cargo trip on Mondays through Fridays. But instead of designating the 5:30 a.m. freight trip as a hazardous cargo trip on Mondays through Fridays, the SSA designated the freight boat’s second daily trip, which left at 7:30 a.m., as its hazardous cargo trip on those days. (See Minutes of the SSA’s July 17, 2012 Meeting.)

As a result, the SSA operated the following trips from Woods Hole prior to 6:30 a.m. during 2013 and 2014:

- 5:30 a.m.      *Governor* – Daily during the summer operating schedules.  
*Katama* (or *Sankaty*) – Only on Mondays through Saturdays during the spring operating schedule.
- 6:00 a.m.      *Island Home* (or *Nantucket*) – Daily during the spring, summer and fall operating schedules, while only on Mondays through Fridays during the winter operating schedule.
- 6:15 a.m.      *Katama* (or *Sankaty*) – Daily during the summer operating schedules (with Monday through Saturday trips designated as hazardous cargo trips), only on Mondays through Saturdays during the fall operating schedule (with Monday through Friday trips designated as hazardous cargo trips), and only on Mondays through Fridays during the winter operating schedule (designated as hazardous cargo trips).

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<sup>4</sup> Although the SSA placed newspaper advertisements of its proposed 2013 Operating Schedules, those advertisements only included the SSA’s proposed published schedules of its larger passenger/vehicle ferries and did not include any of its proposed freight trip schedules. This was also the case for the SSA’s proposed 2014 and 2015 Operating Schedules. Thus, none of the proposed changes in the schedules of any of the SSA’s freight trips for 2012 through 2015 were advertised.



The SSA planned to operate essentially the same operating schedules during 2015 as it had operated in 2014, but at its October 21, 2014 meeting, Mr. Hanover expressed his concern over the difficulty that Martha's Vineyard residents were having getting vehicle reservations (or traveling standby) to travel off-island after the SSA had begun its 2014 Fall Operating Schedule. Mr. Hanover questioned whether the SSA was providing adequate service, and the SSA Members asked the SSA's staff to look into what measures could be taken to provide more service the following year. Mr. Lamson agreed, although he noted that the SSA's options were limited when it comes to providing more spaces on trips leaving the islands during the mornings, which is when most island residents want to travel. (*See Minutes of the SSA's October 21, 2014 Meeting.*)

At the SSA's November 18, 2014 meeting, Mr. Lamson reported that, in response to concerns that had been raised about the SSA not providing a sufficient level of service for island residents during the late summer and early fall that year, the staff was recommending, among other things, that the SSA operate the *Katama* during the 2015 Fall Operating Schedule with earlier departure times during the day (leaving Vineyard Haven at 6:30 a.m., 8:30 a.m. and 11:00 a.m. instead of the previously approved times of 7:15 a.m., 9:45 a.m. and 12:15 p.m.) to accommodate island residents who wish to travel off-island as early in the day as possible. (*See Minutes of the SSA's November 18, 2014 Meeting.*) In order to provide those earlier trips from Vineyard Haven, the *Katama's* first trip from Woods Hole during the 2015 Fall Operating Schedule was changed from 6:15 a.m. to 5:30 a.m., and that trip was designated as a hazardous cargo trip on Mondays through Fridays.

As a result, the SSA operated the following trips from Woods Hole prior to 6:30 a.m. during 2015:

- 5:30 a.m.      *Governor* – Daily during the summer operating schedules.  
*Katama* (or *Sankaty*) – Only on Mondays through Saturdays during the spring and fall operating schedules (with Monday through Friday trips designated as hazardous cargo trips during the fall operating schedule).
- 6:00 a.m.      *Island Home* (or *Nantucket*) – Daily during the spring, summer and fall operating schedules, while only on Mondays through Fridays during the winter operating schedule.
- 6:15 a.m.      *Katama* (or *Sankaty*) – Daily during the summer operating schedules (with Monday through Saturday trips designated as hazardous cargo trips), and only on Mondays through Fridays during the winter operating schedule (designated as hazardous cargo trips).

Meanwhile, in 2014 the SSA had begun providing additional service during its spring operating schedules by assigning a second freight boat to the Martha's Vineyard route to operate four additional trips on Fridays and Sundays from mid-April through mid-May. But in 2015, the SSA realized that it also needed to provide more service at the end of its winter operating schedules (mid-March through mid-April). (*See Minutes of the SSA's June 16, 2015 Meeting.*) Therefore, in 2016, it began providing the level of service it previously provided during its Spring Operating Schedule (without the second freight boat) in mid-March instead of mid-April, including a 5:30

a.m. freight trip instead of the 6:15 a.m. freight trip, and called that month-long schedule the 2016 Early Spring Operating Schedule.<sup>5</sup>

As a result, the SSA operated the following trips from Woods Hole prior to 6:30 a.m. during 2016:

- 5:30 a.m.      *Governor* – Daily during the summer operating schedules (with Saturday trips designated as hazardous cargo trips during the early summer and summer operating schedules).
- Katama* (or *Sankaty*) – Only on Mondays through Saturdays during the early spring, spring and fall operating schedules.
- Woods Hole* – Only on Mondays through Saturdays during the fall operating schedule through December 7, 2016
- 6:00 a.m.      *Island Home* (or *Nantucket*) – Daily during the spring, summer and fall operating schedules, while only on Mondays through Fridays during the winter operating schedule.
- 6:15 a.m.      *Katama* (or *Sankaty*) – Daily during the late summer operating schedule (with Monday through Saturday trips designated as hazardous cargo trips), daily during the late fall schedule (beginning on December 8, 2016) (with Monday through Friday trips designated as hazardous cargo trips), and only on Mondays through Fridays during the winter operating schedule (designated as hazardous cargo trips).

The SSA essentially has operated those same schedules during the 2017 Winter, Early Spring, Spring and Summer Operating Schedules, except that it has stopped designating the Saturday 5:30 a.m. freight trip during the early summer schedule as a hazardous trip (resulting in no hazardous cargo trips before 6:30 a.m. during the early summer schedule), and it designated the Monday through Saturday 5:30 a.m. freight trips during the height of the summer schedule as hazardous cargo trips. This year the SSA also has eliminated the 5:30 a.m. freight trip from its 2017 Fall Operating Schedule beginning on October 28, 2017, having decided to berth the freight boat overnight at Vineyard Haven during the remaining days of that schedule so that its first trip leaves Vineyard Haven at 5:30 a.m.

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<sup>5</sup> In 2016, the SSA also (i) stopped designating the 5:30 a.m. freight trip during the fall operating schedule as a hazardous cargo trip; (ii) designated the 5:30 a.m. freight trip as a hazardous cargo trip on Saturdays during the early summer and summer schedules; and (iii) changed the time of the second freight boat trip from Woods Hole from 6:15 a.m. to 6:30 a.m. during the early summer and summer operating schedules. The SSA described some, but not all, of these changes in a newspaper legal advertisement it placed in September 2015. The legal advertisement also provided a link to the SSA’s website where people could view and download all of SSA’s proposed 2016 Operating Schedules (including its proposed freight trips).

As a result, the SSA is operating the following trips from Woods Hole prior to 6:30 a.m. during 2017:

- 5:30 a.m.      *Governor* (or *Woods Hole*) – Daily during the summer operating schedules (with Monday through Saturday trips designated as hazardous cargo trips during the height of summer operating schedules) and for the first 12 days of the fall operating schedule (October 16 through 28, 2017).  
*Woods Hole* – Only on Mondays through Saturdays during the early spring and spring operating schedules.
- 6:00 a.m.      *Island Home* (or *Nantucket*) – Daily during the spring, summer and fall operating schedules, while only on Mondays through Fridays during the winter operating schedule.
- 6:15 a.m.      *Sankaty* (or *Woods Hole* or *Katama*) – Daily during the late summer and late fall operating schedules (with Monday through Saturday trips designated as hazardous cargo trips), and only on Mondays through Fridays during the winter operating schedule (designated as hazardous cargo trips).

**The SSA’s Efforts to Mitigate Noise from Its  
Early Morning Operations at the Woods Hole Terminal**

During the first year that the SSA operated the 5:30 a.m. freight trip from Woods Hole, it appeared that the concerns expressed by Messrs. Asendorf, Marshall and Hanover about the need for the SSA to remain sensitive to the amount of noise from its Woods Hole operations at that time of the morning were unfounded. For example, in June 2012, when the SSA’s management was proposing to operate the 5:30 a.m. trip during the following spring as well as during the summer, Mr. Lamson reported that the SSA had not received any complaints about any noise from its early-morning operations and that management was aware that the SSA could not disturb its neighbors at that time. (See Minutes of Port Council’s June 6, 2012 meeting.)

