

CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION

TWO HUNDRED AND EIGHTY-THIRD MEETING

HELD AT CAPE COD NATIONAL SEASHORE, Marconi Station
Area, Park Headquarters, South Wellfleet, Massachusetts,

on Monday, March 12, 2012, commencing at 1:00 p.m.

SITTING:

Sheila Lyons, Chairwoman
for Richard Delaney
Ed Sabin
Maureen Burgess
Mary-Jo Avellar
Ted Thomas/Thomas Reinhart
William Hammatt

Also present:

George Price, Superintendent
Kathy Tevyaw, Deputy Superintendent
Sue Moynihan
Karst Hooegeboom
Nicole Taylor

Audience members

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1 PROCEEDINGS
 2 MS. LYONS: Since it's one o'clock I think I would
 3 like to call this meeting to order. I am Sheila Lyons
 4 and I'm stepping in for Rich Delaney today. He is at a
 5 conference in Rhode Island. He said he is going to
 6 attempt to get back here, but if he is delayed, we will
 7 not have him for this meeting. And I think we're
 8 prepared to do so.
 9 I do also want to have a statement on if anyone is
 10 recording this meeting, they need to be identified and
 11 let us know. It's not against the law to record. Video
 12 is up to the discretion of the advisory group. In my
 13 experience of pushing for video and taped meetings and
 14 commissioner's meetings, it sometimes stifles
 15 conversation just the presence of a camera whereas a
 16 recording or people taking minutes doesn't seem to stifle
 17 that same type of conversation. So I think I would
 18 prefer not to have any video, but recording devices have
 19 to be -- we have to be informed if you're recording this
 20 session.
 21 AUDIENCE MEMBER (MR. POLLACK:) Madam Chairman, Allan
 22 Pollack with the Cape Cod Chronicle. I'm not recording,
 23 but I would like to reserve the right to do so.
 24 MS. LYONS: Okay. And we appreciate that. Anyone

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1 else? Yes?
 2 AUDIENCE MEMBER (MR. BUCKLEY:) My name is Steve
 3 Buckley. I have a digital recorder. I just put it on
 4 the table there.
 5 MS. LYONS: That's fine. That's fine. And we know
 6 that you have that, so thank you.
 7 AUDIENCE MEMBER (MR. BUCKLEY:) I was going to put it
 8 right there.
 9 MS. LYONS: That's fine.
 10 MR. BUCKLEY: Just a little tiny thing.
 11 MS. LYONS: Okay.
 12 MS. AVELLAR: So the Commission doesn't have
 13 televised meetings?
 14 MS. LYONS: We do have -- we do. But I kind of -- in
 15 hindsight, and we did it for transparency, but it almost
 16 stifles some conversation when it's on camera by
 17 different participants.
 18 MS. AVELLAR: It doesn't do that in Provincetown.
 19 MS. LYONS: Well, everybody goes a different way. So
 20 anyway.
 21 With that I will open up the meeting with a report
 22 from the Superintendent.
 23 MR. PRICE: Well, actually, look at the agenda.
 24 MS. LYONS: Oh, excuse me. Oh, excuse me.

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1 ADOPTION OF AGENDA
 2 MS. LYONS: So the adoption of the agenda, so moved?
 3 So do I have a second on approving the agenda?
 4 MS. AVELLAR: Second.
 5 MS. LYONS: Second. Okay. All in favor?
 6 BOARD MEMBERS: Aye.
 7 APPROVAL OF MINUTES OF PREVIOUS MEETING
 8 MS. LYONS: Approval of the minutes of the previous
 9 meeting. Has everyone had a chance to read those? Are
 10 there any changes, errors? Yes?
 11 MR. SABIN: Just one comment. As the senior
 12 editor, I want you to know I've reviewed the whole thing.
 13 Of the whole thing was one little tiny tiny error. It's
 14 hardly worth bringing up, but it is a little glitch on
 15 line 16 on page nine, the fourth word should be something
 16 else.
 17 MS. LYONS: Should be something else. Could you read
 18 it for us, please, for those of us who don't have it
 19 right in front of us? For those of us without our notes.
 20 MR. SABIN: I'll just read it through. (As read:)
 21 "We anticipate to regroup shortly so that at least on the
 22 Park Service side we can just get an understanding of
 23 what's happening and where we can even approach on our --
 24 whatever that is supposed to be.

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1 MS. LYONS: Is it that you can't read the word?
 2 MS. AVELLAR: It says, mere term.
 3 MS. LYONS: Oh, mere term.
 4 MS. AVELLAR: What's that mean?
 5 MR. SABIN: What's it supposed to say?
 6 MS. LYONS: Maybe that's what it sounded like.
 7 MR. SABIN: Who said it? Let's see.
 8 MS. AVELLAR: It must have been George.
 9 MS. LYONS: Maybe it's near turn or near --
 10 MS. AVELLAR: Your term maybe?
 11 MS. LYONS: Term.
 12 MS. BURGESS: Maybe it's -- I saw that too.
 13 MS. AVELLAR: Yeah, it doesn't make any sense.
 14 MR. PRICE: I'm sorry. Could you repeat that?
 15 MR. SABIN: Page nine, line 16, what's the fourth
 16 word supposed to be?
 17 MS. AVELLAR: It says, mere term and I think it
 18 might possibly be near your term --
 19 MS. LYONS: Near term or in our near --
 20 MR. SABIN: I guess it's probably near term.
 21 MS. LYONS: (As read:) "So what we are doing in short
 22 is the coastal engineer for Boston come down, take a look
 23 at this. Graham Giese and these people are taking a look
 24 at it.

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1 MR. PRICE: Yes. What we can do in the near term --
 2 MS. AVELLAR: Near term.
 3 MS. LYONS: Okay. Near term. Okay. So that changes
 4 it.
 5 MR. PRICE: It probably should have said short term.
 6 MS. LYONS: Short term. We'll just make it short
 7 term. Are there any -- that is the only correction, so
 8 with that change -- second?
 9 MS. AVELLAR: Second.
 10 MS. LYONS: All in favor?
 11 BOARD MEMBERS: Aye.
 12 (MARCH 12, 2012)
 13 REPORTS OF OFFICERS
 14 MS. LYONS: Reports of officers. Are there any
 15 reports to be given? No?
 16 REPORTS OF SUBCOMMITTEES
 17 MS. LYONS: Reports of subcommittees? Yes?
 18 MS. BURGESS: Yes. The subcommittee of the
 19 Nickerson Fellowship Subcommittee did meet in February.
 20 And those of you who have been on the commission for a
 21 long time probably are much more familiar with it than I,
 22 but I am a new member and I was the one rep from the
 23 commission. There were also two reps from Cape Cod
 24 National Seashore and a Member-at-Large. Several of them

1 MS. AVELLAR: And the friends were front and center
 2 at Year-Rounders in Provincetown this weekend. They had
 3 a big display and there was somebody there in a Park
 4 Service uniform. I didn't recognize her, she was very
 5 tall, tall and thin. And they seemed to have a nice
 6 group of people standing around and although it was a
 7 little bit slower than most Year-Rounders, but they were
 8 there, their presence was there and they seemed to have
 9 people inquiring.
 10 MS. LYONS: Good.
 11 MR. PRICE: Were those Jody -- what's her last name?
 12 MS. TEVYAN: Anastasia.
 13 MR. PRICE: Anastasia. Jody is the North District
 14 interpreter, so she supervises the Provincetown Visitor's
 15 Center and she lives up there.
 16 MS. LYONS: Great. All right. Thank you. Are there
 17 any other reports, comments? All right.
 18 SUPERINTENDENT'S REPORT
 19 MS. LYONS: George, you're on.
 20 MR. PRICE: Okay. Number of business items today and
 21 again I know there's a lot of people particularly
 22 interested in the North Beach Cottages, which we're going
 23 to talk about, but specifically out of respect to Larry
 24 Spaulding one of the alternates, I was asked that we

1 are new. And it was chaired by Dr. Megan Tyrrell of the
 2 Park Service and the purpose, we meet about twice a year
 3 to renew the idea of fellowship availability as a result
 4 of a grant called the Nickerson Foundation.
 5 An endowment was made some years back and money was
 6 put aside so that fellowships for research that involved
 7 the natural or cultural aspects of the Cape Cod National
 8 Seashore would be available. And those grants are based
 9 on monies that have been invested. Because the
 10 commission who received the endowment is not a not for
 11 profit, we can't manage the monies. So the monies are
 12 managed by a 501-K, which is the Friends of the National
 13 Seashore.
 14 So just to cut to the chase, this year there's a
 15 \$2,000 fellowship available. The request for proposals
 16 are going out and we expect to have proposals to review
 17 in the middle of April. And all of the previous
 18 scientific papers are available for review at the
 19 Highland Center Library or the Atlantic Research
 20 Facility. So those are available.
 21 And I do have a copy of the paper done by last
 22 year's grantee, if anybody would like to make a copy of
 23 it. So you can see me if you'd like to make a copy of
 24 that I'll do it for you.

1 could have that at the end.
 2 MS. LYONS: Yes.
 3 UPDATE ON DUNE SHACKS
 4 MR. PRICE: Specifically starting off then with Dune
 5 Shacks. As you all know a while ago, we actually
 6 completed the work on the Dune Shack EA and created a
 7 draft environmental assessment which would develop a
 8 management plan for it. We're in the process of
 9 finalizing what's called a Fonzi, which is of no
 10 significant impact on the Dune Shack Preservation use
 11 plan. And once that's finalized and signed by the
 12 regional director, then we can actually begin
 13 implementing that plan, which is designed to preserve the
 14 cultural resources and accommodate public use and Bill
 15 and Dick Philbrick and Rich and Brenda were all active
 16 participants in that. I don't think there was anybody
 17 else generally there from the Commission, but the
 18 Commission participated, the Friends of Cape Cod National
 19 Seashore participated and then appointees from both the
 20 Town of Provincetown and Truro participated as well as
 21 representatives from the Dune Shacks, long-term families
 22 and the non-profit organizations. We met up in the
 23 Provincetown Center of Coastal Studies, it was almost
 24 once a month there for a while. So it was a very intense

1 planning effort. It's been a while because we've been
 2 trying to get a sign-off from the Massachusetts
 3 Historical Commission in order to go to the next step.
 4 So that I think is very positive.
 5 Now, we'll have to get along the line of the
 6 implementation process which will be the next phase.
 7 Any questions?
 8 MR. HAMMATT: How long will that take?
 9 MR. PRICE: The next phase?
 10 MR. HAMMATT: Yeah.
 11 MR. PRICE: Well, we had actually said -- I expect
 12 it's going to be phased in over a period of time. We
 13 have to -- there are a number of people that still have
 14 use and occupancy permits, that and then the special use
 15 permits, there are those with a long term use and
 16 occupancy permits which will be phasing out over time.
 17 We have to do building assessments or condition
 18 assessments. We also have to do appraisals. So I'm
 19 looking at a phase approach over time for that.
 20 IMPROVED PROPERTIES/TOWN BYLAWS
 21 MR. PRICE: Under improved properties, in your
 22 packets there's a letter concerning zoning interpretation
 23 for the Surf Side Colony in Wellfleet due to a recent ZBA
 24 case. These 17 cottages need to be treated not as single

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1 MS. LYONS: I'll call Mary Pathway. (Laughter)
 2 I'm only kidding.
 3 MS. BURGESS: It may have been resolved at this
 4 point, I don't know.
 5 MR. PRICE: Well, could I ask Lauren?
 6 MS. LYONS: Yes.
 7 MR. PRICE: Laura McKean our park --
 8 MS. MCKEAN: I believe it's been resolved with the
 9 town.
 10 MS. LYONS: Okay. Great. Thanks.
 11 MS. MCKEAN: They sent us an e-mail.
 12 MS. LYONS: All right.
 13 HERRING RIVER WETLAND RESTORATION
 14 MR. PRICE: Just an update on Herring River Wetland
 15 Restoration. The Seashore staff is still working with
 16 the extended committee in the prep of the EIS/EIR for
 17 next spring and we hope to roll out some public
 18 discussions in August. I believe at the last meeting I
 19 reported that I attended a Board of Selectmen Meeting
 20 with Hilary Greenberg and Gary Joseph representing
 21 Wellfleet on that Committee presented to the Town Board
 22 of Selectmen an update and also listed a number of
 23 discussion -- excuse me -- decision points which really
 24 need the attention of the Board of Selectmen. It's not -

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1 family residence, but as the cottage colony. So we sent
 2 that clarifying letter from our respect.
 3 There is also a letter in your packet from the
 4 oldest attorney of two campgrounds in North Truro, the
 5 Highland and South Highland Road Camping Areas are now
 6 both owned by A/C Mobile Home Park and they continue to
 7 propose a shared wastewater facility. And this is simply
 8 a progress report.
 9 You may recall we had a representative from them a
 10 while ago, almost a year ago I think and this Commission
 11 asked for progress reports on that. We all thought it
 12 was a great idea and now they're in the process of
 13 implementing it.
 14 MS. BURGESS: George, if I may?
 15 MR. PRICE: Yes.
 16 MS. BURGESS: I think the one complication was when
 17 they looked at the road that's involved in putting the
 18 pipe to the shared treatment center, they determined that
 19 the town didn't have the right to authorize it, that in
 20 fact it was a county road. So that's the -- I think
 21 that's where it kind of got held up a bit.
 22 MR. PRICE: Well, I think you need to talk to the
 23 County Commissioners then.
 24 MS. BURGESS: Yeah, I guess so.