But in September 2013, Mr. Marshall noted that an article had been placed on the agenda for the next Town Meeting in Falmouth to exclude heavy trucks from Woods Hole Road between 9:00 p.m. and 7:00 a.m., and he cautioned that the article may reflect a sentiment on the part of the SSA’s neighbors to restrict the SSA’s early morning freight operations, as he had heard reports of trucks going down Woods Hole Road at 4:00 in the morning. But Mr. Lamson stated that trucks traveling on the SSA’s ferries should not be going down Woods Hole Road as early as 4:00 in the morning, as the first trip is not scheduled until 5:30 a.m. Mr. Lamson also noted that the trucks on that first trip are regular hazardous cargo shippers to the island, so that if they could not travel until 9:00 a.m. it would only result in far more congestion on Woods Hole Road later in the morning when more people are on the road. (See Minutes of the SSA’s September 17, 2013 Meeting.)

Then, at the SSA’s November 2013 meeting, members of the public complained about the distinct sounds of trucks backing up at the Woods Hole terminal beginning around 4:30 a.m., as well as the noise from trucks down shifting as they approached the terminal. (See Minutes of the

SSA’s November 12, 2013 meeting.) Similarly, when the SSA gave a presentation to the Woods Hole community on the progress of its Woods Hole Ferry Terminal Reconstruction Feasibility Study that month, many Woods Hole residents expressed their objections to the truck traffic associated with the SSA’s Woods Hole terminal operations, including one resident who complained about how disruptive it was when trucks used their backup alarms at the terminal so early in the morning and who asked the SSA to limit freight traffic so that it begins after 6:00 a.m. instead of at 4:30 a.m.

In response to those complaints, the SSA renewed its efforts to minimize the amount of noise generated by its early morning Woods Hole terminal operations, including staging trucks at the terminal in a manner that avoided the need for them to back up (or use their backup alarms). After those renewed efforts, complaints about early morning noise from the Woods Hole terminal subsided, even though trucks still had to use their backup alarms when backing onto three of the SSA’s freight boats (*Katama*, *Sankaty* and *Gay Head*) when they were assigned to provide service on the Martha’s Vineyard route.

However, in October 2015, Woods Hole resident Nat Trumbull complained to the SSA that the noise from truck traffic arriving at the Wood Hole terminal in the early morning remained a continuing, if not growing, problem for him as a Woods Hole resident and that the noise problem had become more and more acute as the SSA had continued to add early morning ferries over the prior decade. At the SSA’s December 2015 meeting, Mr. Trumbull described to the SSA Members the problems associated with the change in the Woods Hole terminal operations that had taken place four years before. Specifically, Mr. Trumbull stated that the issue was the terminal noise that begins at 4:45 every morning almost to the minute, and the noise is related to the convoy of very large trucks that arrive for the 5:30 a.m. ferry. Mr. Trumbull recounted how the trucks’ engines go into forward and reverse while they back into the 5:30 a.m. freight boat, how in some instances the trucks are 64 ft long and weigh almost 80,000 pounds, and how there is all of the backup beeping that is required by law and cannot be turned off. Mr. Trumbull also noted that the truck drivers idle their engines between the time they arrive (4:45 a.m.) and the time the ferry leaves (5:30 a.m.). (See Minutes of the SSA’s December 15, 2015 Meeting.)

In response to Mr. Trumbull’s complaints, as well as complaints from other Woods Hole residents that the SSA subsequently received, the SSA has redoubled its efforts to reduce early morning noise at the Woods Hole terminal. The list of actions that have been taken include:

- The SSA changed its methods of staging trucks at the terminal during the early morning so they do not have to back up (or use their backup alarms) when being staged before being loaded onto the ferries. As a result, the use of trucks’ backup alarms has been eliminated almost entirely.
- The SSA stopped assigning the *Katama*, *Gay Head* or *Sankaty* to operate the 5:30 a.m. freight trip, as all of those boats require trucks to back up, and use their backup alarms, when they are being loaded onto those boats. The SSA now assigns only the *Governor*, *Woods Hole* or another drive-through ferry to run that 5:30 a.m. freight trip, because trucks drive forward onto those boats when they are loaded.
- The SSA delayed the opening of the Woods Hole terminal to 5:00 a.m. and prohibits trucks from entering the terminal before that time.

- The SSA has added a message to its variable message sign on Route 28 advising drivers traveling down the highway between 3:00 a.m. and 5:00 a.m. that no trucks are allowed to enter the Woods Hole terminal prior to 5:00 a.m.
- The SSA has sent five letters to its freight shippers since October 2015 reminding them that their truck drivers are not allowed to idle their engines unnecessarily while they are at the terminal, that they should obey the speed limit as they drive down Woods Hole Road, and that they should not to use their Jake brakes while they are on the road.
- The SSA has put up a total of eight signs at various location around the terminal reminding customers of the Massachusetts “Anti-Idling” Law.
- The SSA began kicking out truckers who repeatedly violate the SSA’s policies and then also began cancelling their reservations when necessary to ensure that the SSA’s regular freight customers adhere to the SSA’s policies, including the prohibition against arriving at the terminal prior to 5:00 a.m.

Accordingly, in September 2016, Mr. Lamson reported that the SSA had eliminated as much of the excessive noise at the terminal as it can. (*See Minutes of the Port Council’s September 7, 2016 Meeting.*)

In February 2016, Woods Hole Community Association Co-President Catherine Bumpus stated that she thought the SSA was doing a great job trying to limit the terminal noise during the morning, but she declared that the problem was not just noise from the terminal. Ms. Bumpus noted that there is noise from the trucks driving down Woods Hole Road early in the morning and that Woods Hole residents don’t like hearing trucks at 4:00 to 4:30 a.m. (*See Minutes of the Port Council’s February 3, 2016 Meeting; Minutes of the SSA’s February 16, 2016 Meeting.*) In 2016, additional Woods Hole residents similarly complained about the noise of trucks going down Woods Hole Road as early as 4:00 in the morning. (*See, e.g., Minutes of the SSA’s January 19, 2016 Meeting, when Woods Hole resident Martha Bridgers also stated that she and her guests at the Woods Hole Passage Bed & Breakfast Inn hear the traffic going down Woods Hole Road for the 5:30 a.m. freight trip as early as 4:00 a.m. and that the noise was the number one complaint she receives; Minutes of the Port Council’s September 7, 2016 Meeting, when Mr. Lamson noted that Woods Hole residents Stephen and Carol Wagner had complained that the 5:30 a.m. freight trip translates to vehicles traveling on Woods Hole Road as early as 4:30 a.m.*)

Then, in January 2017, after the SSA advertised proposed changes to its 2017 Fall Operating Schedule (pursuant to which the SSA was proposing to stop operating the 5:30 a.m. freight trip in 2017 after October 27, 2017), Nat Trumbull stated that the only issue the SSA’s Woods Hole neighbors had with the proposed revisions is the scheduling of a freight trip from Woods Hole at 5:30 a.m. (from October 16 through 27, 2017), which he said he considered to be abusive of the SSA’s host community. In this regard, Mr. Trumbull stated that while the SSA had made some efforts to address the neighbors’ concerns about noise at the Woods Hole terminal, it had not addressed the problem of trucks arriving at the terminal early in the morning. Also in response to the SSA’s advertisement of its proposed schedule changes, 35 Woods Hole residents emailed the SSA complaining about the noise caused by large trucks going down Woods Hole Road as early as 4:00 in the morning to travel on the 5:30 a.m. freight trip.