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1 - they're not contentious decision points, they're just
 2 decision points as far as giving direction to the
 3 Committee as to where and what direction the Board of
 4 Selectmen would like to go. And Park Service has some
 5 opinions, but the opinions are very much in a discussion
 6 nature of where these things are. I think I used some
 7 examples, there are a couple of sand roads and dirt roads
 8 and at least in one case, going across a particular dike
 9 that had been put in at one time. And from our
 10 perspective, we don't believe it was either necessary or
 11 that road could be taken out as part of this project or
 12 if the town decided that they wanted to keep it, the
 13 direction of the committee just says then we have to deal
 14 with it one way or the other.
 15 So it's not that we have a strong opinion, it's just
 16 that if it was just up to us, we would do it in one way,
 17 but the town may want to take another look. So that's
 18 what that is about.
 19 WIND TURBINES/CELL TOWERS
 20 MR. PRICE: No new information on either wind
 21 turbines or cell towers.
 22 SHOREBIRD MANAGEMENT PLANNING
 23 MR. PRICE: The flexible shorebird management which I
 24 think just combined with REA on our shorebird management

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1 program in general, our staff continues to not only work
 2 with the feedback that we received during the last
 3 scoping meeting, but also continue to work with U.S. Fish
 4 and Wildlife Service in setting up meetings with them and
 5 eventually the state on developing alternatives. It's
 6 pretty obvious now, I had originally announced at this
 7 meeting that we expect to have these public discussions
 8 in the spring, but at this point these discussions are
 9 going to be put off to the fall.
 10 And we know that there's a lot of interest and
 11 there's a lot of very strong opinions on the shorebird
 12 management plan and we're trying to set it up the best
 13 way we can both to be responsive to the input as well as
 14 be prepared for public discussion when that actually
 15 takes place.
 16 Shelley once we -- Shelley Hall is our Chief of
 17 Natural Resources, I know she and Mary Hake have made
 18 presentations in the past and before we actually get to a
 19 public presentation about it, perhaps we might do some
 20 other updates about that as well depending on the
 21 schedule.

22 HIGHLAND CENTER UPDATE

23 MR. PRICE: On the Highland Center Update things are
 24 still progressing with the ARM project. If you recall in

1 up there and a number of other things. So we received
 2 those planning funds and we'll be moving on those
 3 projects.
 4 MS. LYONS: If I may add to that. I believe that
 5 there is a Mass in Motion Grant that the Human Service
 6 Department was able to receive this year. And it's going
 7 to be a five-year rollout of -- you know, significant
 8 amount of money, but when you look at the big picture of
 9 everything you're supposed to do, it really doesn't come
 10 down to that. But part of that is that they are working
 11 with the Cape Cod Commission in that effort of the biking
 12 trails to connect the bike trail itself, but also have
 13 them make the streets safer and the route safer along the
 14 way. So there will be some partnership there with them
 15 as well and I think it's all going in the right
 16 direction.
 17 MR. PRICE: Karst, are you and Clay hooked in with
 18 that?
 19 MR. HOOGEBOOM: I know that Clay has mentioned it,
 20 so, yes.

21 MS. LYONS: It's going to be a little added extra
 22 help.

23 MR. HOOGEBOOM: Right.

24 MS. LYONS: But not -- you know, it's not going to

1 the fall we had the folks here from Los Alamos and from
 2 (inaudible) in the Pacific Northwest. They were here
 3 again just last week. They met with scientists and
 4 educators as wells as town representatives. We're still
 5 anticipating the deployment in July. We're very excited
 6 about that. And that will be a major focus up at the
 7 Highland Center area.
 8 Highland Center Incorporated elected a new president
 9 Mike -- Mark Watson and we're pleased to have him come on
 10 board to assist with our goal to implement the vision of
 11 that when we're talking about a camp (inaudible), science
 12 education and the arts.

13 ALTERNATIVE TRANSPORTATION FUNDING

14 MR. PRICE: Alternate transportation continuing to
 15 work with the Cape Cod Commission. Karst has been
 16 working with Clay both on the proposals and some of the
 17 evaluations and some of the assessments. Also you may
 18 have read in the paper, we've received some funding for a
 19 number of different proposals including a revamp of the
 20 loss of bike trail of continuing the planning to be able
 21 to hook Provincetown in with Truro as far as a bike trail
 22 connection, specifically to hook downtown Provincetown in
 23 with the Province Land's Bike Trail.
 24 It's a particular interest to the Board of Selectmen

1 solve the problem, but it's at least another extra and
 2 someplace to look for when you're looking for maybe some
 3 gap funds to go forward on a project.
 4 MR. PRICE: And Karst and Clay, when they work on
 5 these committees that they have representatives form all
 6 the towns. I think that is the definition of the bike
 7 trail committees.

8 OTHER CONSTRUCTION

9 MR. PRICE: On the other constructions heading, I
 10 just want to basically announce something that we feel
 11 very good about. You all are familiar with the bathhouse
 12 project up at Herring Cove and we have been working on
 13 developing that proposal for the last several years and
 14 we originally were told that we would have the planning,
 15 funding to take it to the next step in 2013. And then
 16 we're projecting construction for 2014. So that would
 17 actually be the demolition of the current bathhouse and
 18 replacement with the steam that we presented to the Board
 19 of Selectmen.
 20 I am pleasantly surprised that the planning money
 21 for the bathhouse has actually been bumped up a year. So
 22 we actually have that money in hand and we're starting to
 23 make the connection so that we can actually take that
 24 plan into the next phase. So with all the planning

1 that's been done up till now has been conceptual plans,
 2 so we'll get to what we call a value analysis again with
 3 the town officials and then we'll be able to actually
 4 take it to the next phase.
 5 We do not have a commitment for the construction of
 6 it yet, the following year, but I certainly am optimistic
 7 because usually it's a one, two scenario. So I think
 8 that's terrific. I was fully prepared and I informed the
 9 Board of Selectmen that I wouldn't have been surprised if
 10 the funding slipped a year. So to have it bumped up a
 11 year, I think is really terrific especially considering
 12 all the other things that are going up at the Herring
 13 Cove area.
 14 MS. AVELLAR: So is this the funding for the
 15 planning?
 16 MR. PRICE: Yes.
 17 MS. AVELLAR: You know, it's so frustrating how long
 18 it takes the federal government to do anything and it's
 19 not your fault, of course. But I mean everyone has known
 20 for years the condition of that bathhouse and it's almost
 21 -- I mean you just begin to wonder why people have no
 22 faith in government in general when the bathhouse has
 23 been in deplorable condition. We've been talking about
 24 this as long as I've been on this board and probably even

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1 nothing you can do about it, but I feel like I have to
 2 vent. This is a problem.
 3 I'm going to go to the selectmen tonight and report
 4 back, so I can tell them that you're getting the money
 5 for the planning phase. But we already know what you're
 6 going to do. You must already have a model of what's
 7 going to be erected there, so.
 8 MR. PRICE: Well, that's what the design phase
 9 previously was. That's where we completed and submitted
 10 it. And I reported that Kathy actually participated last
 11 July basically presenting that plan before the
 12 Development Advisory Board, DAB, we call it, and was
 13 successful in getting approval. So basically there's 394
 14 or 96 units of the National Park Service nationwide.
 15 It's from here --
 16 MS. LYONS: Right.
 17 MR. PRICE: -- to Yellowstone, the Statute of Liberty
 18 and Alcatraz. So we're -- this priority list is all of
 19 those projects from all of those parks. And I believe
 20 that it's really gratifying that we actually have this
 21 one bumped up on the list.
 22 MS. AVELLAR: So now you've got the money for the
 23 planning phase, right?
 24 MR. PRICE: Well, we already did the development, so

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1 longer than before me and to think that it's going now --
 2 it's what 2012, we've been talking about it for the last
 3 three years that I can think of and now they're going to
 4 bump the money to -- why does it take so damn long?
 5 MR. PRICE: Well, first of all, I've been working on
 6 this since I arrived seven years ago.
 7 MS. AVELLAR: I mean it's frustrating, you know. I
 8 don't understand why it takes so long, which makes me
 9 nervous about what we're going to be talking about
 10 later --
 11 MR. PRICE: Right.
 12 MS. AVELLAR: -- with the condition of the New Beach
 13 parking lot. If it's going to take 10 years to build a
 14 bathhouse for God's sake, how long is it going to take to
 15 repair that area when we're talking about the mission
 16 statement of this particular Park being to preserve and
 17 protect the heritage of the residents of it. And you
 18 know, it makes you just wonder what people are thinking
 19 in Denver. It's Denver, right, where all this stuff
 20 comes --
 21 MR. PRICE: Well, it's a Washington program. The
 22 construction program is location in Denver.
 23 MS. AVELLAR: And that's the problem. You know, I
 24 mean there are just too many people and I know there's

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1 Karst, what's the right terminology? This takes it to
 2 plans and specs?
 3 MR. HOOGEBOOM: It takes us to contract documents, so
 4 that it can go out to bid.
 5 MR. PRICE: Right.
 6 MS. LYONS: If I can just say and nobody wants to
 7 talk about the federal government and we all know that's
 8 a big burdensome bureaucracy, but we are living in a time
 9 where we don't -- we cut taxes, so therefore, services
 10 are cut. So even things that took a very long time
 11 before are taking longer now because there isn't
 12 personnel.
 13 I mean I have actually called departments where
 14 there is not an answer because there's no one working
 15 there because the government has no money to pay for
 16 them. So these are the decisions that we're facing as a
 17 people and if we want to continue to have government
 18 actually work on our behalf, we have to be able to staff
 19 it and man it and fund it.
 20 Having said that little editorial, I will go on.
 21 But the government is slow and arduous. It's not -- it
 22 is because it's not a business.
 23 MS. AVELLAR: Democracy is slow.
 24 MS. LYONS: It is the peoples' business.

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1 MS. AVELLAR: Democracy is slow.
 2 MS. LYONS: And you have to -- you have to -- you
 3 are taking taxpayer dollars and you are trying to
 4 redistribute them equally and equitably among all groups
 5 in the most equitable way. So that is why it is slower
 6 than if we just had this and it was our own gig and we
 7 can do whatever we want.
 8 MS. LYONS: Yes, Tom?
 9 MR. REINHART: What as far as number of visits per
 10 summer or per year, how does Cape Cod National Seashore
 11 rank?
 12 MR. PRICE: We're in the top ten visitation
 13 nationally.
 14 MR. REINHART: Okay. So we really shouldn't be --
 15 MR. PRICE: We get between four and five million
 16 visits a year.
 17 MR. REINHART: So we shouldn't really be -- start at
 18 the bottom of the list of 334.
 19 MR. PRICE: That's not how the national see it,
 20 that's not how they look at it.
 21 MR. REINHART: It doesn't make much sense.
 22 MR. PRICE: It has to do with the cultural resources.
 23 It has to do with a whole bunch of other things. So
 24 getting the Statute of Liberty in shape, getting the

1 ago. We did get the preliminary planning. We did bring
 2 it to conceptional design which is what we have now. I
 3 informed the town manager when I just received the good
 4 news that we actually have the money in place. It was
 5 one of these things when I was first told, it was you're
 6 going to get it. Well, now we have it in an account. So
 7 we're going to activate the next phase on getting to
 8 plans and specs.
 9 The other question I have as you might remember is
 10 that we're actually going to be hooking up to the town
 11 wastewater system with this facility. You know we are
 12 not going to do our own septic system again. And I
 13 wanted -- and I spoke with the head of the DPW to ensure
 14 that this schedule would work for that to be able to --
 15 for us to be able to hook up. He assured me it would.
 16 And yes, we're paying a major betterment fee in order to
 17 make that happen. So it feels like there's a lot of
 18 positive things happening at least at this piece, which I
 19 feel very good about.
 20 You may recall the sticker shock in the newspaper a
 21 while ago that the whole project for the demo, which is
 22 another things people were complaining about. But the
 23 demo of that facility, the installation of the new one
 24 and the hooking up with the wastewater treatment plants

1 Jefferson Memorial in shape, if I were on the committee,
 2 we might think those are higher priorities than our
 3 bathhouse because you could close the bathhouse and I
 4 could hire trailers for the next five years for people to
 5 have restrooms and facilities because we know eventually
 6 the bathhouse will be fixed. Whereas, the Statute of
 7 Liberty or the Jefferson Memorial or the Jefferson --
 8 MS. BURGESS: The Washington --
 9 MR. PRICE: No. What's the big project down there?
 10 It's not the --
 11 MS. BURGESS: The Tidal Basin
 12 MR. PRICE: Jefferson's Tidal Basin is under major
 13 renovation right now out of Park Service money because
 14 that is a major tidal basin that has major structural
 15 efforts -- issues. And I know that the same fund is
 16 being tapped for that. So it's almost -- Tom, it's
 17 almost not a priority of how much visitation we have. It
 18 has to do with the resources you manage and what's the
 19 public safety, what's the exponential cost that's going
 20 to happen if you don't fix something now versus in the
 21 future, etcetera, etcetera.
 22 MR. LYONS: Right.
 23 MR. PRICE: So you're absolutely right, Mary-s Jo, it
 24 has taken a long time. We put it on the screen a while

1 totaled about 5.2 million dollars.
 2 MS. AVELLAR: Cheaper than the new police station
 3 they want to build in Provincetown.
 4 MS. LYONS: And the fact that these things usually
 5 go in tandem is a very good -- now that they've put us on
 6 their radar, they're given us the money, there's a
 7 priority there because they've already invested some
 8 money. They're not going to -- so hopefully it will come
 9 the next year. You don't -- you never --
 10 MR. PRICE: For the construction you mean?
 11 MS. LYONS: For the construction, money should come
 12 in the next --
 13 MR. PRICE: I feel very good that we would get
 14 construction money quickly.
 15 MS. LYONS: Now that we have --
 16 MR. PRICE: Right. Because the plans and specs will
 17 get stale.
 18 MS. LYONS: Right. Exactly. So it's in their
 19 interest to --
 20 MR. PRICE: Right. So that's when all the permitting
 21 happens and all that sort of thing and that kind of
 22 planning --
 23 MS. LYONS: Right. So that's a very good signal
 24 that this will --

1 MR. PRICE: Right. I'd hope so. The other
2 construction that's going up in Provincetown right now
3 the Province Land's Visitor Center. We started
4 structural repairs in the fall and now that the weather
5 is getting better, it will be resuming next week and we
6 believe that will be completed in May.

7 LAND PROTECTION

8 MR. PRICE: Under the heading of land protection,
9 we will be in the process of preparing our annual land
10 protection plan, identified priorities, we'll be
11 finishing that up by the end of March. I have no
12 additional information on ocean stewardship topics. I
13 know that's something of particular interest to Rich
14 Delaney.