After receiving the petition from the 61 Falmouth residents requesting a public hearing on the SSA’s proposed 2018 Winter and Spring Operating Schedules, several members of the SSA’s management staff again personally observed the early morning operations at the Woods Hole terminal to assess those operations and see whether any additional measures could be taken to reduce any associated noise. On June 15, 2017, activity that was observed beginning at 4:14 a.m. through 6:00 a.m. included the following:

- 4:14 a.m. to 4:56 a.m. – Only one truck comes down Woods Hole Road. It is a box truck that continues down Water Street at 4:21 a.m. It goes back up Woods Hole Road at 4:28 a.m.<sup>6</sup>
- 4:56 a.m. – A Sid Wainer & Son delivery truck comes down Woods Hole Road, continues down Water Street, turns left on Luscombe Avenue, and then drives up Railroad Avenue where it parks with its engine running. At 4:58 a.m., when another Sid Wainer delivery truck is coming down Woods Hole Road, it leaves the parking space and turns right to cross the Crane Street bridge ahead of the other Sid Wainer truck to check in at the terminal.
- 4:58 a.m. to 5:08 a.m. – Eighteen trucks arrive at the terminal over the course of ten minutes (2 Sid Wainers, Plumber Supply, Howland Disposal, Cape Cod Winwater, Reliable Market, Noonan, Carroll’s, Core-Mark, 2 Bruno’s, Enterprise Truck Rental, Cape Cod Express, Noonan, Gordon Food Service, Coastal Rental, U.S. Food, and Cape & Island Glass), not including the truck of the SSA’s food concessionaire that arrived at 5:04 a.m.
- 5:10 a.m. – Trucks begin being loaded onto the *Governor*.
- 5:19 a.m. – The first bicyclists are seen on the Bike Path.
- 5:20 a.m. – A Cumberland Farm truck and two Fed Ex trucks arrive.
- 5:21 a.m. – A Cavossa trash truck leaves from Woods Hole village, going up Woods Hole Road.
- 5:22 a.m. – The Cape Cod Express truck, following by the Cumberland Farms truck, goes up Railroad Avenue and then turns right to go back to the terminal, parking on the side of Cowdry Road by the SSA employees parking lot and freight shed.
- 5:22 a.m. – Cape Cod Linen truck arrives.
- 5:24 a.m. – The two Fed Ex trucks back up to stage in front of the freight shed without using their backup alarms.
- 5:24 a.m. – The first SSA shuttle bus arrives from Palmer Avenue. It returns back to Palmer Avenue by going up Railroad Avenue at 5:27 a.m.
- 5:25 a.m. – A Penske truck arrives.
- 5:27 a.m. – A Fed Ex truck arrives.
- 5:30 a.m. – Another Fed Ex truck arrives.

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<sup>6</sup> In this timeline of those observations, the term “truck” refers only to box trucks and other larger trucks that were driving that morning. Observations of cars, pickup trucks or vans driving in the area generally were not documented.

- 5:33 a.m. – Trucks begin being loaded on the *Island Home*.
- 5:41 a.m. – A backup alarm is heard from the direction of Woods Hole village (not from the terminal).
- 5:52 a.m. – The Plumber Supply truck (that arrived at 4:59 a.m.), Cape Cod Winwater truck (that arrived at 5:00 a.m.), and Enterprise Truck Rental truck (that arrived at 5:03 a.m.) are still in the staging lane and were not loaded onto either the 5:30 a.m. trip or the 6:00 a.m. trip.
- 5:55 a.m. – The first backup alarm is briefly heard from the terminal, when a Fed Ex truck backs up with its alarm on to be staged by the smaller Fed Ex trucks. At 6:06 a.m., the only other backup alarm is heard when a box truck backs up to position itself in one of the staging lanes.
- 5:55 a.m. – A Stop & Shop truck arrives. At 6:06 a.m., it goes up Railroad Avenue and then turns right to go back to the terminal, parking on the side of Cowdry Road by the SSA employees parking lot and freight shed.

Throughout that time, observations were also made of all of the trucks winding their way through the terminal property after their arrivals to be staged before being boarded onto the 5:30 a.m., 6:00 a.m. and later trips. In addition, no trucks were heard idling their engines after they were placed into their staging positions. However, it was observed that the arrival of 18 trucks within the space of ten minutes from 4:58 a.m. to 5:08 a.m. (three of which were not even loaded onto the 5:30 a.m. or 6:00 a.m. trips) created a greater amount of noise as they came down Woods Hole Road than the more spread-out arrivals of the other trucks that morning, as well as a backup of trucks on Cowdry Road as they waited to be checked into the terminal. In addition, having so many trucks at the terminal made it more difficult to stage them for boarding, requiring three large trucks to circle back up Railroad Avenue and reenter the terminal, presumably to avoid having to back up (and use their backup alarms).

Therefore, on Monday, July 10, 2017, the SSA began prohibiting any standby trucks from arriving at the Woods Hole terminal until 6:30 a.m., and also established the following new procedures for all other trucks arriving at the terminal:

- Only trucks with reservations for the 5:30 a.m. trip are allowed to show up at the terminal beginning at 5:00 a.m.
- Trucks with reservations for the 6:00 a.m. trip are not be allowed to show up at the terminal until 5:15 a.m.
- Trucks with reservations for the 6:30 a.m. trip are not be allowed to show up at the terminal until 5:45 a.m.
- Trucks with reservations for the 7:00 a.m. trip are not be allowed to show up until 6:00 a.m.
- And all other trucks, including standby trucks, are not be allowed to show up at the terminal until 6:30 a.m.

On July 18, 2017, the early morning Woods Hole terminal operations were observed again, beginning at 4:20 a.m.<sup>7</sup> The activity observed included the following:

- 4:48 a.m. – The first box truck comes down Woods Hole Road. It is a Pain D’Avignon truck and goes down Water Street. It leaves the village and goes back up Woods Hole Road at 4:51 a.m.
- 4:53 a.m. – A van of the SSA’s food concessionaire arrives and parks between Slips 1 & 2.
- 4:55 a.m. – A box truck of the SSA’s food concessionaire arrives and also parks between Slips 1 & 2.
- 4:57 a.m. – A Safety-Kleen truck arrives, is staged between the slips, and turns off its engine.
- 4:59 a.m. – An unmarked box truck comes down Woods Hole Road and goes down Water Street.
- 5:00 a.m. – Two Sid Wainer trucks arrive and are staged between Slips 1 & 2.
- 5:03 a.m. – Four trucks arrive (Noonan, Dole & Bailey, U.S. Food and Howland Disposal).
- 5:06 a.m. – Four trucks arrive (Macera & Martini, Bruno’s, U.S. Food and Sysco).
- 5:07 a.m. – Another Sysco truck drives up Railroad Avenue and, when parking across from Pie in the Sky, uses its backup alarm. It turns off its engine and appears to be making deliveries to Pie in the Sky.
- 5:08 a.m. – A Noonan truck arrives.
- 5:09 a.m. – Another Bruno’s truck arrives.
- 5:13 a.m. – Trucks begin being loaded onto the *Governor*.
- 5:14 a.m. – The Sysco truck on Railroad Avenue starts its engine, goes up Railroad Avenue and then turns right across the Crane Street bridge to check into the terminal.
- 5:15 a.m. – Two trucks arrive (All American Foods, U.S. Foods) as well as a Tropicana van. The unmarked box truck that went into Woods Hole village at 4:59 a.m. comes up Railroad Avenue and turns right to go across the Crane Street bridge and check in at the terminal.
- 5:17 a.m. – A Sysco truck arrives.
- 5:19 a.m. – Two Gordon Food Service trucks arrive.
- 5:21 a.m. – First bicyclist is observed on the Bike Path.
- 5:23 a.m. – A Core-Mark truck arrives.

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<sup>7</sup> At 4:05 a.m. that morning, a box delivery truck coming from the direction of Woods Hole drove by the entrance of the Woods Hole Oceanographic Institution’s Quissett campus going in the direction of Falmouth Center. According to the SSA’s security employee, the truck routinely delivers bread to Jimmy’s on Luscombe Avenue around 4:00 a.m.



- 5:24 a.m. - The first SSA shuttle bus arrives from Palmer Avenue. It returns back to Palmer Avenue by going up Railroad Avenue at 5:29 a.m.
- 5:25 a.m. – A Crane Appliance truck arrives.
- 5:29 a.m. – A Noonan truck and a Winsupply truck arrive.
- 5:31 a.m. – A Cape Cod Express truck and a Cape Cod Insulation truck arrive. At 5:32 a.m., the Cape Cod Express truck backs up on the side of Cowdry Road by the SSA employees parking lot and freight shed without using its backup alarm.
- 5:46 a.m. – A Cape Cod Commercial Linen Service truck arrives.
- 5:47 a.m. – The first jogger is observed on the Bike Path.
- 5:47 a.m. – A Boar’s Head Provision truck arrives.
- 5:48 a.m. – A car in a staging lane honks its horn when the car in front of it doesn’t move to be loaded onto the *Island Home*.
- 5:50 a.m. – A Penske truck and a Stop & Shop truck arrive. At 6:00 a.m., the Penske truck backs up without a backup alarm. At 6:01 a.m., the Stop & Shop backs up with its backup alarm on.
- 6:00 a.m. – A Cape Cod Express truck arrives.