15 BIKE TRAILS

16 MR. PRICE: Under the Cape-wide bike planning we've
17 been working with the RTA on the vans and the bike
18 trailers that we receive. We received the rolling stock.
19 There's still some issues related to operations, but we
20 certainly had hoped to get that up at least as a pilot
21 project this season.
22 We have periodic Out-of-Cape bike plan meetings to
23 prepare for the fall funding for the planning effort.
24 And as I already mentioned, it's the Cape Cod Commission

1 area. That area has the least direct impact to visitors
2 because we don't usually see visitors along there.
3 They're usually beyond that revetment area.
4 We've been monitoring the conditions and frankly, I
5 think we're kind of keeping a monitoring look until we
6 get past March and into the beginning of April when we'll
7 continue to see wave and wind action possibly storms to
8 really determine the extent of the damage.
9 We have been in contact with Representative Sarah
10 Peake and her staff. She offered as you recall at the
11 last Advisory Commission to host a gathering with town
12 sand state officials. We're looking forward to that.
13 We've met with our Park staff and members from the
14 Provincetown Center of Coastal Studies, specifically Dr.
15 Giese and Dr. Mark Borrelli and others to discuss some of
16 our options. And we also have consulted with a coastal
17 engineer.
18 Basically our strategy is to basically take a look
19 at where we are and then determine both a short term and
20 a long term process. A short term process strictly is
21 the goal to get to the beach open for this season,
22 specifically, the North parking lot. That is my goal and
23 that's what we're really focused on. We are also in the
24 process of determining what kind of permits we might need

1 of the towns and the NPS's as participants.
2 ADVISORY COMMISSION APPOINTMENTS
3 I wish I had updates on the Advisory Commission
4 appointments for those of you that have been here a
5 while, you know that those appointments take a long time.
6 They not only get vetted through the Secretary of
7 Interior's Office, but also the Washington Liaison
8 Offices. But I've put a call in and it seems like some
9 of you that have been put in paperwork for a while ago
10 would be coming due at some point, hopefully we will
11 figure that out.

12 HERRING COVE BEACH/REVTMENT

13 MR. PRICE: I'd like to move to the Herring Cove
14 revetment piece. Specifically I reported at the last
15 meeting that starting Christmas weekend the wave action
16 had damaged the revetment. That damage had increased
17 numerous different points. I think it's safe to say it's
18 structural fatigue throughout the revetment area.
19 Initially, there were two and that turned into four major
20 failures in the structure itself. The one up at the
21 parking lot about two thirds of the way up the parking
22 lot on Herring Cove North. Two different holes in front
23 of the bathhouse, which since joined and now a major
24 break south on Herring towards the Herring Cove South

1 to be gathered for that.
2 As we develop these plans, then we'll determine what
3 the financial costs are actually going to be even for the
4 short term. One of the items that I just wanted to
5 mention is a little bit of short history on this. We
6 recognize that the long-term health of the revetment was
7 really in question. Even since I've been here during
8 heavy storms, the surf actually crashes on top of the
9 parking lot surface at the Herring Cove Beach area. And
10 we have regularly had small fishers, or in some cases
11 actual swamps that we have repaired.
12 So at the North parking lot area come the better
13 weather, we've put down macadam. You may not have
14 noticed, but over the last two summers there were
15 actually holes poked through the face of the revetment
16 right in front of the bathhouse. And last season we
17 actually replaced both of those.
18 As a result of Hurricane Irene, which was the end of
19 August this past season, we had some more damage to the
20 revetment that we recognized and we put in for emergency
21 funds and we actually had given to us approximately
22 \$78,000 in those funds in which we would be have been
23 putting towards again the patching in the short term.
24 As far as recognizing the longer term issues, we

1 actually have been working already with the Center for
 2 Coastal Studies. We have hosted at least one public
 3 meeting a while ago with the center with Dr. Graham
 4 Giese, with Mark Adams of our staff talking about the
 5 nature of the environment up there and what would be some
 6 of the options in the future. I certainly have been
 7 talking to the town manager and there had been folks
 8 specifically individual members of the Board of Selectmen
 9 that have been asking about the future.
 10 So if I was envisioning again, a longer term
 11 planning process, but I thought -- and I could be naive,
 12 but I thought we had a couple more years before we would
 13 see this kind of damage up there. And in speaking to
 14 Graham Giese, he's also surprised by the extent of the
 15 damage this soon.
 16 So we thought we had the bathhouse pretty much in
 17 place as far as the planning and the construction phase
 18 of that and fully anticipated that the Herring Cove Beach
 19 Revetment discussion was going to be the next phase. So
 20 obviously, we've been caught short. Obviously, we've had
 21 this major failure of the structure up until this point.
 22 So now we're at this point and I certainly appreciate
 23 State Representative Peake's interest and involvement and
 24 passion as you saw at the last meeting and a passion from

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1 So that's exactly where we are right now. We've had
 2 additional storm damage, widen the fault up at the north
 3 -- at the parking lot. I haven't seen that yet, that was
 4 just last week. But we're all monitoring it to determine
 5 what our next steps will be.
 6 MS. LYONS: Mary-Jo?
 7 MS. AVELLAR: Well, of course local people like
 8 myself know that or think that this happens when the
 9 groins were removed along the beach in order protect Wood
 10 End, which is only accessible by boat or oversand vehicle
 11 or on foot. And so the removal of those groins
 12 exacerbated, we believe, the situation and many of us
 13 feel these groins should be put back. And a lot of us
 14 even though the Park Services told us that they've
 15 shoveled the sand back on the beach when it's washed up
 16 into the parking lot, there's a lot of people who have
 17 seen just the opposite. We've seen the sand go back into
 18 the berm into the dune instead of onto the beach where we
 19 all feel it belongs.
 20 So we feel and we're very grateful to Sarah and the
 21 Park Service for wanting to get all these people together
 22 next week for this meeting, but we don't think that this
 23 is a complicated situation; that the groins need to go
 24 back, the beach nourishment needs to be done, that it's

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1 the House.
 2 And I also can continue to talk, but let me tell you
 3 I share the value of the Herring Cove area. When I
 4 reported it to my superiors, I've described it as one of
 5 the best places in the world to watch the sunset.
 6 Mary- Jo, I've heard you talk about the importance
 7 of access to that spot. I agree with you on that. And
 8 as an accessible place for people to get pretty close up
 9 -- you know, up close and personal. I think it's really
 10 terrific.
 11 I am concerned about where the future planning is
 12 going to go, especially when you take a look at current
 13 state and federal policies and especially as we take a
 14 look at what our scientists note today. But I'm not
 15 presuming what the future will be up there. I'm
 16 presuming that in this planning effort, we'll be able to
 17 examine different alternatives, so that we can come to
 18 something that will work for us in the future. I have no
 19 doubt we're going to have a beach up there. I have no
 20 doubt that we'll have a bathhouse up there. Park Service
 21 is not abandoning it. It's one of our six life-guarded
 22 beaches and I intend to have that fulfilled. I think the
 23 question is going to be what it's going to look like and
 24 then where are we going to go.

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1 -- hopefully we won't have to get the Army Corp of
 2 Engineers involved because that will take even longer
 3 than anything else takes with the federal government.
 4 But it's not a complicated situation from our point of
 5 view for people who have lived there and who observed
 6 this from time to time. So we're looking forward to this
 7 meeting.
 8 And this used to be the road. We still call it New
 9 Beach. The Seashore named it Herring Cove for whatever
 10 reason, George has explained to me once before. But this
 11 is called New Beach because when the state put the road
 12 in, Route 6 we suddenly have access to that beach for
 13 the first time. And that was the road that went to Race
 14 Point. And that was the original road that went to Race
 15 Point. So it's historically it's very important to our
 16 town. We're glad that something is going to be done for
 17 the summer.
 18 The chairman of the Provincetown Visitor's Services
 19 Board is here. He has a letter which I've distributed
 20 which I believe he's going to read it at the public
 21 statements portion. And the Chamber of Commerce is very
 22 concerned. This is probably the most important beach in
 23 Provincetown. I went out there for sunset a couple of
 24 weeks ago and saw two right whales, you know, and for

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1 people that are handicapped or have no other means of
 2 going to the beach and seeing whales, it was very
 3 exciting. You're sitting there kind of like this and
 4 waiting for the sun to set and whoa, all of a sudden
 5 there were the spouts.
 6 So this is critical and I hope it's going to go on
 7 the top of the priorities. I mean we give so much
 8 priority to shorebirds and endangered species and things
 9 like that. And I know it's important and it's part of
 10 the mission statement, but this would be a tremendous
 11 loss for our community to lose this strip out there.
 12 MS. LYONS: I would just like to state that -- or
 13 actually, can somebody tell me about the groin? Could
 14 somebody speak to the groins?
 15 MR. PRICE: Yes. There were -- at some point there
 16 were a number of groins. So Mark Adams actually would
 17 have to give you the history.
 18 MS. LYONS: And you have to explain to me exactly
 19 the groin would be.
 20 MR. PRICE: A groin is like a jetty.
 21 MS. LYONS: Like a jetty, okay, that's what I
 22 thought.
 23 MR. PRICE: But unlike a jetty, that might go some
 24 distance. There were four of these that were put in

1 was 1970's understanding and construction. And I'm not
 2 sure there were any permits were even required or not in
 3 those days. I'm not sure who put the groins in and at
 4 what point. I know the town has worked with the Army
 5 Corp for the dyke that goes out to Long Point. I'm not
 6 sure if the Army Corp worked with the groins at that
 7 point as well. I'm thinking specifically it was to
 8 protect the bathhouse and the revetment as I understand
 9 it.
 10 When I arrived seven years ago last month actually,
 11 one of the first calls I received was because of a breach
 12 in the barrier dune just south of the revetment and
 13 basically the overwash, not only overwash, but actually
 14 wiped the dune down to peat and there was actually
 15 stories about seeing ox car tracks and wagon tracks in
 16 the peat from colonial times. So obviously the
 17 environment has changed dramatically.
 18 Dr. Graham Giese had been working with our Natural
 19 Resources group as you know. We've been fortunate to
 20 have somebody with his background, as a coastal geologist
 21 focus on our beaches for all these years. He was very
 22 concerned about the future of that area.
 23 And Mary-Jo, just so to clarify, it had nothing to
 24 do with how many visitors are down south on the beach or

1 approximately in front of the bathhouse. As I understand
 2 it, I'm going to -- I'm on shaky ground because Mark
 3 Adams would have to explain the history here, but I
 4 believe the road was put in first. I believe the
 5 bathhouse and the parking lots were put in. So the road
 6 goes back to as early as the 1920's and 30's. The
 7 bathhouse I believe was a 1950's state program through --
 8 Karst, I think it was state DPW?
 9 MR. HOOGEBOOM: Correct. There was no state park
 10 agency at that time.
 11 MR. PRICE: I believe the two parking lots were
 12 constructed at that point. In the 1960's the state
 13 turned them all over to the National Park Service. I'm
 14 not sure if the Park Service expanded the parking lot,
 15 but as you all know there was that gigantic rotary that
 16 was installed at that point. And it's also not clear to
 17 me now exactly who put the first round of groins in. It
 18 might have been the state to protect the road. And then
 19 it might have been the state to protect the bathhouse.
 20 But there's no question that the National Park Service
 21 accepted that design and did major improvements in the
 22 1970's to the revetment. Okay.
 23 So I want to make it clear the Park Service is not
 24 distancing itself from the revetment. It's just that it

1 up at the parking lot --
 2 MS. AVELLAR: Oh, I was worried about that.
 3 MR. PRICE: It has to do with the environmental
 4 impact. So Graham was very concerned about the future of
 5 the barrier dune system and he actually wrote a report to
 6 show his predecessor, which I received, which strongly
 7 advised removing what's called -- what was left of the
 8 groins because the groins were already in a deteriorated
 9 condition from obviously when they had been first put in.
 10 And it was his professional opinion that if we were able
 11 to remove the groins, that that would help replenish some
 12 of the sand and create less of a curve.
 13 If you take a look at the aerial pictures you can
 14 see the very strong straight line of revetment, which we
 15 all know is the hardening of the seascape which we don't
 16 think is the way to go in the future these days. And
 17 right to the south of it there was a gigantic convex U
 18 and that's what was poking through. So it was presented
 19 to me at the time as really impacting the marshes there
 20 and ultimately could impact Provincetown Harbor if we
 21 didn't do something. And again, the revetment was the
 22 manmade obstacle that the Park Service was maintaining
 23 causing this impact down there.
 24 So based on Graham's recommendation, we've removed

1 what was left of the groins and he will report that he's
 2 very enthusiastic about the recovery of the beach and the
 3 recovery of that barrier dune. So in that instance that
 4 worked.
 5 You should also know at the time, I was also
 6 presented with a problem at Hatches Harbor. So Hatches
 7 Harbor was the first wetland project that we worked on.
 8 It's 9E wetland restoration and basically it surrounds
 9 Provincetown Airport. At some point prior to my arrival
 10 the Hatches Harbor dyke had been breached by a storm and
 11 the Park Service actually replaced a culvert that's there
 12 and actually manages the water levels. About the same
 13 time that I arrived is when the Hatches Harbor culvert
 14 was at its full open position. John Portnoy had been
 15 monitoring it for the Town and that's where the situation
 16 was.
 17 At full opening we learned that the culvert was
 18 having some engineering problems. And I was being told
 19 at the same time that the culvert could ultimately fail.
 20 The problem being that the water pressure of the inward
 21 and outward tide was scouring the material around this
 22 boxed culvert and it was starting to tilt. And once it
 23 started to tilt, it would no longer be engineeringly
 24 (phonetic) stable and therefore, a storm could cause

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1 MR. PRICE: I know the spot for the bathhouse. The
 2 spot of the bathhouse is going to be somewhat pulled back
 3 behind --
 4 MS. LYONS: Because --
 5 MR. PRICE: -- the current bathhouse.
 6 MS. LYONS: Right. Because I mean that only makes
 7 sense and that's the only prudent thing to do. But it is
 8 a changing dynamic coastal environmental creature, not on
 9 its own. So what we are trying to do here is just try to
 10 manage that the best. And I think that even though
 11 things seem to work very well in like groins in a certain
 12 area at a certain time, it might have protected one
 13 piece, but you're forfeiting something else. So it has
 14 to be an overall plan. And it's not an easy thing.
 15 Is there anything else to be said on this?
 16 MS. AVELLAR: Just one more thing. You know, I was
 17 driving into Provincetown the other day and we all
 18 remember when Richard Lablonde (phonetic) and whoever all
 19 those folks were back in the -- that decided we should
 20 plant the dunes because they were trying to migrate
 21 across Route 6 and nobody wanted to spend the time
 22 pushing the sand back. Do you know how much those dunes
 23 have diminished by -- this is manmade intervention by
 24 planting the dunes. East Harbor is filling in by the

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1 another problem. And I was very concerned about the
 2 future of Provincetown Airport and everything else.
 3 So I was speaking with the Town Manager at the time
 4 Keith Bergman. I said I realize this is 100 percent Park
 5 Service responsibility here. So what we did was we took
 6 the groin material out off of the beach and we used that
 7 to be the material to actually fix the Hatches Harbor.
 8 So it appeared at the time to be a two-for; to be able to
 9 restore the barrier dune south of the bathhouse and then
 10 also to do the other piece. So that was something that
 11 we thought was very important. So that was where --
 12 that's why and how that all happened at the time based on
 13 that particular times.
 14 MS. LYONS: Well, to me that's a very good sort of
 15 illustration that the Cape is changing. I mean there's
 16 nothing -- there's a lot we can't do about it and all we
 17 can do is sort of move with the rhythm in the tides and
 18 to be prepared as well as we can for the unexpected. And
 19 I think that what you're saying about North Beach -- not
 20 North Beach, about Herring Cove is that there will be a
 21 parking lot, there will be a bathhouse, but it might be
 22 in a different spot; is that what you're even -- no?
 23 MR. PRICE: No. I don't even know.
 24 MS. LYONS: Yeah, you don't even know. Okay.

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1 sandpit. I noticed the other day how low it's getting,
 2 and that's a manmade intervention. You know in order to
 3 protect the dunes, they're eliminating the dunes. The
 4 high dunes are gone. And it's moving that one particular
 5 area by the sandpit where I think my father used to go
 6 duck hunting years ago, they used to have lines in there,
 7 of course I don't think they have anymore. I mean that
 8 dune is really low.
 9 So the Park does do things, you know. They do do
 10 things to preserve what they think is important, but
 11 sometimes there is an adverse effect. And in this
 12 particular case, the high dunes are gone. They're gone.
 13 We don't have them anymore. There maybe some out in the
 14 back, but they're certainly not close to Route 6 like
 15 they used to be. And the last ride I took my father on,
 16 you know, before, just before he died, he got a little
 17 choked up. He said the high dunes are gone. And that
 18 was 24 years ago.
 19 MS. LYONS: A lot of the dunes even around -- I mean
 20 I can tell you -- I have pictures of a diminishing dune
 21 scape just at Newcomb Hollow in the ten years that I've
 22 been taking annual pictures, as I have thousands in case
 23 anybody wants them. But it is really an amazing thing
 24 and that's what I say, we are losing the Cape. It's out

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1 there somewhere. Sometimes it comes back and then it
 2 goes back out into the ocean again. However, our sea
 3 levels are different than they ever were. We're having
 4 lots of impacts very rapidly from the products of these
 5 unpredictable storms, seasons. Okay.
 6 MR. PRICE: So we'll standby and I'll certainly keep
 7 you all updated on the progress of the Herring Cove
 8 issues, specifically the revetment. I know that's a
 9 major concern to everybody as it should be and certainly
 10 is for me.
 11 And Mary-Jo, just one more thing about this place.
 12 I actually counted ten whales off of there one time when
 13 I was sitting there.
 14 MS. AVELLAR: Oh, yeah.
 15 MR. PRICE: So I share it. And my wife and I went up
 16 there over February break to watch the sunset and there
 17 were like 30 cars all there, the middle of February.
 18 MS. AVELLAR: Yeah.
 19 MR. PRICE: So it's a very important place for that
 20 kind of visitor experience. It's not your typical
 21 experience, we see what that's about it.
 22 PILGRIM POWER STATION & DISASTER RESPONSE PLANNING
 23 MR. PRICE: I skipped over my own notes on the
 24 Pilgrim Power Plan discussion --

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1 a nuclear fallout. So I did, you know as anybody
 2 addressed that because that seems much more -- as equally
 3 as serious in a different way.
 4 So I did approach Sean O'Brien. He said that they
 5 do not in essence have the same type of plan as they do
 6 for hurricane, fire, that sort of thing. A lot of pieces
 7 of those plans are in place because there would be
 8 shelters involved and that sort of thing. But it is
 9 something that they're aware of, that they were
 10 addressing and that they were beginning to get some
 11 traction on themselves in looking at it because it is a
 12 different animal. It's not as though there's storms and
 13 roads taken up, especially if there's a fallout.
 14 He sent what progress they had done. I forwarded
 15 that on. And that there are going to be more meetings.
 16 They are really focusing on this now that they have their
 17 sort of storm disaster plan down. What do we do with the
 18 manmade nuclear disaster plan, whether it be leaking or
 19 it looks like it's going to blow. So you know, one or
 20 the other.
 21 But I just figured we just get on boats down there
 22 at Herring Cove and we'll start paddling. We'll grab a
 23 whale. (Laughter) But anyway, I guess that there's other
 24 updates from your staff. So that's where we are at the

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1 MS. LYONS: Let's go --
 2 MR. PRICE: Let's talk about that. Specifically,
 3 Commissioner Maureen raised this as an issue at the last
 4 meeting and I'm sure you talked about it from your
 5 perspective. Basically what I was envisioning is we've
 6 got -- I know you had distributed some notes that you had
 7 explored and distributed that to the Commissioners and
 8 asked Nicole Taylor on our staff, our safety officer to
 9 also to do some research and she has brought the handout
 10 and some remarks to make as well. Would you like to
 11 start?
 12 MS. LYONS: Well, basically last meeting it came up
 13 Maureen was talking about our fire and safety plan and we
 14 have a very coordinated plan for that and it's really
 15 spearheaded through Sean O'Brien at the County Public
 16 Health. So he has been able to pull together fire,
 17 police, Red Cross, all the different responding agencies.
 18 They have been working since probably - since 2011 on
 19 evacuation plans, safety plans. And it really has been a
 20 great success of getting all of these different groups
 21 who usually have their own superior place on their
 22 pedestals to put all that aside and work together to come
 23 up with this plan that's been applauded. And for all of
 24 that good, there was nothing said about what if there is

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1 county.
 2 MR. PRICE: Nicole, would you like to share what you
 3 have?
 4 MS. TAYLOR: Sure. Do you want me to stand up?
 5 MR. PRICE: Yes, please.
 6 MS. TAYLOR: Sheila, I too spoke to Sean O'Brien at
 7 the Regional Emergency Planning Committee and he pretty
 8 much said the same thing that because we're outside the
 9 ten mile emergency planning center, that we're not
 10 included in any of the required planning process that
 11 MEMA and the National Regulatory Commission or the Health
 12 Departments even do. But that being said, that they were
 13 looking at other ways to try and get us involved in and
 14 maybe not evacuating because they shut down the Sagamore
 15 Bridge I think --
 16 MS. LYONS: Yes.
 17 PARK SERVICE (MS. TAYLOR:) -- where normally the
 18 Bourne Bridge is open, so maybe more of an education to
 19 visitors and everybody here on what to do, kind of have a
 20 shelter in place.
 21 They also -- we also looked at the distribution of
 22 potassium iodide. In 2002, the Massachusetts rules were
 23 actually changed, so the Cape Cod towns actually do get
 24 potassium iodide, which is a thyroid blocking medicine.

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1 So you know, it's some of the radiation won't get to our
 2 thyroid anyways. So this is actually given to all the
 3 health departments in each town and they're responsible
 4 for distributing it. The other thing is that the cost of
 5 this potassium iodide is taken care of by the owners of
 6 the nuclear power plant and the Mass Department of Health
 7 buys it, they distribute it and then they get reimbursed.
 8 Each town is supposed to get as much potassium iodide as
 9 summer population would be in your particular town. That
 10 would cover employees at the town, day cares, schools,
 11 visitors.
 12 So the other thing we looked at is what would the
 13 Park's role be in a nuclear emergency. And right now we
 14 would go into the Incident Command System mode, the ICS
 15 mode and we see ourselves just being a help to distribute
 16 any information that we get from the Health Department or
 17 Nuclear Regulatory Commission or MEMA to our employees
 18 and our visitors, you know and it could also help let the
 19 public know they need to take the potassium iodide.
 20 Usually they say it's good between three and four hours
 21 if you can get it, or maybe even help distribute it as
 22 need be.
 23 I did look at what other parks were doing that were
 24 in a similar situation or at least close proximity to a

1 The other item I just wanted to report was I did
 2 have a conversation with State Senator Dan Wolf, who you
 3 might know is on the committee that actually has toured
 4 the plant and is working on the re-licensing process and
 5 he shared with me some of his concerns which really
 6 brings the alarm to me significantly. So I share
 7 everybody's thoughts that this at least is something that
 8 we can't assume is all being taken care of. So I think
 9 it was a fair topic, Laura, for you to bring up and for
 10 us to discuss.
 11 MS. LYONS: Right. And I appreciate you reminding
 12 me of the ten mile radius that was the other point of
 13 Sean's and that is another thing that they are trying to
 14 address that with the state, that even though we are
 15 within -- we're outside the ten mile, because of the hook
 16 and because of the proximity, we really in some ways are
 17 almost wrapped around it in a different way. And so
 18 they're making that argument and just to be part of an
 19 inside of those plans that are being rolled out to have
 20 the consideration for the Cape. And if there's any
 21 funding our dollars other than -- you're probably giving
 22 the potassium -- just to as a hypo -- we can't save this,
 23 we'll give you more -- we'll make sure you get this at
 24 least. So I mean that's a nice gesture. It's a nice

1 nuclear power station. Biscayne National Park in
 2 Florida, they're actually right next to it -- they're
 3 right next to a nuclear power plant. And they don't have
 4 their own plan, which we don't have our own plan right
 5 now, we rely on the experts to give us that information,
 6 so they don't have a separate plan. Valley Forge
 7 National Historic Site is within ten miles of the plant
 8 and they do have a small one, but it's just for
 9 evacuation because the evacuation goes right to their
 10 park, so they actually have a role in helping people get
 11 out. There's also Fredericksburg and Spotsylvania,
 12 Shenandoah and Saint-Gaudens which are between the 40 and
 13 50 mile radius and they don't have separate plans in
 14 place either, so.
 15 MS. LYONS: Well, I think having a seat at -- go
 16 ahead, George.
 17 MR. PRICE: One more observation I just wanted to
 18 make. One of the things that's obviously different about
 19 the seashore is even though you could draw a line about
 20 the geographic distance to the Cape, in fact you have to
 21 draw a line to where our visitors would go --
 22 MS. LYONS: Right.
 23 MR. PRICE: -- in the event of an evacuation. So
 24 that really changes the stakes here.

1 thought. But there could be a lot more inclusiveness in
 2 thinking of our safety in that.
 3 And Maureen wants to go so.
 4 MS. BURGESS: Thank you. Thank you for that
 5 presentation, Nicole. That's news to me about potassium
 6 iodide because I did go to our health agent and I have
 7 gone since and my information on that potassium iodide is
 8 the only reason that the towns got it several years back
 9 was because of the work of the Pilgrim Watch people who
 10 went to the legislature. And the legislature approved
 11 the funding for a one-time supply of potassium iodide
 12 which was given to each health department in numbers that
 13 would sustain their summer population. For example, I
 14 come from a town where our population goes from winter
 15 population of 2,000 to 20,000 in the summer. However,
 16 there is no plan that the amount of this potassium
 17 iodide, which by the way is used to block the uptake of
 18 radioactive iodine, one of the radioactive nuclides that
 19 would be potentially released if there was an event at
 20 Pilgrim.
 21 So there -- to my knowledge there's no -- not only
 22 no plan for the towns to be able to assist park visitors,
 23 but also the stock currently expires in terms of efficacy
 24 in 2013, and it was a one-shot deal. So I have not heard

1 from our own health agent who works in conjunction with
 2 the Massachusetts Department of Public Health that there
 3 is any plan to fund additional potassium iodide. So
 4 that's -- so I'm just letting you know what I've heard on
 5 the local level.
 6 MS. LYONS: And you're saying that it's written into
 7 a contract that it's the --
 8 PARK SERVICE (MS. TAYLOR:) Written into the
 9 Massachusetts Law and it's actually written down in
 10 Massachusetts Law, Chapter 111, Section 5. So it doesn't
 11 say in that, that it was a one-shot deal. I will -- we
 12 can follow up on that.
 13 MS. LYONS: Maybe they had a misunderstanding of how
 14 that went, but it's good to know.
 15 MS. BURGESS: I can follow up with that.
 16 PARK SERVICE (MS. TAYLOR:) Yeah.
 17 MR. PRICE: And Nicole's notes are in your packet.
 18 MS. BURGESS: Yes. Thank you, Nicole. If I might,
 19 and I thank the Park Service for picking up on my concern
 20 the Commission for entertaining my concern. I just think
 21 it's very timely that we are actually meeting on this, on
 22 the very anniversary of Fukushima and I'm sure you all
 23 are aware of what went on at Pilgrim in terms of a public
 24 outcry yesterday.