Once again, throughout that time, all of the trucks wound their way through the terminal property after their arrivals to be staged before being boarded onto the 5:30 a.m., 6:00 a.m. and later trips, and no trucks were heard idling their engines after they were placed into their staging positions. Fewer trucks arrived at the terminal prior to 5:15 a.m. than on June 15, 2017 (14 compared to 18). At the time, it was unclear whether all 14 trucks that arrived prior to 5:15 a.m. were transported on the 5:30 a.m. freight trip, but it seemed unlikely that the *Governor* carried that many trucks on that trip. Rather, it seemed more likely that some freight shippers had arrived earlier than they were supposed to under the new procedures which had just been established the week before.<sup>8</sup> In addition, one truck driver that had a reservation for the 6:30 a.m. trip was confused about the time that he was allowed to arrive at the terminal. He thought he could arrive at 5:30 a.m. when, under the new procedures, he was not supposed to be there before 5:45 a.m.

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<sup>8</sup> It was later confirmed that the *Governor* had carried 12 trucks on its 5:30 a.m. trip that day. The two trucks that had arrived at the terminal prior to 5:15 a.m. without reservations for that trip were one of the two U.S. Food trucks that had arrived at 5:03 a.m. and 5:06 a.m. and the Sysco truck that had arrived at 5:06 a.m. The driver of each of those trucks was warned that, if he arrived prior to his allowed time again, his reservation that day would not be honored. In addition, the driver of the unmarked van that arrived in Woods Hole at 4:59 a.m. and waited until 5:15 a.m. to check in at the terminal (for a 6:00 a.m. reservation) was warned that if he was observed waiting in Woods Hole again prior to his allowed time for arriving at the terminal, his reservation similarly would not be honored that day.

## Discussion

**A. The SSA’s proposed 2018 Spring Operating Schedule should be modified by berthing the *Woods Hole* overnight at Vineyard Haven instead of Woods Hole so that its first trip from Vineyard Haven is at 5:30 a.m. and its first trip from Woods Hole is at 6:30 a.m.**

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Although the petition submitted by the 61 Falmouth residents objected to the continued scheduling of **any** freight service from Woods Hole prior to 6:30 a.m., the Falmouth residents who gave testimony, both orally and in writing, most strongly objected to the operation of the SSA’s 5:30 a.m. freight trip, either explicitly (*see, e.g.*, oral testimony of Roland Beliveau, Catherine Bumpus; written testimony of Kristin Alexander, Nicole Goldman, William Hallstein, Anne Halpin, Stephen Laster, Richard Lovering, Nat Trumbull and Jane Vose) or by testifying how the noise has worsened over the past few years (*see, e.g.*, oral testimony of Dianne McPherson, Kevin Robinson; written testimony of Myla and Jon Kabat-Zinn). As previously discussed, beginning in 2012, the SSA has operated the 5:30 a.m. freight trip for two principal reasons:

1. Particularly during the summer, when the SSA provides service on the Martha’s Vineyard route with two freight boats instead of just one (as well as with two larger passenger/vehicle ferries), to allow freight shippers from the mainland to make their deliveries on Martha’s Vineyard earlier in the day. This was initially accomplished during the height of the 2012 Summer Operating Schedule by moving the *Governor’s* scheduled first trip of the day from 7:30 a.m. to 5:30 a.m., while continuing to have the other freight boat’s first trip leave at 6:15 a.m. (and then moving that trip to 6:30 a.m. in 2016).
2. During the spring and fall, to allow Martha’s Vineyard residents to travel off-island earlier in the day so that they can accomplish the purposes for which they are traveling (*e.g.*, medical and other appointments, shopping) and return home the same day.

When the SSA began operating the 5:30 a.m. freight trip, it had never routinely berthed any of its freight boats overnight on Martha’s Vineyard. But in 2016, the SSA berthed the *Woods Hole* overnight at Vineyard Haven during the early summer and summer operating schedules, and scheduled that vessel’s first trip to leave Vineyard Haven at 5:30 a.m. This resulted in more vehicle spaces becoming available for island residents not only on that new 5:30 a.m. trip, but also on other early morning off-island trips due to trucks electing to travel at 5:30 a.m. instead of at 6:00 a.m., 6:30 a.m. or 7:00 a.m.

Based upon that experience, last year the SSA concluded that it was not necessary to schedule the 5:30 a.m. freight trip from Woods Hole during the 2017 Fall Operating Schedule to provide more off-island trips for Martha’s Vineyard residents. Rather, the SSA decided that it could provide an additional early morning off-island trip during the 2017 Fall Operating Schedule by berthing the freight boat (which will be the *Katama* during that schedule) overnight at Vineyard Haven (through December 5, 2017) as it has done during the early summer and summer operating schedules.

Similarly, the SSA believes that, in order to provide more off-island trips for Martha’s Vineyard residents during the 2018 Spring Operating Schedule, it would be more appropriate, given the objections of Falmouth residents to the noise generated by the SSA’s early morning freight service, to schedule the freight boat assigned to the Martha’s Vineyard route during this schedule (the *Woods Hole*) so that it berths overnight at Vineyard Haven instead of Woods Hole and has its first trip leave Vineyard Haven at 5:30 a.m., which will result in its first trip from Woods Hole being at 6:30 a.m. instead of 5:30 a.m.

**B. The SSA should continue to operate the 6:00 a.m. trip from Woods Hole with the *Island Home* (or the *Woods Hole*) as set forth in its proposed 2018 Winter, Early Spring and Spring Operating Schedules.**

Since the SSA began operating the 6:00 a.m. trip from the Woods Hole with the *Island Home* in 2007, the trip has provided essential transportation for a substantial number of mainland residents who commute to work on Martha’s Vineyard. The average numbers of commuters who commute daily (those using 46-ride commuter books which are only valid for a specific calendar month) and less-frequent commuters (those using 10-ride commuter books) carried on the 6:00 a.m. trip during each business day (non-holiday Mondays through Fridays) for the most recent twelve months that passenger traffic statistics are available are as follows:

<u>Month</u>	<u>46-Ride Commuters</u>	<u>10-Ride Commuters</u>	<u>Total Passengers</u>
Jun 2016	65	58	188
Jul 2016	57	43	171
Aug 2016	48	40	148
Sep 2016	52	31	132
Oct 2016	51	33	122
Nov 2016	50	24	106
Dec 2016	49	28	110
Jan 2017	60	36	126
Feb 2017	54	36	115
Mar 2017	54	33	116
Apr 2017	55	36	127
May 2017	69	44	173

Based upon a survey of passengers who took the *Island Home*’s 6:00 a.m. trip on July 19, 2017, many of those regular commuters would be significantly and adversely affected if this trip were rescheduled to leave later than 6:00 a.m. A representative sample of their comments includes the following:

1. “Need to be to work by 7:00AM” and “would be late for work” if the 6:00 a.m. trip were rescheduled to leave later.
2. “Work starts at 6:45 on MV.”

3. Rescheduling the 6:00 a.m. trip would make him late for work. “I was taking the 5:30 a.m. freighter to get to work on time. The 5:30 is a ‘must’ trip.”
4. He starts work at 7:00 a.m. If the 6:00 a.m. trip were rescheduled to leave later, he would “lose money and probably have to get a night job to compensate the loss of 1.5 hours overtime.”
5. “I start work at 7:00.” Rescheduling the 6:00 a.m. trip to leave later “would not work for me.” “Please do NOT change the time of this boat.”
6. He feels that rescheduling the 6:00 a.m. trip to leave later “would greatly affect a lot of people who like me travel to the island for work. Between driving and buses and boats my travel accumulates to 6 hours a day. That is 3 hours to 8 hours on island, then 3 hours to get home. For me, I usually get home around 6:30 PM. A later start would put me home later, which means less time with the family.”
7. He takes the 6:00 a.m. trip instead of a later trip because “restaurants need food products early” and, if the trip were rescheduled to leave later, there would be “unhappy customers on the island waiting for their deliveries.”
8. “Need to be at work at 7:00 AM.”
9. He would be late for work if the 6:00 a.m. trip were rescheduled to leave later and “people depend on me.”
10. He works at Martha’s Vineyard Hospital and rides the 6:00 a.m. to attend various meetings earlier in the day. He would prefer a 5:30 a.m. trip or a trip “as early as possible as it is the most productive part of the day.”
11. She works at the high school and starts work at 7:20 a.m. every day. “During the school year, kids get to the school at 7:00 for breakfast.” “There are a number of teachers that commute during the school year that also need to take the 6:00 boat. We take the 5:30 freight boat when we can.”
12. He takes the 6:00 a.m. trip “to get a full work day in then get back to be with my kids before bed time.” “For three years I have taken the 5:30. This year it switched to haz-mat and now I can’t ride it any longer. It takes time and money from my family. Please allow us to ride that boat again!!!!”
13. “My livelihood depends on my ability to work an entire 10 hr. day. The earlier I get to M.V. the better!!”
14. He takes the 6:00 a.m. trip “so I don’t have to work so late to get a full day pay.” If the 6:00 a.m. trip were rescheduled to leave later, “I would lose money and time with my family.”