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1 Salazar. And there maybe others that we would want to
 2 share our concerns with if the Commission agrees.
 3 So if I may I'll read and it's only just over two
 4 pages.
 5 (As read:) "Dear Sirs; The Cape Cod National
 6 Seashore Advisory Commission was authorized by Section 8
 7 of PL-87-126, part of the enabling legislation which
 8 created the Cape Cod National Seashore in 1961. We are
 9 one of the oldest National Park Advisory Bodies in the
 10 nation and subject to the Federal Advisory Committee Act
 11 of 1972. Our charge is to serve quote "in various
 12 matters relating to the administration and development of
 13 the Seashore by the federal government as liaisons
 14 between the federal government on the one hand, and state
 15 and local governments on the others." Our members
 16 represent the six outer Cape towns as well as Barnstable
 17 County, Commonwealth of Massachusetts and the United
 18 States Secretary of the Interior. We are appointees of
 19 the Secretary of the Interior. Matters that come before
 20 us include the region's cultural heritage, town bylaws,
 21 endangered species management, renewable energy products
 22 -- projects -- sorry -- maintenance of park properties,
 23 coastal erosion/shoreline change, and other types of
 24 environmental impact that affect our region.

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1 I would like to see if the Committee would support a
 2 motion -- I would like to bring forth a motion that we
 3 are a little more proactive on this issue because it does
 4 impact us. I would like to make a motion and I have
 5 given considerable thought and I put my thoughts down on
 6 paper, and if I may --
 7 MS. LYONS: Please do.
 8 MS. BURGESS: -- I'd like to distribute a letter. I
 9 have -- I wanted to entertain the Commissioner's report
 10 in taking a stand about the re-licensing of Pilgrim
 11 Nuclear Facility based on some of what you just heard
 12 that in fact there is no plan.
 13 And if it's appropriate, Madame Chair, I'd like to
 14 read the letter?
 15 MS. LYONS: Yes, you may.
 16 MS. BURGESS: And you will have a chance to read
 17 along with me. I've addressed this from the members of
 18 the Cape Cod National Seashore Advisory Commission to the
 19 Nuclear Regulatory Commission, Washington, D.C. with cc's
 20 to various agencies including MEMA, Entergy, the power
 21 company that runs the plant, the health department in
 22 Massachusetts, FEMA, Governor Patrick, Senator Brown,
 23 Senator Kerry, Representative Keating, Senator Wolf,
 24 Representative Peake, Superintendent Price and Secretary

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1 It is with regard to environmental impact and the
 2 safety and well-being of our citizenry and the visitors
 3 that we focus our -- and their visitors that we focus our
 4 attention in this letter and we respectfully ask you to
 5 do the same.
 6 We wish to bring forward our concern regarding the
 7 issue before you of re-licensing the Pilgrim Nuclear
 8 Plant in Plymouth, Massachusetts. We are aware that a
 9 20-year extension of that facility's license is being
 10 considered even as we remember the tragedy at a twin
 11 design plant in Fukushima, Japan one year ago.
 12 Our geographical relationship to the Pilgrim Nuclear
 13 Facility is unusual. Over water, we are about 25 miles
 14 away across Cape Cod Bay. By land, we are 50 to 90 miles
 15 away. To leave the Cape, one must follow mostly one lane
 16 Route 6, our only evacuation route. This route follows
 17 the curving arm of the Cape towards one of two vehicular
 18 bridges which connect us to the mainland across the Cape
 19 Cod Canal.
 20 During the summer season, our population surges as
 21 hundreds of thousands of visitors from around the nation
 22 and the world come to enjoy the pristine beauty of our
 23 maritime towns and beautiful beaches. They come to
 24 experience up close encounters with whales on commercial

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1 whale watch boats and to enjoy the antics of dolphins in
 2 our waters and seals resting on our offshore sandbars.
 3 They come to enjoy the culinary treats of freshly caught
 4 fish and shellfish which thrive here. They come to get
 5 away from it all.
 6 If there were an incident at the Pilgrim Plant which
 7 caused a plume of radioactive substances to waft over the
 8 Cape on the prevailing southwesterly winds, our citizens,
 9 Seashore personnel and summer visitors are in harms way.
 10 All attempts to evacuate by our only land evacuation
 11 route would be futile. Indeed, contraindicated as they
 12 would only bring us much closer to Pilgrim. In the
 13 summer even under normal circumstances, egress in traffic
 14 at the bridges can produce a long, miles long caravan of
 15 cars backed up for several exits before the bridge. A
 16 report of a radioactive leak or even a rumor of one could
 17 cause panic and mayhem on the roads. Exiting over the
 18 bridge would be even more impossible as people evacuating
 19 the Pilgrim area produce increased southbound traffic on
 20 Route 6 on the -- or Route 3 on the mainland.
 21 As townspeople of the outer Cape, we know that in
 22 the event of an incident, we would be advised to shelter
 23 in place in our homes, schools, or in designated
 24 shelters. We would be advised to stay locked inside and

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1 explosions ensued which contaminated the area with
 2 radioactive toxins. Who would have predicted that their
 3 backup plans for generating electricity via battery or
 4 generator would fail? But fail they did.
 5 The Pilgrim Facility's method of storing spent fuel
 6 rods is similar to Fukushima's and is compounded by the
 7 reality that vats contained more than three times the
 8 amounts of fuel rods ever intended to be safely stored in
 9 them. The spent fuel rods at Pilgrim are not encased in
 10 concrete and steel containers. The Pilgrim Facility is
 11 vulnerable to a power outage from many causes. We will
 12 not enumerate them all. Most likely potential loss of
 13 power in our region can occur due to snow storms, ice
 14 storms, hurricanes, floods, and even tornados. All such
 15 storms have occurred in our state recently. The backup
 16 plans for delivering power are similar to failed plans in
 17 Japan.
 18 In the face of these facts, and until we can be
 19 assured that there is no threat to public safety, and an
 20 adverse environmental impact, the Cape Cod National
 21 Seashore Advisory Commission stands in opposition to the
 22 re-licensing of the Pilgrim Nuclear Plant.
 23 Thank you for your anticipated response."
 24 MS. AVELLAR: Second. Very good, Maureen.

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1 block off all sources of ventilation as the plume settled
 2 over us. If we were well-informed and had planned ahead,
 3 we may have stored enough potassium iodide for our
 4 families to last two days to stave off the cancerous
 5 effect of radioactive iodine on our thyroid glands. Even
 6 so, we know that a wooden framed house would only provide
 7 a ten percent dose reduction and a masonry building, just
 8 a 40 percent dose reduction. There is nothing we could
 9 do to ameliorate the hazardous effects of other noxious
 10 radionuclides with long half lives.
 11 As an advisory body for National Park, our attention
 12 must turn to the safety and health of our Park personnel
 13 and our many visitors. We have several questions. How
 14 would the Nuclear Regulatory Agency ensure public safety
 15 in the event of the Fukushima scenario at Pilgrim? We
 16 need your assurance that a plan is in place. What is the
 17 plan? What coordinated interagency preparations have
 18 been made to protect our visitors in such an emergency?
 19 Assurances that an event is highly unlikely do not
 20 address our concerns. We know that it was a prolonged
 21 interruption of electrical power at the Fukushima Plant
 22 that added to the catastrophe. A prolonged power outage
 23 with loss of circulating water to cool the spent fuel rod
 24 vats caused a build up of hydrogen gas. As a result,

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1 (Applause) I would like to motion and seconded it.
 2 MS. LYONS: I think the question before us is do we
 3 as an advisory board have a right and are in agreement to
 4 send an independent letter to the nuclear agency with our
 5 concerns or do we say that we advise our Superintendent
 6 to take this letter and send it on our behalf?
 7 Is there a protocol there, George?
 8 MR. PRICE: I think it's an either/or or both, to be
 9 honest with you. I think there's nothing prohibiting the
 10 Advisory Commission from making their opinions known.
 11 MS. LYONS: I think there's nothing left out here.
 12 MR. PRICE: I think in my opinion there's certainly I
 13 don't believe anything in the fact that the Advisory
 14 Committee rules and regulations prohibit that, number
 15 one. Number two, it certainly would be appropriate for
 16 also for you to advise me to try to do that on behalf of
 17 the National Park Service. If you advise me to do that,
 18 and then I would be willing to draft such a letter, I did
 19 want to let you know that I would -- that letter could
 20 only be sent if it was vetted through our regional office
 21 process, especially considering it's another federal
 22 agency that would be questioned.
 23 But I have as a result of my conversation with State
 24 Senator Dan Wolf, I've already spoken to my supervisors

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1 in the Philadelphia office saying that I hadn't thought
 2 about this way and therefore, I think we as a Cape Cod
 3 National Seashore need to be asking some questions. So
 4 what I would have done if you wanted me to do it is, I
 5 would also write it and I would send it on to be vetted
 6 because when I write a letter like this, it's not from me
 7 personally as I've said before, it's for the National
 8 Park Service.
 9 I would not end it with the saying that I'd be in
 10 opposition to the licensing. I would phrase it
 11 differently, personally, saying I want these questions
 12 answered. I want you to be assured that these are our
 13 concerns which may not have been thought of if you're
 14 looking at the ten miles diameter geographic area around
 15 the plant itself.
 16 MS. LYONS: Right.
 17 MR. PRICE: Because this is a major visitation area
 18 which obviously we thought that they should be
 19 considering it, but I can't assume that they would have.
 20 MS. LYONS: Right.
 21 MR. PRICE: So I think -- actually, I spoke with Rich
 22 Delaney about this and Maureen, I knew you were going to
 23 be bringing it up. I didn't know if you were going to be
 24 asking me to write it or you all were going to write it,

1 definitely agree that we should endorse this and send it
 2 along. But, there should be no one in this room who
 3 disagrees with this. Absolutely, this is public safety.
 4 That plant has to be shut down. It has to be shut down.
 5 We live in planet insane asylum. An aspirin size
 6 piece of that radioactivity of the spent fuel rods can
 7 poison us all.
 8 MS. AVELLAR: There's been too much talk of aspirin
 9 lately.
 10 MR. THOMAS: It's aspirin size can poison us all. So
 11 think about it. And there's spent rods. You have to
 12 maintain them till you're many, many, many, many
 13 grandchildren, you know, great, great, great, great,
 14 great. I mean it's infinity you have to take care of
 15 that mess. It's a mess.
 16 MR. SABIN: Just to reinforce what it says,
 17 everybody knows about half lives and the radioactive
 18 health diagnostic materials go into your body, half life
 19 of 30 seconds. It takes five of them to do away with the
 20 radioactivity. Plutonium has a half life of 25,000
 21 years. It takes five of those and you're at the end of a
 22 lifetime. MS. LYONS: Right. Yes?
 23 MS. AVELLAR: I didn't know that the vats contained
 24 more than three times the amount of fuel rods, so I

1 but I don't personally see any reason why it wouldn't
 2 also come independently from the Commission.
 3 MS. LYONS: Okay. Having said that, are we in
 4 agreement with the letter, number one? Are there
 5 statements in there that you're not in agreement with?
 6 And do you think that the Advisory Board should
 7 independently send a letter of this nature?
 8 MR. SABIN: First of all, I congratulate Maureen on
 9 writing an excellent --
 10 MS. LYONS: Very well done.
 11 MS. SABIN: -- well done letter.
 12 MS. BURGESS: Thank you.
 13 MR. SABIN: I can't imagine myself trying to put
 14 something like that together and doing as good a job.
 15 MS. BURGESS: Took a little time.
 16 MR. SABIN: Good job.
 17 MS. BURGESS: Thank you.
 18 MR. SABIN: I don't have any disagreement with it,
 19 anything you say in your letter.
 20 MS. BURGESS: Thank you.
 21 MS. LYONS: Ted?
 22 MR. THOMAS: Yeah. Thank you, Maureen. It's great.
 23 Yeah. As an Advisory Board I think it's our purpose to
 24 look out for the public safety. But on -- so I

1 congratulate you, Maureen for the homework that you did
 2 in getting all the information and putting the letter
 3 together. I just had I thought a couple of --
 4 MS. LYONS: Please.
 5 MS. AVELLAR: I just thought we should name the six
 6 towns because I'm not sure that somebody in Washington
 7 D.C. knows what the Outer Cape is, that we should spell
 8 out the name of the six towns. And then I have a couple
 9 like that should be affect with an a, not effect.
 10 MS. AVELLAR: Oh, we're back to affect and effect.
 11 MS. AVELLAR: Yeah. And add a Fukushima comma and
 12 there was one other one.
 13 MR. SABIN: Fifth grade grammar.
 14 MS. AVELLAR: And then plume of radiation, not plume
 15 of radioactive --
 16 MS. BURGESS: Oh, thank you, dear.
 17 MS. AVELLAR: So those were my only --
 18 MS. LYONS: Just a couple of things.
 19 MS. AVELLAR: -- things that I -- I thought it was a
 20 great letter. Good for you. They probably won't do it
 21 anyway, but --
 22 MS. BURGESS: Just if I might on the thing about the
 23 spent fuel rods, my understanding is that even in
 24 Fukushima they were in concrete and steel and here

1 they're in the attic covered by a very thin metal --
 2 MR. THOMAS: Drop cloth.
 3 MS. LYONS: It's basically a drop cloth.
 4 MS. BURGESS: Who knows. So it's -- they're even in
 5 a more vulnerable situation without even going into
 6 sabotage, terrorism, any of those things. I didn't want
 7 to even go there. I just wanted to deal with the things
 8 that --
 9 MR. THOMAS: You don't want to give them any ideas.
 10 MS. BURGESS: Yes, exactly.
 11 MS. LYONS: Go ahead, Bill.
 12 MR. HAMMATT: Well, I just want to point out as we
 13 all know it is an agenda item. It's something that we
 14 all have an interest in. We've discussed it. My
 15 suggestion is that we do both, not just us write a
 16 letter, but also ask the Superintendent to send a letter
 17 as well.
 18 MS. BURGESS: I second that idea.
 19 MS. LYONS: Okay. So we have a couple of motions and
 20 I guess this one sort of overrides your -- or includes
 21 yours. And I just before we make that vote, I do want to
 22 go back to the last statements here about -- and it
 23 really is just a matter of wording - backup plans, plans
 24 in Japan, the face of these facts - (as read:) "and until
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1 MS. BURGESS: Sorry, Sheila. If you go to paragraph
 2 three on page two, I did pose those questions I thought,
 3 but I'm open to any suggestions --
 4 MS. LYONS: (as read:) "and until we can be
 5 reassured". If everybody is happy with the wording. I
 6 mean it is just a matter of semantics. If everybody
 7 feels comfortable with this, George doesn't have to be as
 8 adamant. And yet it does send a very strong statement
 9 from a group of citizens that gather under a banner.
 10 MS. AVELLAR: Well, George could ask in his letter
 11 what their plans are to --
 12 MS. LYONS: It could be a complementary -- you know
 13 complement --
 14 MS. AVELLAR: You know, what they're planning to do
 15 to protect us.
 16 MS. LYONS: All right. That sounds good to me.
 17 So all in favor of the Advisory Committee submitting
 18 this letter, say Aye.
 19 BOARD MEMBERS: Aye.
 20 MS. LYONS: Okay.
 21 MS. BURGESS: I just have a procedural question.
 22 How in the past as such a letter to an outside agency
 23 been submitted? Who actually submits it?
 24 MR. PRICE: Well, first of all, I don't think
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1 we can be assured that there is no threat to public
 2 safety and adverse environmental impact, we stand in
 3 opposition to the re-licensing".
 4 I know that that sounds very sort of like our line
 5 is in the sand, so --
 6 MR. THOMAS: It's pretty --
 7 MS. LYONS: Yeah, it is pretty straightforward
 8 though. Yeah. I'm trying to think of a -- sort of a
 9 way --
 10 MR. THOMAS: Common sense. What's the problem with
 11 that?
 12 MS. LYONS: Is there a way -- yeah. We would like --
 13 you know, we would like to hear -- I think somehow there
 14 we would like to hear, regardless if it's going to be 100
 15 percent safety, and you know, you can guarantee us that
 16 there is going to be no public threat. I don't think
 17 they can guarantee that at all. But we would like to
 18 hear back from them what their plans are. Whether we
 19 oppose -- if they think that we're just going to oppose
 20 them. I mean we want some sort of recognition of this
 21 and that they are actually taking into consideration the
 22 threat to the public safety and the adverse environmental
 23 impact. So I don't want to -- I don't want it to be like
 24 a shut door at this stage.
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1 there's been such a letter. Second of all, we would work
 2 with the Chair to have it drafted on our letterhead. So
 3 it would be submitted through this letterhead for the
 4 National Seashore.
 5 MS. BURGESS: Would it not be having the letterhead
 6 of the Cape Cod National Seashore Advisory Commission?
 7 MR. PRICE: Well there doesn't exist such
 8 letterhead.
 9 MS. LYONS: So then it wouldn't confuse it as though
 10 it was coming directly from you?
 11 MR. PRICE: No, I think it would be very clear that
 12 it's coming from the Advisory Commission.
 13 MS. LYONS: From the Advisory Commission.
 14 MR. PRICE: Right. And then I would suggest there
 15 might even be a footer, which seems to me I remember
 16 seeing those -- so in the body of the letter you would
 17 state the town, as you suggested be added. Well actually
 18 Maureen already has the Advisory Commission on the
 19 bottom.
 20 MS. BURGESS: Sorry.
 21 MR. PRICE: We'll play with it, but my assumption,
 22 Maureen, is that it would be on our letterhead and it
 23 would be signed by Rich as the Chair. And then the
 24 question is after we take a look at it from a protocol
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1 point of view --
 2 Lauren, I guess we would -- I'm half thinking that
 3 besides the cc piece, there might be an explanation as to
 4 who is on the Commission.
 5 MS. AVELLAR: Sign my name to it, I don't care.
 6 MS. LYONS: Yeah. I think you can -- that's the way
 7 we do it. We have everyone who is in agreement as a
 8 signatory on this, but the Chair does the signature. And
 9 you know, as Chair, you're speaking on behalf of the
 10 group.
 11 MR. PRICE: Again it gets back to, they get this
 12 letter, they get millions of letters. So who are these
 13 people. And that's -- and somehow we can play with the
 14 letter itself so that it's clear who it's coming from.
 15 MS. LYONS: Whether it be through the letterhead or
 16 for a footer --
 17 MR. PRICE: Yes.
 18 MS. LYONS: Or by listing the members that are on
 19 the Advisory Committee, which might be a good way to go.
 20 Because it's not just half. I mean, I'm here. I'm
 21 voting on it.
 22 MR. PRICE: Well, we've got two representatives from
 23 the Governor. We've got the Committee and you have the
 24 designee of the Secretary of the Interior, Rich Delaney

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1 up the letter and making the changes?
 2 MS. LYONS: We would -- Should we do it? We will do
 3 it?
 4 MR. PRICE: Well, actually we can -- our job is to
 5 help support you all. So we can help with finalizing the
 6 draft, putting it into format and then getting Rich's
 7 signature. So, Maureen, if you would be willing to
 8 continue to --
 9 MS. BURGESS: Just communicate with you.
 10 MR. PRICE: Yes.
 11 MS. LYONS: But as far as the content, that will not
 12 change. It's just going to be the delivery and how it's
 13 going to be signed.
 14 So is everybody in favor that we don't have to have
 15 another several drafts being sent around and that sort of
 16 thing. That way it would be expedited and we don't have
 17 to go through everyone.
 18 MR. THOMAS: Well, can we all see it on email and
 19 then we come into the Park Service here and sign our
 20 names to it? I think putting your name to the document,
 21 it becomes a lot stronger.
 22 MS. LYONS: Well, you know there is some people who
 23 can't always get here. Like Judith that represents the
 24 Governor is not always available for these meetings. If

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1 himself. I'm the federal designator official, so I'm not
 2 a member of this group.
 3 MS. LYONS: Right. So I think that that would be
 4 even more clear to list the members of the Advisory
 5 Committee as opposed to even just every town that's --
 6 because really, it's every town of Cape Cod and we're
 7 speaking not just on behalf of this, but of the issue on
 8 the floor. I mean we'll have to deal with this on the
 9 Commissioner's end, but -- on my Commissioner's end.
 10 But it's a great letter.
 11 MR. PRICE: And then I will add that as a result of
 12 this request, I will also draft something. And as I've
 13 said, I'll vet it to our regional office to express our
 14 concern just from the Park Service side of the house.
 15 MS. LYONS: Dick.
 16 MR. SABIN: Ed.
 17 MS. LYONS: I'm sorry, Edward.
 18 MR. SABIN: When will it be done, before our next
 19 meeting or when we come back to this meeting again next
 20 time?
 21 MS. AVELLAR: Well, I hope before.
 22 MS. LYONS: I think we could do it before.
 23 MR. SABIN: I would hope so.
 24 MS. BURGESS: So how would we proceed with sprucing

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1 there are some signatures on it and some aren't, it might
 2 take away.
 3 I agree with you, I think it's powerful. It's like
 4 the Declaration of Independence.
 5 MR. THOMAS: Then can I incorporate some stamp money
 6 and send it off to get her signature? I mean, what's
 7 that take?
 8 MS. LYONS: What to people feel about that? I mean.
 9 MR. THOMAS: I think it's stronger, you know as an
 10 act -- it's just something that should happen and it
 11 should go across as strongly as it possibly can.
 12 MS. BURGESS: And these hearings have been
 13 protracted and going on for years, but are reaching a
 14 crescendo.
 15 MR. THOMAS: We voted on this plant, I don't know
 16 how long ago? Do you remember?
 17 MS. AVELLAR: No.
 18 MR. THOMAS: -- when we had a chance to vote that
 19 plant and shut it down.
 20 MR. REINHART: Was it about 10 years.
 21 MR. THOMAS: Yeah, we voted -- it was a yes vote to
 22 say no, it's the way it was worded on the ballot. Very
 23 tricky.
 24 MS. AVELLAR: They always are.

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1 MR. THOMAS: Yeah, it was very tricky.
 2 MS. AVELLAR: You vote yes, it means no. You vote
 3 no, it means yes. The way they word those things.
 4 MR. THOMAS: Yeah, we had a chance to shut it down
 5 and we didn't.
 6 MR. PRICE: Just an opinion to add. In my opinion,
 7 I think it would be quicker if we just did it for Rich's
 8 signature and then have you all listed as the Advisory
 9 Commission members. Because guaranteed it's going to be
 10 several weeks before we get everybody's signature on it.
 11 MS. LYONS: That's the only downfall of waiting, but
 12 it's not up to me to say.
 13 MR. PRICE: Because this way we have to wait for
 14 everybody's signature and I know Dick is in poor health
 15 right now, Judith is in Florida. That sort of thing.
 16 The iron is hot now to do this and my advice to the
 17 Advisory Council would be to do it sooner than later.
 18 MS. LYONS: But you can put it in that this was a
 19 unanimous vote by the Board and then list the Board with
 20 Rich's signature. So you can put it in that it was a
 21 unanimous vote.
 22 MS. AVELLAR: Members present.
 23 MS. LYONS: Members present. We could put this out
 24 also on email just to say this was the vote we had and we

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1 have George also follow-up on this with a similar letter.
 2 He would be having it vetted through the Parks Service.
 3 And we would be seeing a copy of that before it's
 4 sent or would you just send it and then just send us a
 5 copy of what you sent?
 6 MR. PRICE: Right.
 7 MS. LYONS: So are we all in favor?
 8 MR. SABIN: So moved.
 9 MS. AVELLAR: I'm going to take this to the Board of
 10 Selectmen tonight and I'm going to ask them to send a
 11 letter too.
 12 MS. LYONS: And I'm also going to take it to the
 13 Board of Commissioners of the County. Thank you. I
 14 think it's a lot of work done. We might as well maximize
 15 it's impact. It's really very good.
 16 I mean there's a lot of things to think about here.
 17 We can see our situation is difficult here and these are
 18 very big issues and they mean a lot of things. It's not
 19 only energy; whether it's shutting down the plant, cost,
 20 demolition of the plant, what is that impact on energy,
 21 consumption on our storage on our ability to produce
 22 energy, and what will it do to the immediate towns that
 23 somehow probably gain an impact from it. So this is not
 24 an easy decision for anyone. I think that - to think

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1 would like to have your vote. Why don't you write that.
 2 You can distribute it to the Advisory Committee saying,
 3 this was the vote that was taken, it was passed
 4 unanimously today. This is our intention. However, your
 5 name is going to be going on this as a member, you
 6 weren't there to vote. Can we assume that you're in
 7 agreement and if not, let us know.
 8 MS. AVELLAR: Unless you object, we're going to
 9 assume you're in favor. Something like that.
 10 MS. LYONS: Yes, your name will be included, if not,
 11 it can be removed.
 12 MR. REINHART: Out of the interest of unanimity, if
 13 they don't agree to vote for it, we just pretend they're
 14 not on the Board.
 15 (Laughter)
 16 MS. LYONS: So we don't have to say unanimous. We
 17 just say the below Committee Advisory Members. Right.
 18 And that can be also just for -- now that you bring that
 19 up, it would have happened in a conversation here, but if
 20 everybody -- you know can be a direct email, those things
 21 don't have to be put into the reply at all between you
 22 and George and the other members who aren't here today.
 23 MR. PRICE: Okay.
 24 MS. LYONS: And the next motion is do we want to

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1 about those things. As far as health, it's an easy
 2 decision. Okay.
 3 With this we're going on to -- is there anything
 4 else to say about this? Any other comment?
 5 NORTH BEACH COTTAGES, CHATHAM
 6 MS. LYONS: We are now going to go on to the North
 7 Beach.
 8 MR. PRICE: Yes.
 9 MS. LYONS: And I just start this conversation by,
 10 I have read about North Beach and I've had a subcommittee
 11 meeting on North Beach with Bill and Mary-Jo and Richard
 12 and myself. And I have been out in different venues and
 13 this has come up. And I think I'm a little sensitive
 14 because of Rush Limbaugh. As Chair, sitting here, feel
 15 that there are -- this is a very sensitive issue. It's a
 16 very personal issue to people who are being directly
 17 affected. It's a very personal issue for those of us who
 18 maybe have never been in those homes or even been on
 19 North Beach, but we can see it. It's part of the Cape,
 20 and it's changing, whether we like it or not. And
 21 there's a great sense of loss in that. Whether Mother
 22 Nature does this deed or whether we do it as a
 23 precautionary tale, it is a very sad thing to experience
 24 one way or another. And I think no one can speak to that

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1 better than Bill since he's lost his stake out there two
 2 times; one he did on his own and one Mother Nature took.
 3 MR. HAMMATT: No, Mother Nature took them both.
 4 MS. LYONS: Oh, she did. Okay. So it's a very,
 5 very hard personal loss. And it's a very hard personal
 6 loss to the public. This is something that I have really
 7 agonized with. It's not an easy thing to come down to
 8 and I think that what we have to keep in mind here is
 9 this is a decision that was based on -- the priority was
 10 public safety. And it was safety of the public and it
 11 was the safety of property, and whose responsibility is
 12 that. Whereas, the dune shacks in Provincetown were not
 13 in threat of weather, they had the ability to be
 14 negotiated, worked out and have a long-term plan that was
 15 acceptable to a lot of people. But here someone has to
 16 make hard decisions and we may not like them and they may
 17 hurt us, but everyone is trying to do their job.
 18 And I become very upset when I'm out in public and I
 19 hear other public servants who are trying to do the best
 20 they can with what their responsibility is and to try to
 21 please everyone including their mandate, be vilified,
 22 called personal names. Their character is attacked, and
 23 it's not going to happen today. So those are my only
 24 rules. And with that, you can take it away, Mr.