15. “Operations need to start at 7:00.” If the 6:00 a.m. trip were rescheduled to leave later, “it would be disruptive to normal work operations.” “Also, traveling from home at an earlier time makes for an easier commuter to Woods Hole – less traffic!”
16. If the 6:00 a.m. trip were rescheduled to leave later, “I will be late and lose my job!”
17. Work starts at 7:00 a.m. and “would be late to work “if the 6:00 a.m. trip were rescheduled to leave later.
18. “I need to be to work by 7:00.” “My day at work would be easier if the 6:00 a.m. trip moved to 5:30 a.m.”
19. “I have been commuting daily for the past four years at 6:00 a.m. The earlier I get to the Vineyard the better.”
20. His “work day starts at 7:00 a.m.” and, if he did not take the 6:00 a.m. trip, he “would not be to work on time/possible loss of job.” He “used to take the 5:30 a.m. freight boat every day. However, it is hazardous now. There are a lot of commuters upset about this.”
21. Rescheduling the 6:00 a.m. to a later time “will really put a burden on all of us workers and M.V. employers.” “6:00 a.m. trip still isn’t early enough!!” “People make a living and getting to work on time and early matters!”
22. If the 6:00 a.m. trip were rescheduled to leave later, he “couldn’t start work when necessary.”
23. If the 6:00 a.m. trip rescheduled to leave later, “I’d be late for work / lose my job.”
24. Rescheduling the 6:00 a.m. trip “would make me late for work.” “I was taking the 5:30 a.m. freight boat which put me at work on time. I really need it back!!”
25. He starts work at 7:30 a.m. If the 6:00 a.m. trip were rescheduled to leave later, he would have “no work.”

In addition to carrying a large number of daily commuters to the island, the 6:00 a.m. trip from Woods Hole carries trucks of varying sizes by which goods are shipped to Martha’s Vineyard. A large number of contractors from Falmouth and other mainland communities also travel on the 6:00 a.m. trip with their commercial vans and box trucks. The 6:00 a.m. trip from Woods Hole typically arrives at Vineyard Haven at 6:45 a.m., providing its passengers with just a sufficient amount of time to report to work or deliver goods on the island when it is customary for businesses and institutions to begin their operating day. It also gives them a greater opportunity to return to the mainland later in the day within generally recognized business hours. Rescheduling this trip to leave later in the morning would not only delay the delivery of goods on the island, but also require contractors who travel from the mainland with their commercial vans or trucks to start work on the island later in the day. In turn, the freight drivers and contractors would not be able to return to the mainland until later in the day, leaving them less time to spend with their families.

In addition, because the 6:00 a.m. trip from Woods Hole is not designated as a “hazardous cargo” trip, it does not carry any of the large gasoline or propane tanker trucks that are carried on “hazardous cargo” trips. The average numbers of cars and trucks that are carried on the 6:00 a.m. trip during each business day (non-holiday Mondays through Fridays) for the most recent twelve months that vehicle traffic statistics are available are as follows:

<u>Month</u>	<u>Cars</u>	<u>1-space Trucks</u>	<u>2-space Trucks</u>	<u>3-space Trucks</u>	<u>4-space Trucks</u>	<u>5-space Trucks</u>
Jun 2016	14.3	8.3	5.4	2.0	2.1	0.5
Jul 2016	14.5	6.4	5.4	2.5	2.2	0.0
Aug 2016	13.3	4.3	5.4	2.0	2.2	0.0
Sep 2016	10.3	6.2	5.9	2.3	1.9	0.0
Oct 2016	8.1	5.7	4.4	1.4	1.1	0.3
Nov 2016	5.8	5.2	3.8	1.2	1.0	0.5
Dec 2016	6.0	6.7	4.1	2.7	1.2	0.3
Jan 2017	4.6	5.0	4.1	3.0	1.8	0.4
Feb 2017	3.7	4.4	3.9	2.3	1.6	0.2
Mar 2017	4.4	5.2	3.5	1.3	1.5	0.3
Apr 2017	5.2	5.4	3.6	0.9	1.8	0.5
May 2017	11.8	9.7	5.9	2.3	1.5	0.2

By contrast, the SSA carries more than twice the number of larger trucks (i.e., 4-space trucks) on its first daily hazardous cargo trip from Woods Hole than it carries on its 6:00 a.m. trip. According to the vehicle traffic statistics for the most recent twelve months that are available, the average numbers of cars and trucks carried on the first designated “hazardous cargo” trip from Woods Hole during each business day (non-holiday Mondays through Fridays) were as follows:

<u>Month</u>	<u>Cars</u>	<u>1-space Trucks</u>	<u>2-space Trucks</u>	<u>3-space Trucks</u>	<u>4-space Trucks</u>	<u>5-space Trucks</u>
Jun 2016	0.1	0.5	2.7	1.5	5.7	0.3
Jul 2016	0.0	0.4	2.7	1.0	6.5	0.2
Aug 2016	0.0	0.2	2.4	1.1	6.6	0.2
Sep 2016	0.1	0.2	1.4	0.9	5.4	0.2
Oct 2016	0.8	1.0	2.5	1.2	5.6	0.3
Nov 2016	0.2	0.7	3.5	0.7	5.7	0.4
Dec 2016	0.0	0.2	1.7	0.8	6.4	0.4
Jan 2017	0.0	0.1	0.7	0.4	5.9	0.6
Feb 2017	0.0	0.2	1.3	1.1	6.0	0.3
Mar 2017	0.1	0.1	2.1	0.8	7.3	0.1
Apr 2017	0.1	0.8	3.8	0.7	6.8	0.1
May 2017	0.1	1.8	4.8	1.1	6.2	0.3

Thus, the noise impact of the 6:00 a.m. trip from Woods Hole should be less than the noise impact of a “hazardous cargo” trip that typically carries more than twice the number of the larger 4-space trucks. For all of these reasons, the SSA believes that, even without considering how traffic congestion later in the day might make it more difficult for people to travel then, the scheduling of a 6:00 a.m. trip from Woods Hole for passengers, cars and commercial trucks is appropriate and necessary to provide adequate transportation not only for the island, but also for people and businesses on the mainland who work on the island and deliver goods there.

**C. The SSA’s proposed 2018 Winter and Spring Operating Schedules should be modified so that the first freight trip from Woods Hole is at 6:30 a.m. and is designated as a hazardous cargo trip.**

For years, the SSA has scheduled its first freight trip to Martha’s Vineyard to leave Woods Hole at 6:15 a.m., and it continued to do so even after it began berthing the *Island Home* overnight in Woods Hole and scheduled that vessel to leave on its first daily trip from Woods Hole at 6:00 a.m. The SSA also has traditionally designated that freight trip from Woods Hole as a “hazardous cargo” trip to require tanker trucks carrying gasoline, propane and other hazardous materials to Martha’s Vineyard arrive in Woods Hole when there is less traffic on the roads and fewer pedestrians around. The SSA believes that requiring hazardous cargo trucks to travel earlier in the morning reduces the risk of an accident involving those trucks and, correspondingly, reduces the risk of personal injuries and damage to the environment that could result from an accident.

Nevertheless, there have been exceptions to this general rule:

- Beginning in 2013 with respect to the Spring Operating Schedules (including the Early Spring Operating Schedules), and during the 2016 Fall Operating Schedule (through December 7, 2016), the second daily freight trip from Woods Hole that left at 7:30 a.m. was designated as the day’s first “hazardous cargo” trip even though the first freight trip from Woods Hole left at 5:30 a.m.
- During the 2016 Early Summer and Summer Operating Schedules, the 6:15 a.m. “hazardous cargo” freight trip was moved from 6:15 a.m. to 6:30 a.m. (Mondays through Fridays), and the 5:30 a.m. freight trip was designated as a “hazardous cargo” trip on Saturdays.
- During the height of the 2017 Summer Operating Schedules (June 15 through September 6, 2017), the 5:30 a.m. freight trip has been designated as a “hazardous cargo” trip instead of the 6:30 a.m. freight trip (which was moved from 6:15 a.m.).
- During the 2017 Fall Operating Schedule (through December 5, 2017), the 6:15 a.m. “hazardous cargo” freight trip has been moved from 6:15 a.m. to 6:30 a.m.

As set forth in the SSA’s proposed 2018 Winter and Spring Operating Schedules, the first “hazardous cargo” trip from Woods Hole during the winter schedule would leave at 6:15 a.m., and then, during the early spring schedule, it would leave at 6:30 a.m., and then, during the spring schedule (when a 5:30 a.m. freight trip was also proposed), it would leave at 7:30 a.m. Having now reconsidered this issue, the SSA believes that it would be appropriate to schedule the first freight trip from Woods Hole during all three schedules to leave at 6:30 a.m. (instead of its

traditional 6:15 a.m. departure time) and to designate that trip as a “hazardous cargo” trip. (Note that, under these modified schedules, there would be no 5:30 a.m. freight trip or 7:30 a.m. freight trip from Woods Hole during the 2018 Spring Operating Schedule.) This will result in the boat departures from Woods Hole being more evenly spread out in the early morning, with the *Island Home* (or *Woods Hole*) leaving at 6:00 a.m., the *Katama* (or *Woods Hole*) leaving at 6:30 a.m. and the *Martha’s Vineyard* (or *Nantucket* or *Woods Hole*) leaving at 7:00 a.m., while still requiring “hazardous cargo” trucks going to Martha’s Vineyard to arrive at Woods Hole early in the morning when there is less traffic on the roads and fewer pedestrians around. This is also consistent with the petitioners’ request that the SSA not schedule freight service from Woods Hole prior to 6:30 a.m.

**D. The SSA’s modified 2018 Winter, Early Spring and Spring Operating Schedules for the Martha’s Vineyard route are set forth in Appendix D to this report.**

The SSA’s modified 2018 Winter, Early Spring and Spring Operating Schedules for the Martha’s Vineyard route, which incorporate all of the modifications described in the preceding Sections A, B and C of this report for the reasons explained therein, are set forth in **Appendix D**. The modified schedules have been highlighted where they differ from the SSA’s originally proposed schedules, which are as follows:

- 2018 Winter Operating Schedule (January 5 through March 14, 2018):
  1. The departure and arrival times for the first freight trip have been changed from 6:15 a.m. and 7:00 a.m., respectively, to 6:30 a.m. and 7:15 a.m., respectively, and the trip numbers for all of the freight trips have been corrected to reflect their respective ports and times of departure.
  2. A “ % ” symbol has been inserted for Trip 202, clarifying that, as stated in the schedule, it is not scheduled to operate on Saturdays and Sundays, but is available to operate if needed.
- 2018 Early Spring Operating Schedule (March 15 through April 1, 2018):
  1. A “ \*\* ” symbol has been inserted for Trips 200 and 203 to show that those trips are not scheduled to operate on Sundays, but are available to operate if needed.
  2. A “ % ” symbol, as well as a “HAZ/M-F” notation, has been inserted for Trips 207 and 212 to show that those trips may operate as hazardous cargo trips on Mondays through Fridays, as needed. This change has been made in response to comments from the public after the original proposed schedules were advertised.
  3. Trips 27 and 31 are now scheduled to operate daily instead of only Fridays, Saturdays and Sundays. This change has been made to correct an oversight in the original proposed schedules.



- 2018 Spring Operating Schedule (April 2 through May 10, 2018):
  1. The departure and arrival times for all of the *Woods Hole's* trips (Trips 200, 203, 204, 207, 208, 211, 212, 215, 216, 219, 220, 223, 224 and 227) have been changed to reflect that the vessel's first daily trip will leave at 5:30 a.m. from Vineyard Haven instead of from Woods Hole.
  2. Trip 199 (the *Woods Hole's* 5:30 a.m. trip from Woods Hole on Mondays through Saturdays) has been removed from the schedule.
  3. Trip 227 (the *Woods Hole's* 8:45 p.m. trip from Woods Hole on Fridays and Sundays) has been added to the schedule.
  4. Trip 203 is now scheduled to operate only Mondays through Saturdays, instead of daily.
  5. A “ \*\* ” symbol has been inserted for Trips 200 and 203 to show that those trips are not scheduled to operate on Sundays, but are available to operate if needed.
  6. Trip 223 is now scheduled to operate daily instead of only Fridays and Sundays.
- All 3 Operating Schedules (2018 Winter, Early Spring and Spring):
  1. The language has been changed in the notes of regarding the potential operation of unscheduled freight trips so that the notes consistently say that they are available to “operate, if needed” instead of saying that they are “available to book, if necessary.”

**E. The SSA is exploring potential alternatives to its continued operation of the 5:30 a.m. freight trip from Woods Hole during the 2018 Summer Operating Schedules.**

In May 2017, the SSA advertised only its proposed 2018 Winter, Early Spring and Spring Operating Schedules and, as a result, the petition from the 61 Falmouth residents and the SSA's public hearing were in response to only those schedules. But, since then, the SSA has advertised its proposed 2018 Summer Operating Schedules (for the period from May 11 through October 22, 2018) so that public comment can be received and, if necessary, a public hearing can be conducted before the Port Council is asked to recommend any 2018 Summer Operating Schedules at their September 13, 2017 meeting and the SSA Members are asked to approve the 2018 Summer Operating Schedules at their September 26, 2017 meeting.

As advertised, the SSA is proposing to operate essentially the same Summer Operating Schedules for the Martha's Vineyard route in 2018 as in 2017, except for slight changes in the schedules' beginning and ending dates and certain periods during the early summer and late summer schedules when one particular vessel instead of another is assigned to the route. As a result, the SSA's proposed 2018 Summer Operating Schedules for the Martha's Vineyard route (**Appendix E**) would include the following trips from Woods Hole prior to 6:30 a.m.:

5:30 a.m.      *Governor* (designated as a hazardous cargo trip on Mondays through Saturdays from June 19, 2018 through September 7, 2018)

6:00 a.m.      *Island Home* (or *Nantucket*)

The SSA believes the scheduling of a 6:00 a.m. trip from Woods Hole by the *Island Home* (or *Nantucket*) for passengers, cars and commercial trucks is appropriate and necessary during the summer for the same reasons the SSA schedules the trip during the other times of year, as earlier explained in this report. The SSA also believes that, during the summer as opposed to the other times of year, there are good reasons to schedule the first freight trip from Woods Hole so that it continues to leave at 5:30 a.m. The questions are whether these reasons are compelling enough, when weighed against the noise that is associated with the SSA’s early morning operations at its Woods Hole terminal, to continue operating the 5:30 a.m. freight trip and whether there are any alternatives that could better balance all of the communities’ competing interests.

By operating the 5:30 a.m. freight trip from Woods Hole during the summer when there is much more traffic on Cape Cod, more trucks travel to Woods Hole earlier in the morning when there is less traffic congestion in Falmouth. This benefits not only the freight shippers, but also everyone who drives through Falmouth later in the morning with fewer trucks on the road. The SSA is also able to transport more trucks earlier in the day to Martha’s Vineyard, which gives them more time to make their deliveries in the morning (for example, before stores are busy with customers and restaurants are preparing to serve lunch), as well as to return back to the mainland during generally accepted business hours.