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1 the Park and Recreation Commission. I wrote to the Chair
 2 of the Board of Selectmen letting them know that we do
 3 not believe that applied in this case. So we've
 4 continued.
 5 We've had people out there doing hand work, which
 6 means going inside and stripping the insulation and other
 7 things at this point. And at some point we believe the
 8 barge will come in with the heavier equipment in order to
 9 dispatch these very quickly.
 10 One of the topics that I just wanted to share with
 11 you is that I was particularly pleased to have been able
 12 to select Classic Site Solutions as the vendor. They
 13 worked with us on three projects up in Provincetown that
 14 involved wetlands and dune areas. There are two
 15 different contracts for the Province Land's bike trail as
 16 well as Moors Road, all of those projects received really
 17 high marks from everybody that was involved concerned
 18 about the environment up there. Classic Site Solutions
 19 also worked with us on some other projects locally that
 20 are not as sensitive from an environmental point of view.
 21 So we have high confidence that this particular group
 22 will be able to do the best job they possibly can.
 23 So we certainly have proceeded, we believe that the
 24 construction methods that have been put in place and have

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1 Superintendent.
 2 MR. PRICE: Thank you, madame Chair. Yes, it has
 3 been a tough and emotional route especially for the
 4 people directly impacted. And I certainly am sorry that
 5 it has come to such crossroads both with you all as an
 6 Advisory Commission with your recommendations and
 7 certainly with the folks in Chatham. So it is not any
 8 direction that I would have like to have seen, but from
 9 the Parks Service's perspective and by the professional
 10 who I consult with, basically nothing fundamental had
 11 changed. So the decision is still based on environment
 12 protection, public safety and best use of tax payer's
 13 money that we could especially knowing that delaying
 14 would even cost more. And as you know, it's a pretty
 15 hefty bill as it is.
 16 We believe that all the compliance requirements have
 17 been met. The Park Service issued a notice to proceed to
 18 the contractor on March 7th. There is still local
 19 opposition in the community and there's still even an
 20 attempt to try to prevent additional work from being done
 21 as far as procedural efforts. And we're trying to
 22 respond to those as they come up.
 23 The latest was the emergency vote by the Board of
 24 Selectmen on last Tuesday to try to invoke some rules of

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1 been reviewed by the Town Conservation officer and has
 2 been vetted by the other organizations for permitting,
 3 and is acceptable and is going to have least impact on
 4 the island. And when we leave, after I think the first
 5 rain storm, I think it's almost going to be with great
 6 difficulty to see where we've actually been, once
 7 everything is removed. So that's where we are right now.
 8 I just wanted to make that report.
 9 MS. LYONS: Thank you. Is there any other comments?
 10 MR. HAMMATT: Yeah, are we going to read the report
 11 of the subcommittee?
 12 MS. LYONS: Yes. Do we have the -- we did meet.
 13 The subcommittee did meet. Yes, basically there are no
 14 other comments. I didn't see any other comments when
 15 Rich sent it out on what he sent. So changes, I assume
 16 were expected. And there really is basically the only
 17 change from the original minutes and note of November
 18 14th was that in addition to us recommending that maybe
 19 they should -- we thought that if we could extend this
 20 for a year, particularly for the Town's 300th
 21 celebration, we thought about -- you know you try to keep
 22 relations. You're living within residential area and the
 23 residential area is living within the National Seashore,
 24 so it's very important that those -- that everybody is

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1 good neighbors to each other. So we tried to impress
 2 that point, that it would be good for public relations
 3 and good for the Town of Chatham to be able to have these
 4 in existence at least through their 300th celebration,
 5 which is this year that we are living in. And that after
 6 that granted and the existing permits would not be
 7 renewed for 2013.
 8 So it is basically the same recommendations with
 9 recognizing that there would be no further permits after
 10 this '13, and the emphasis was on relationships with the
 11 Town.
 12 Are there any other comments, Bill?
 13 MR. HAMMATT: No. If I can make a short statement.
 14 George called me last, I think it was August to tell me
 15 of this decision, which I felt was somewhat unilateral at
 16 the time. I disagreed with it at the time and I still
 17 disagree with it. I don't feel that there's an
 18 overriding environmental protection issue or public
 19 safety issue that suddenly appeared out of the blue after
 20 50 years of having camps there and particularly the last
 21 20 years with the updated construction. They were built
 22 in a manner to protect them from 100 year storms. We've
 23 already had our 100 year storm, within the last 20 years.
 24 Hopefully we won't have another storm for at least

1 MS. AVELLAR: Well, I totally agree with Bill and I
 2 feel that we came here on Monday in good faith as a
 3 subcommittee to make a recommendation today. And the
 4 letter that the Superintendent sent us by email was dated
 5 the 6th, but we didn't get it until the 7th, the day that
 6 the work began. So I feel that -- and I don't think I'm
 7 being nasty or vindictive or mean or anything to say that
 8 you know, I feel that we got snookered. And that we
 9 deserved some kind of -- I'm sure Rich Delaney let the
 10 Superintendent know that we were going to be coming here
 11 on Monday with our recommendations and may have even let
 12 him know what they were. I'm not going to say he did,
 13 I'm not going to say he didn't. But I think that there's
 14 no public safety issue. There was no environmental
 15 issue. The thing that -- the camp with the cottage or
 16 the shack that rolled away this winter in the storm
 17 wasn't built to the 100 year standards that these camps
 18 were built in.
 19 They are not necessary analogous to the problems
 20 down at the dune shacks situation except for the fact
 21 that the public relations problem that develops when the
 22 people within the Park aren't given the same priorities
 23 that the piping plovers are given for example, is
 24 something that causes an issue.

1 another 80 years. We may, and we may have a lot of
 2 things, but we've done an awful lot of things on
 3 speculation. This may happen, we may have a winter
 4 storm, the beach may continue to erode. Things may
 5 continue to change. That all sounds good, but it hasn't.
 6 I don't think that a delay of one year would have
 7 made a difference. I still don't think that it will. I
 8 think it's a shame. I think that the relationship
 9 between the Town of Chatham and the Seashore at this
 10 point is at a point probably as low as it's been since
 11 the inception of the Park. And I don't like to see that
 12 either for the Town of Chatham or for the Seashore.
 13 The Seashore has done some fantastic things. I
 14 drove down these roads before I came to the meeting and
 15 thought of what the Cape was like when I was a kid and
 16 it's absolutely wonderful that that is there. But things
 17 are still disappearing and I don't agree with the way
 18 they're being done. I don't think it makes a lot of
 19 difference at this point. I think the Park has the upper
 20 hand. I think the Park is going to continue and I don't
 21 think there's a whole lot that can be done about it. But
 22 I do have to say, that I don't agree with it. I strongly
 23 don't agree with it.
 24 MS. LYONS: Are there any other -- any comments.

1 Most of the towns within the Park have not had the
 2 same kinds of problems that Provincetown has had. We've
 3 had a lot of issues. We're going to be having another
 4 issue. I am almost sick to my stomach with worry about
 5 what's going to happen at New Beach because if it's going
 6 to take that long to build a bathhouse, I can only
 7 imagine how long it's going to take to protect that
 8 little bit of precious beach that people in our town can
 9 enjoy for free especially in the winter time and at this
 10 time of the year.
 11 I think this was an unnecessary action. I think
 12 that the Superintendent could have waited until the
 13 subcommittee reported back and he didn't. And so I'm
 14 very angry. I'm very distressed. I feel sorry for the
 15 people of the Town of Chatham coming into the 300th
 16 anniversary that this has happened. And there's nothing
 17 we can do about it now.
 18 And the \$400,000 cost that was reported in The
 19 Chronicle or The Cape Codder, one of those newspapers,
 20 has left me almost breathless. Now \$400,000 is an awful
 21 lot of money that could be put to good use in
 22 Provincetown re-nourishing the beach, bring in the
 23 groins. I think that \$400,000, if that's the cost is
 24 outrageous.

1 One of the things I always complained about when I
 2 was a Selectmen is why do we keep hiring the same
 3 contractors. Why do we always have the same companies
 4 doing all the work? Aren't there any other companies out
 5 there? And now we're going to hire this company. Is it
 6 \$400,000? Please tell me it's not \$400,000, George,
 7 please?
 8 MR. PRICE: It's 385.
 9 MS. AVELLAR: \$400,000, ladies and gentleman. I
 10 mean this is an outrage that there's going to be \$400,000
 11 to take down five little cottages that aren't doing
 12 anybody any harm, when \$400,000 could go a long way to
 13 doing other things within this particular Park and the
 14 six towns within this Park. I think this is an outrage.
 15 And there's nothing we can do about it. But it's tax
 16 payer money. And we wait forever to get things done --
 17 the immediate things we need. This is not an immediate.
 18 I mean there's nothing I can do. There's nothing I can
 19 do. I'm just absolutely speechless.
 20 And boy, I can tell you, I can see why people are
 21 Libertarians, why they want to get rid of government. I
 22 can really see it and I'm a good Democrat, but I can see
 23 why they want to get rid of government because this is
 24 horrible. Horrible.

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1 really for protection and not to -- just to put a thumb
 2 in someone's eye and say, now I can do this.
 3 I know it hurts. I know it's painful. And it's
 4 going to be a loss for a lot of us. And as I say, we
 5 don't have the same weather patterns that we used to
 6 have. This winter is one that is an example of that.
 7 Our sea levels are rising. No matter how well we do with
 8 renewable energies, we're not fixing the problem. We've
 9 kind of gone beyond the pale. There's footage of people
 10 going, oh, it's the most beautiful thing to see with
 11 these glaciers just crumbling into the ocean when they
 12 are on -- did anyone see that news feed? I was actually
 13 almost in tears watching it because I know what it was
 14 saying to us.
 15 So, you know, I had said to Bill at the subcommittee
 16 meeting, this is very hard for me because I can see
 17 totally both sides of the situation. And I really
 18 sincerely mean that my heart is there with the people who
 19 have lived on this island and have enjoyed it. But as
 20 many said to me when I went out to look at the island
 21 back in September, it wasn't as though they didn't know
 22 this day was coming. I think it was a shock while the
 23 sand was still in your toes and the sun was still warm on
 24 your back to hear it.

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1 MS. LYONS: If I may. You know it's very sad. And
 2 I think that if -- you know this is not a great place to
 3 be in. If we went with a cheaper firm and it did a lot
 4 of damage to the environment, there would be a lot to be
 5 said for that. I also think it's ironic that we're
 6 saying that we're right to ask for a nuclear power plant
 7 to be shut down that could cost billions of dollars to do
 8 including with the clean-up because we think we may have
 9 a problem in the future, and yet we don't feel that we
 10 may have a problem with the North Beach. So I think that
 11 we have to sort of have an understanding of where our
 12 frame of reference is coming from and it is a very
 13 painful, personal situation that we're talking about
 14 right now.
 15 I also feel that a lot of talk has been about the
 16 unilateral decision that was made and how it was handled
 17 in the beginning and that it was very hastily done and
 18 not a lot of thought to it. Well, if George was a
 19 politician, this probably would not even have come on the
 20 table because it would have been avoided. He was acting,
 21 I think in a non-political way, which I find refreshing
 22 because that's not usually how things are done these
 23 days. And that he was really thinking of public safety.
 24 I really think he had a sense of urgency and it was

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1 Go ahead, Bill.
 2 MR. HAMMATT: Just briefly. I want to thank you for
 3 your defense of George. And I think we're rehashing an
 4 awful lot of what we did at the subcommittee meeting last
 5 Monday. However, it was a four to zero vote. You did
 6 vote in favor of the subcommittee report, although it
 7 doesn't sound like it today.
 8 MS. LYONS: Well, we did. We did vote in that
 9 because it's basically the same report with an emphasis
 10 on the relationship with the town that we vote to
 11 continue and that that there would not be permitting next
 12 year. And it's -- so there wasn't like there was some
 13 other negotiation that came out of that.
 14 George.
 15 MR. PRICE: Just a couple of things and this isn't
 16 the forum for a tit for tat --
 17 MS. LYONS: Not it's not.
 18 MR. PRICE: -- argument, but a couple of things I
 19 just wanted to say. Number one, our observation of
 20 what's left of North Beach Island is that it's not the
 21 same as it's been for the last 50 years. In fact, we
 22 suffered three years of approximately 80 feet erosion a
 23 year on the ocean side. That's pretty dramatic. In
 24 working with our scientists we learned from the

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1 geological point of view what was actually happening and
 2 our mutual decisions were supposed to be formed on
 3 science.
 4 The issue about the shed being lost in October...the
 5 reason the shed was lost in October was a combination of
 6 things. But most of all, it was in the inner tidal zone.
 7 Just since we started in that August 1st field trip
 8 through to the middle of October field trip, you could
 9 see where the high tide line moved and we showed you that
 10 in our photographs when we had the meeting, I think it
 11 was in October to actually show that. So that the shed
 12 itself was losing the gravel underneath it. It wasn't
 13 just that it just got blown down.
 14 The other thing I would mention is the 100 year
 15 storm business; that's a series of conditions, that's not
 16 a calendar reference. And a friend of mine when he
 17 became the superintendent of CNO Canal many years ago, we
 18 had three 100 year storms in the one year. So this -- so
 19 betting on storms and weather conditions in New England
 20 is pretty iffy. And for the responsibility that we have
 21 as the managers of these five cottages and the shed, this
 22 was how we arrived at that.
 23 And then finally, I do respect the Advisory
 24 Commission and I believe that when you had your first

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1 take it away from us. And I think that it's time for the
 2 Town of Provincetown to get the Congressional delegation
 3 involved as quickly as they possibly can. Because it was
 4 due to -- God bless him, Gary Studds that we still have a
 5 place in Provincetown where we can dispose of our trash
 6 because if the Park Service had had it's way, it would
 7 have been taken from us and it was promised us in the
 8 legislation. That's all I have to say.
 9 MS. LYONS: Are there other members who weren't on
 10 the subcommittee like to have a comment or if not, you
 11 don't have to.
 12 MR. THOMAS: It's an unfortunate thing that we're at
 13 this point. I believe that we didn't or he didn't have
 14 to take the cottages down. And to get back to the Chair,
 15 we would never put Pilgrim against five cottages. That's
 16 a ---
 17 MS. LYONS: No, I'm not, but I'm just saying.
 18 MR. THOMAS: No, it's not even the same -- it's not
 19 even on the same planet.
 20 No, it's just unfortunate George, that you have to
 21 do what you think you must do there. I feel for the
 22 people who own those cottages. But I must say this ...
 23 MR. PRICE: We own the cottages.
 24 MR. THOMAS: Well this is what I must say. When