If the SSA were to reschedule its first freight trip from Woods Hole during the summer so that it left at 6:30 a.m. instead of 5:30 a.m., it would be very difficult to absorb the trucks that previously have traveled on the 5:30 a.m. trip onto later trips in the morning. As shown in **Appendix F**, all of the trips made by the SSA’s larger passenger/vehicle ferries from Woods Hole in 2016 already were at their practical vehicle capacity during summer business days until after 7:30 p.m., with every trip from 7:00 a.m. through 7:30 p.m. operating on average at more than 90% of its vehicle capacity.<sup>9</sup> While the SSA’s freight trips from Woods Hole during the same business days operated on average at a slightly lower percentage of their vehicle capacities from 5:30 a.m. through 6:30 p.m. (ranging from 79.8% to 99.6%), the difference with respect to morning and afternoon trips is mostly attributable to the SSA’s ability to make much more efficient use of the larger freight decks on its larger passenger/vehicle ferries, particularly with the number of smaller cars that are carried on those trips which can be loaded to fill up what otherwise would be

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<sup>9</sup> Even though the *Island Home* carried around the same number of trucks on its 6:00 a.m. trip as its other trips during business days in the summer of 2016, it operated on average at only 78.0% of its vehicle capacity on that trip because of the smaller number of cars it carried on the trip. The *Island Home* can carry 18 to 20 cars along the two sides of its freight deck underneath its mezzanine deck, but trucks cannot fit down those sides. Therefore, even if the entire middle portion of its freight deck that can carry trucks is full, the vessel does not operate at 100% of its vehicle capacity when it carries fewer than 18 to 20 cars. During business days in the summer of 2016, it averaged only 14 cars on its 6:00 a.m. trip.

empty space on the freight deck. It also is even more difficult to use the entire amount of a freight boat's freight deck on hazardous cargo trips (when more large trucks are carried) and, on the *Governor*, when the combined weight of all the trucks carried on the vessel increases the vessel's draft to a depth that requires the SSA to restrict the number of passengers (and their cars) that can be carried on a particular trip.

Further, even if the SSA were able to transport all of the trucks that need to travel to Martha's Vineyard at reasonable times during the morning without the 5:30 a.m. freight trip, scheduling the first freight trip for a later time would result in more trips leaving with the same number of trucks in a shorter time period, which would require more positioning of those trucks at the terminal, including more backing up with their backup alarms, in order for them to be staged and loaded on the vessels. It would also require space on the SSA's larger passenger/vehicle ferries that is currently allocated for automobiles to be used for trucks, resulting in either a delay of automobiles getting to the island until later in the day or people choosing not to go to the island because they cannot travel when they want or need to do so.

As also shown in **Appendix F**, the situation is the same for trips from Martha's Vineyard to Woods Hole. The 5:30 a.m. freight trip adds another trip off-island for island residents in the morning when they need to travel, as many of them cannot accomplish the purposes for which they are traveling if they are unable to leave the island until later in the day, and it has a domino effect throughout the day that makes more space available when it is needed. By contrast, very few people want to leave the island later during the evening because, after the ferry docks, they still have to drive from Woods Hole to their homes or other final destinations. Thus, scheduling the freight trips earlier in the day has worked out much better in providing additional capacity when people want and need to travel.

Nevertheless, as briefly described below, the SSA is exploring potential alternatives to the 5:30 a.m. freight trip from Woods Hole, even though each of them would create other significant operational problems that would have to be addressed as well:

- In addition to considering whether it can delay the 5:30 a.m. freight trip by one hour so that it leaves at 6:30 a.m., the SSA is considering whether it can delay that trip by 15 or 45 minutes so that it leaves at 5:45 a.m. or 6:15 a.m. However, as noted earlier in this report, the SSA previously had tried to schedule the first freight trip in the morning to leave at 5:45 a.m., but that created a number of operational issues due to vessels arriving and leaving slips too close in time to each other. Another variation of this alternative that the SSA is also considering is whether it can delay the 5:30 a.m. freight trip from Woods Hole by 45 minutes or an hour, while not delaying the 5:30 a.m. freight trip from Vineyard Haven or delaying it by a lesser amount of time.
- Even if it cannot eliminate or delay the scheduling of the 5:30 a.m. freight trip during the 2018 Early Summer and Summer Operating Schedules, the SSA is considering whether it can eliminate or delay that trip during the 2018 Late Summer Operating Schedule (September 8, 2018 through October 22, 2018), given that the SSA carries fewer trucks during the months of September and October than it carries during the months of June, July

and August (although it carries more tour buses during September and October than it carries during the summer).

- The SSA is considering whether it can operate its hazardous freight trips later in the day, realizing that its hazardous cargo trips carry more large trucks than its other freight trips. As currently proposed, when the *Nantucket* is providing service on the Martha’s Vineyard route during the height of the summer season (mid-June through early September), the *Governor* would operate two hazardous cargo trips from Woods Hole because the *Nantucket* is unable to carry the number of large hazardous cargo trucks that need to be transported to and from the island each day. In addition, as currently proposed, the two hazardous cargo trips would be the *Governor*’s first two trips in the morning (5:30 a.m. and 7:30 a.m.). Because the *Governor* has no sleeping quarters on the vessel for its crew, it has to be berthed overnight at Woods Hole. Therefore, if it did not operate its first 5:30 a.m. trip as a hazardous cargo trip, its hazardous cargo trips would leave Woods Hole at 7:30 a.m. and 9:50 a.m., which would result in hazardous cargo trucks driving to the Woods Hole terminal through Falmouth’s heaviest early to mid-morning traffic, and then driving around Martha’s Vineyard during the island’s heavy mid-day traffic congestion.
- The SSA is considering whether it can use other ferries to provide service on the Martha’s Vineyard route in place of the ferries that the SSA is proposing to use and/or in addition to those ferries. For example, the SSA currently is not proposing to use the *Sankaty* to provide any scheduled service from June 19, 2018 through September 7, 2018; nor is that vessel currently scheduled to be in repair during that time period. Specifically, the SSA is considering whether the *Sankaty* can be used instead of the *Nantucket* or the *Governor* during the height of the summer schedule, which might allow the 6:30 a.m. freight trip to be designated as a hazardous cargo trip instead of the 5:30 freight trip. In addition, the SSA is considering whether it can eliminate the 5:30 a.m. freight trip entirely during this period by assigning the *Sankaty* as an additional ferry to the Martha’s Vineyard route, increasing the total number of ferries on that route from four to five during the entire summer, to provide up to four additional round trips per day five days a week.

**F. The SSA continues to explore the feasibility of providing freight service between New Bedford and Martha’s Vineyard.**

Many Falmouth residents, both at the public hearing and in their written testimony, suggested that the SSA provide freight service between New Bedford and Martha’s Vineyard instead of operating early morning freight trips to Martha’s Vineyard from Woods Hole. In fact, the SSA already has issued a preliminary report on the feasibility of freight service between New Bedford and Martha’s Vineyard (the “Preliminary Report”), dated April 12, 2016, in which it has identified various alternatives for such a service, described how each of those alternatives would address the concerns and needs of the traveling public and each of the SSA’s interested constituent communities (Martha’s Vineyard, New Bedford and Woods Hole), and presented for further investigation and development a proposed potential model for the service that the SSA believes

has the greatest chance of success over the long term. A copy of the Preliminary Report is set forth in **Appendix G**.<sup>10</sup>

The SSA considers a potential freight ferry service between New Bedford and Martha's Vineyard a project that would have regional impact. Therefore, in the Preliminary Report, the SSA's staff recommended, among other things, that the SSA work with the Cape Cod Commission, the Martha's Vineyard Commission, and public officials of all of the municipalities that could be affected by a New Bedford freight service for the purpose of submitting a joint request to the appropriate agency or agencies of the Commonwealth of Massachusetts and/or other local or regional governmental entities (1) to fund the construction, operation and maintenance of a suitable freight ferry terminal in New Bedford; and (2) to provide annual funding to the SSA for the New Bedford freight service in a sufficient amount to cover the difference each year between (a) the amount of the SSA's direct and allocated costs of the service, and (b) the amount of fares the SSA derives from the service.<sup>11</sup> The SSA then sent copies of the Preliminary Report to appropriate public officials of all of the municipalities that could be affected by a freight ferry service between New Bedford and Martha's Vineyard, and a copy of the report was posted on the SSA's website (as well as on the homepage of the Town of Falmouth's website) along with a letter asking those public officials and members of the public to email their comments and suggestions to the SSA.

In response to its request, the SSA received a total of three emails about the Preliminary Report, and the only public official who responded to the SSA's request for comments and suggestions was New Bedford Mayor Jonathan F. Mitchell. Despite the apparent lack of interest in this potential project by all of the other communities that could be affected by a freight ferry service between New Bedford and Martha's Vineyard, the SSA's staff responded to those comments in March 2017, and a copy of the responses is set forth in **Appendix H**.

Since then, the SSA has hired Craig Johnson of Flagship Management to further explore the possibility of a freight ferry service between New Bedford and Martha's Vineyard that would be operated by a private vessel operator. Although Mr. Johnson is now with Flagship, in 2000 and 2001 he was with Seabulk/Hvide and was in charge of their operation in New Bedford that provided freight service to Martha's Vineyard pursuant to the request for proposals the SSA had issued at that time. (See Preliminary Report, at pp. 1-2.) Mr. Johnson is currently reviewing the existing facilities in New Bedford to see what infrastructure currently exists there to support the service and what options might be available. Mr. Johnson is also contacting the SSA's freight customers to determine what interest any of them might have in a New Bedford freight service. He is then expected to contact private vessel operators as well to see what interest they might have

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<sup>10</sup> In her written testimony, Nan Logan of 482 Woods Hole Road asked whether any service to and from New Bedford would be only for trucks carrying hazardous cargo. The Preliminary Report (at pp. 24-25) addresses that issue in some detail.

<sup>11</sup> In the Preliminary Report, the SSA's staff explained why they feel a New Bedford freight service will have a greater chance of success if its fares are partially subsidized (at pp. 31-32) and also why the Commonwealth of Massachusetts or another source, instead of the SSA, should provide that subsidy (pp. 26-29).

in providing such a service. The SSA anticipates receiving Mr. Johnson’s report by the end of the summer.

**G. The SSA would like to address other issues and questions that were raised by Falmouth residents in their testimony.**

At the public hearing and in their written testimony, several Falmouth residents raised other issues and questions to which the SSA believes it should respond. They are as follows:

- At the public hearing, Jenny Marlowe of 14 Cowdry Road testified that trucks waiting to check in at the Woods Hole terminal are invariably blocking her house and driveway beginning at 4:00 a.m. and then idle their engines there for an hour. Although no such misconduct was observed on either June 15 or July 18, 2017, the SSA believes that it would be appropriate for the SSA to penalize such misconduct by, among other things, cancelling the reservations of any customer who engages in such behavior. Accordingly, the SSA encourages Mmes. Marlowe and Goldman, as well as any other Woods Hole resident who witnesses similar misconduct, to report it immediately to the SSA’s Woods Hole Terminal Manager Kevin R. Smith, Operations Manager Mark K. Rozum or General Manager Robert B. Davis so that it can be appropriately addressed.
- At the public hearing, Ellen Love Pendleton of 18 Locust Street stated that she believes the SSA like any other business should comply with the Town of Falmouth’s noise ordinances; and in her written testimony, Kristin Alexander of 38 Hilton Avenue similarly mentioned that the Town has a noise ordinance that starts at 7:30 a.m. However, the SSA has reviewed the Code of the Town of Falmouth, and was unable to identify any noise ordinances with which it is not complying.
- At the public hearing, Richard Hale of 42 Landfall stated that he was interested in knowing what the SSA’s operating schedules will be in the future. For example, Mr. Hale asked, at some point will the SSA be operating a 4:30 a.m. trip from Woods Hole? Similarly in her written testimony, Nan Logan of 482 Woods Hole Road asked the SSA how far the SSA will go in extending hours of service. In response, the SSA states that it will explore all potential alternatives to extending its hours of operation earlier in the morning in order to provide adequate transportation for the island of Martha’ Vineyard, including but not limited to providing additional service during other times of the day, licensing private vessel operators to provide ferry service from alternative mainland ports (and, to the extent reasonably possible, making its island ports and reservations system available for their use), and making it easier for people going to and from the island to travel without their automobiles.
- In her written testimony, Ms. Logan also expressed concern that the SSA is increasing the demand for its services by actively advertising the desirability of tourism to Martha’s Vineyard and giving discounted fares (on bulk purchase of 20 or more round-trip SSA ferry tickets) to places of accommodation. In response, the SSA notes that the amount and types of the SSA’s advertising has been the subject of discussion among SSA Members for

decades, but that generally the purpose of the SSA’s advertising is to increase its market share of people who already are planning to travel to the islands of Nantucket and Martha’s Vineyard rather than to increase the number of people who travel to the islands. With respect to its accommodations program, the SSA also notes that only passenger tickets, not vehicle tickets, are provided to its accommodations partners at a 20% discount from their regular prices, and that 14 of the SSA’s accommodations partners are located in Woods Hole or Falmouth, while only three are located on Martha’s Vineyard.

- In her written testimony, Ms. Logan also asked whether the SSA makes any vehicle rate adjustments for filling boats at times of higher or lower demand. From time to time, the SSA has considered “premium pricing” for certain popular sailing times of the day and popular travel days of the week, but in 1997 the SSA was advised that increasing fares during popular travel times and/or days would not necessarily decrease the number of people traveling at those times and/or days. Indeed, the SSA’s consultants at that time, Joseph Savage and Frank Mahady, found that the amount of automobile traffic was just as likely to go up after a fare increase as go down, and they concluded that people make decisions as to whether or not to take their cars for reasons that do not have much to do with the amount of the fare. Further, Messrs. Savage and Mahady cautioned the SSA not to use fare increases in an attempt to control growth on the islands, and they emphasized that certain market segments of the SSA’s customer base will be burdened by any fare increase imposed by the SSA.
  
- In her written testimony, Ms. Logan also asked what the SSA’s rate differentials are for shorter and longer trucks. In response, the SSA’s current Local Freight Tariff is set forth in **Appendix I**. For the Martha’s Vineyard route, the SSA’s one-way fares for commercial vehicles (including trucks, pickups, panel vans, tractor trailers and truck/trailer combinations in which the trailer is connected by a disk, hook or ring hitch, registered as a commercial vehicle), not including the driver, generally are as follows:

<u>Length of Vehicle</u>	<u>Car Space Equivalent</u>	<u>Jan 1 – Mar 31</u>	
		<u>Nov 1 – Dec 31</u>	<u>Apr 1 – Oct 31</u>
Less than 17 feet	1 space	\$ 43.50	\$ 68.50
17 ft but less than 20 ft	1 space	\$ 53.50	\$ 78.50
20 ft but less than 25 ft	2 space	\$ 87.00	\$ 105.50
25 ft but less than 30 ft	2 space	\$ 114.50	\$ 127.00
30 ft but less than 35 ft	2 space	\$ 139.50	\$ 139.50
35 ft but less than 40 ft	3 space	\$ 154.50	\$ 154.50
40 ft but less than 45 ft	3 space	\$ 174.00	\$ 174.00
45 ft but less than 50 ft	3 space	\$ 198.00	\$ 198.00
50 ft but less than 55 ft	3 space	\$ 217.50	\$ 217.50
55 ft but less than 60 ft	4 space	\$ 240.00	\$ 240.00
60 ft but less than 65 ft	4 space	\$ 259.50	\$ 259.50
65 ft but less than 70 ft	5 space	\$ 280.00	\$ 280.00
70 ft and over (per foot)	5 space	\$ 4.32	\$ 4.32

However, subject to certain conditions, trucks carrying fresh island-produced fruits and vegetables (including cranberries), fresh fish and shellfish from Martha’s Vineyard pay 50% of the fares applicable to their lengths, and trucks carrying recyclable materials from the island pay 75% of the fares applicable to their lengths on their off-island portion of travel only.<sup>12</sup> By contrast, trucks carrying hazardous materials pay a 50% surcharge in addition to the standard rates applicable to their lengths unless they are permitted to be transported on a passenger-carrying vessel.

- In her written testimony, Ms. Logan also asks what the SSA is doing to work with the Climate Foundation’s Brian Von Herzen to develop some creative solutions going forward in the next ten years. On May 25, 2017, Mr. Von Herzen contacted Mr. Sayers and asked if he could share the Climate Foundation’s collective wisdom on best practices with the SSA’s consultants from Tetra Tech who are investigating the feasibility of barging municipal solid waste from Martha’s Vineyard to New Bedford. Mr. Sayers responded to Mr. Von Herzen’s request on June 2, 2017, asking him if the two of them could first meet to talk about what input Mr. Von Herzen might have about barging municipal waste from Martha’s Vineyard, and he noted that Tetra Tech is principally exploring transportation alternatives, not waste disposal practices *per se*. Messrs. Sayers and Von Herzen have yet to schedule a time to get together.

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<sup>12</sup> The Local Freight Tariff is incorrect in stating that trucks carrying solid waste from Martha’s Vineyard also pay 75% of the fares applicable to their lengths on their off-island portion of travel only. As shown on the chart specifying their fares, those trucks pay 100% of the otherwise applicable fares. In 2000, the SSA discontinued the 25% discount for trucks carrying solid waste from Martha’s Vineyard and made that discount applicable only to trucks carrying recyclables from the island. (See Minutes of the SSA’s November 16, 2000 Meeting.)