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1 subcommittee and came up with the recommendation, I
 2 responded as best and as most professionally as I could
 3 on the point by point as to why -- although you somewhat
 4 presented your advice, that in vetting it with some of my
 5 management and our experts that we were not able to
 6 accept that advice, so I laid out the reasons why. So I
 7 believe that I have responded to the Advisory Commission
 8 at that time.
 9 So obviously it continues to be a series of strong
 10 disagreement and I'm sorry that it's come to that and I
 11 -- again, the relationship with you all and with the Town
 12 of Chatham is something that I regret the most.
 13 MS. LYONS: Bill.
 14 MR. HAMMATT: I certainly heard all this before.
 15 However, I still have to say once more as a
 16 representative of the people of the Town of Chatham and
 17 at the direction of the Selectmen and of the
 18 constituency, I still have to say I strongly disagree.
 19 MS. AVELLAR: And my final word on this is that the
 20 people of Provincetown are watching. And I'm going to be
 21 reporting back to the Selectmen tonight to urge them in
 22 the most strong terms that I can, to be very pro-active
 23 in the matter of the New Beach. We were able to save our
 24 landfill thanks to Gary Studds when the Park wanted to

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1 they got lost away in '91 and the Super at the time
 2 granted the folks who lost their cottages and the land in
 3 which the cottages were on, to then have them rebuilt; I
 4 think that was a mistake that the Park made. I have to
 5 say I think the Park made a mistake back then. Now to
 6 make two mistakes; I think the second mistake is to take
 7 the them down. The mistake was to have them rebuilt -
 8 allow them to be built.
 9 MR. PRICE: Well, just to clarify. It wasn't a case
 10 of allowed. It was a case that those people that had
 11 previously owned cottages when they sold them to the
 12 Federal government because they did not have a
 13 certificate of suspension of condemnation, those people
 14 were under what was called a reservation of use and
 15 occupancy. So if you were required to sell your property
 16 to the government, which is another whole source of angst
 17 here. There's been over 2,000 land transactions. They
 18 received a monetary compensation and 25 years of use and
 19 occupancy. And one of the allowances during that -- so
 20 both of them was the compensation perhaps. It wasn't one
 21 or the other. It wasn't like we were just being a good
 22 guys with the 25 years, that's what was negotiated. And
 23 as you take a look at some of the other use and
 24 occupancies; each one was negotiated a different way;

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1 some were life tenancies, some were 10 years, some were
 2 25 years.
 3 So during that 25 year period of time, it was
 4 absolutely their right to be able to rebuild. So it
 5 wasn't the Park Service granting them permission to
 6 rebuild, they had the right to exercise that or not.
 7 Likewise, there are other people -- there are one of the
 8 fellows that was in the dune shack, he has the
 9 reservation of use and occupancy till 2016. He worked
 10 with the Park to get permission to build an additional
 11 shed on that property. People came to me all concerned
 12 about it. But that specified in the deed or in that
 13 reservation of use and occupancy.
 14 So at the time, during the Commission meetings
 15 actually -- and by the way, you talk about records, this
 16 is the transcript from that meeting in 1992 (indicating).
 17 And that it was discussed that these people lost all
 18 these cottages and as far as the Park Service was
 19 concerned, number one, it was their right to rebuild if
 20 they choose to at their own risk. And number two,
 21 there's been a lot of discussion about getting permission
 22 from the Park Service, it was actually -- they built
 23 according to their discussion with the town building
 24 inspector. So it wasn't the Park Service prescribing how

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1 specifications.
 2 MS. LYONS: No, it was not Park Service
 3 specifications. That was their independent choice. I
 4 checked that too.
 5 MS. AVELLAR: To put it on pilings?
 6 MS. LYONS: It was not required.
 7 MR. PRICE: That was the requirement through the
 8 Town Building Inspector.
 9 MR. AVELLAR: Okay, that was good.
 10 MR. PRICE: So all we have at the time are copies of
 11 the Building Inspector's permit. So the Park was not --
 12 the Park Service at the time was not involved as we are
 13 if it's a different set of situations.
 14 MR. THOMAS: I was informed that the actual land
 15 that they were on was washed away and they were relocated
 16 on to Park land.
 17 MS. BURGESS: It's always been on Park land.
 18 MR. THOMAS: It's always been on Park land, but
 19 actually where the owners when they gave up their
 20 ownership --
 21 MR. PRICE: In the legislation you have to prove
 22 that you have improved property or you own the structure
 23 or the under which lying property prior to September 1,
 24 1959. So that's key. So in the early years --

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1 these were to be rebuilt. And then at the end of their
 2 use and occupancy period, then the previous
 3 superintendent and myself have allowed continued year-to-
 4 year special use permits, which by the policy were only
 5 supposed to be issued for two years following the use and
 6 occupancy termination. We really determined that because
 7 of the environment and the particular nature of the
 8 living out there, that it was in the best interest of the
 9 government to continue to have those same families stay
 10 there.
 11 So I hear what you're saying, and it sounds like we
 12 blew it by giving them permission again. But frankly, at
 13 the time it wasn't our permission to give, it was their
 14 right according to the transfer of the property. Just
 15 for clarification.
 16 MR. THOMAS: Well, could you clear up for me where
 17 the cottages are today, where they actually where the
 18 cottages where when they got washed away in '91?
 19 MR. PRICE: Well, they're certainly on the same
 20 parcel. I'm not sure if they're geographically the same.
 21 MR. REINHART: They're on the same parcel.
 22 MR. THOMAS: See I was under the understanding
 23 that --
 24 MS. AVELLAR: But the government told the Park the

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1 MR. THOMAS: So you had to have something there.
 2 MR. PRICE: Improved property, yes. So in the early
 3 years of the Park, you have land lawyers and land people
 4 here and they went through every single parcel in the
 5 entire 44,000 acres of the Seashore designation. And
 6 some people could prove this, obviously the other six
 7 cottage owners that are out there right now, they proved
 8 it. They have a certificate of suspension of
 9 condemnation, they have full private property, it's up to
 10 their relationship with the Town and the state and the
 11 town zoning. These particular five, one of many that
 12 ended up going to Park Service, either willing summer or
 13 unwilling summer.
 14 MR. THOMAS: Got it.
 15 MR. PRICE: And there were other structures out
 16 there on the island. There were at least two north of
 17 the bridge that I also had to take down after the '07
 18 breach because they were going to be washed away. And
 19 for the exact same reasons, the exact same initiative, we
 20 had them removed at that time. And these five are the
 21 ones left here. So I realize it gets pretty confusing,
 22 but -- so that at the time was seen as a person and
 23 individual with the town relationship as to how they got
 24 rebuilt. And it wasn't until the use and occupancy term

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1 concluded after the 25 years, that they then revert to
 2 the National Park Service and then we have a whole
 3 chapter on the J and P. So -- and then the Park
 4 management determines is there going to be administrative
 5 use, are they going to be demolished, are they going to
 6 be put out for lease, or what have you. And that's what
 7 we've done over time with all of the structures that have
 8 come our way.
 9 And it made many people realize -- and then one of
 10 the comments that was made by Maria Burks, at the time my
 11 predecessor, that she was facing a glut of empty
 12 structures up here. And we didn't have the money even to
 13 demolish and the processes for putting them out to lease
 14 was very cumbersome. And she didn't want to have five
 15 more vacant houses down there on North Beach Harbor, and
 16 determined that the best way to do it was the year-to-
 17 year special use permit. And I agreed with that and
 18 that's what I continued to do up until what I determined
 19 to be this crisis when I was informed in August that
 20 these were -- that at least two or three of them were in
 21 jeopardy, and moved as we've done in the last number of
 22 months.
 23 I've been told that I talk too much and I give civic
 24 lessons and that's not what I want to do.

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1 secretary's office and we finally posted it in the
 2 federal register. And there will be a spring hunt this
 3 year. It will be between April 30th and May 19th.
 4 Basically it's three weeks. The state actually has a
 5 four-week season, but we did not believe -- we didn't
 6 feel comfortable about bringing it over the Memorial Day
 7 weekend, so we backed away from that. There will be a
 8 maximum of 50 turkey hunting permits issued. There is no
 9 cost for this permit, but you must have a state permit as
 10 well. It's an hour before sunrise till noon, Monday
 11 through Saturday. So there's no hunting on Sunday.
 12 So that again, is fulfilling our responsibility from
 13 the 2007 EIS. It's taken a long time for us to get
 14 there, so I realize everybody doesn't make the
 15 connection. And they might think it's a new initiative,
 16 in fact it's just taken us that long to go through the
 17 system to actually implement it.
 18 MS. LYONS: Yes.
 19 MR. REINHART: What did this EIS state?
 20 MR. PRICE: The EIS was an environmental impact
 21 statement. We have had a long term relationship with the
 22 state where they have stocked pheasants as part of the
 23 state hunting practice. That's a common practice in this
 24 state all over the place. At some point in the '70s, the

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1 MS. LYONS: Are there any other comments? Okay.
 2 SPRING TURKEY HUNT
 3 MR. PRICE: One more item I just wanted to bring up
 4 only because I realized after I put the minutes together
 5 that we did send out a press release that you should have
 6 received about the spring turkey hunt. I realize this
 7 might be new information for people. But when I arrived
 8 here we were half way through a six-year EIS process with
 9 the hunt business. Cape Cod National Seashore is only
 10 one of about 60 units in the entire system that allows
 11 hunting. We have been challenged on our hunt
 12 specifically as it related to pheasants, you might
 13 recall. And over the six years, several things were
 14 negotiated including a coastal landscape restoration
 15 program out here. We've been known to restore some
 16 heathlands, which we believe an ancillary benefit with
 17 the tracks of some new species which were part of the
 18 original hunt which have basically disappeared because of
 19 the growth out here. And we agreed to pursue a spring
 20 turkey hunt which matches the state season.
 21 Because of a number of very frustrating delays all
 22 of these years, three Chief Rangers, I can't tell you how
 23 many solicitors, and I can't tell you how many versions
 24 of the language, we finally got the approval through the

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1 state approached the Superintendent at the time to
 2 institute a trial pheasant stocking program. We were
 3 challenged by the humane society of the U.S. and others
 4 that that was not a good use of National Park resources
 5 to stock a bird that was not native, would not survive
 6 the winters out here and it's only purpose was to support
 7 the hunting program. That was later joined by other
 8 organizations claiming that it was time to dispense with
 9 hunting altogether. That it might have been an
 10 appropriate traditional use when the Seashore was
 11 established, but at this point in the 2000's, that it was
 12 archaic and therefore it should be eliminated. So both
 13 of those initiatives went through the courts and the
 14 power of the people specifically shows to predecessors as
 15 the Chief of Natural Resources had to work with the
 16 contractors, the vendors at public meetings and that sort
 17 of thing. So when I arrived it was right at the tail end
 18 of that.
 19 The conclusion as it's been recorded here and
 20 elsewhere was number one, we were going to institute the
 21 turkey hunt. Number two, we were going to embark upon a
 22 cultural landscape restoration program which the Park had
 23 already anticipated anyway, and that is to cut down some
 24 of the (inaudible) that we've had around here and to

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1 restore some of the heathlands that existed when the Park
 2 was established. And in doing so, we believed that that
 3 would bring back some of the traditional upland birds
 4 which had disappeared, which is partly why the pheasants
 5 were introduced. As we increase the acreage of the
 6 heathlands, which is going to take a lot of time, we
 7 estimate over a 15 year period of time we would do an
 8 accommodation phase of restore that much acreage of
 9 heathland and reduce some of the pheasants that were
 10 actually introduced to the environment here.
 11 So that went through the entire EIS process, that
 12 was what was finalized and that was what was signed in
 13 2007.
 14 MR. REINHART: What does that have to do with
 15 hunting turkeys? I don't get the connection.
 16 MR. PRICE: The National Seashore did not have a
 17 spring hunt at all. So in order to get a spring hunt off
 18 the ground, we had to go through the process to establish
 19 a new rule, which is legal language for what we ended up
 20 doing, that was just signed in recently.
 21 MR. THOMAS: Where is it on, just Park land that
 22 this turkey hunt will be?
 23 MR. PRICE: Yes because the state already has many
 24 other properties where you can hunt turkeys throughout

1 state regulations. The state would then come out with
 2 their pheasants and release the pheasants, that sort of
 3 thing. So now that there's turkey hunt, we would do the
 4 same thing working with the state Fish and Game on
 5 enforcing their regulations. It's posted both on the
 6 website and on our shores as to where hunting is
 7 available and what you're able to do and what different
 8 time.
 9 MS. LYONS: So are you working with the towns as
 10 well, is it in the paper or...
 11 MR. PRICE: No, it's not the towns, it's the state.
 12 MS. LYONS: It's just the state. You know I just
 13 think, what if you're strolling through the woods on a
 14 particular hunting day.
 15 MR. PRICE: That's true of any hunting season.
 16 MS. AVELLAR: I used to have a Great Dane and we
 17 used to run that dog along side the van, you know along
 18 Route 6, but during hunting season we didn't do it.
 19 MR. PRICE: It's been on press releases, it's been
 20 on the radio. It's on our website. We have our
 21 brochures. It's talked about in the Visitor's Center.
 22 MS. PRICE: And it's only on certain days of the
 23 weekend?
 24 MR. THOMAS: The 30th through the 19th.

1 the Cape.
 2 MR. THOMAS: So are you going to post it?
 3 MR. PRICE: Yes.
 4 MS. AVELLAR: Pheasants are indigenous, you say.
 5 MR. PRICE: Pardon?
 6 MS. AVELLAR: Pheasants are indigenous?
 7 MR. PRICE: No, they're a Asian bird that was
 8 introduced for hunting.
 9 MS. AVELLAR: Because I remember seeing pheasants
 10 when I was a kid.
 11 MS. LYONS: You know I am aware of hunting in
 12 certain seasons because I hear gun shots going off,
 13 unless it's just someone you know tired of shooting in
 14 the backyard, but -- and I know that there's deer hunting
 15 here. So how is that handled? Is that through the town
 16 that handles those situations?
 17 MR. PRICE: The state. The state is responsible for
 18 hunting. And the state has -- works with different towns
 19 and areas for designated areas. The National Seashore
 20 has allowed it and is generally abided by state
 21 regulations; 500 feet from property, 500 feet from
 22 organized trails and whatever it is. I'm personally not
 23 a hunter, so I don't know all of it.
 24 But we would post, our rangers would help enforce

1 MS. LYONS: So it's only -- it's all of those days.
 2 MR. PRICE: Except for Sundays.
 3 MS. LYONS: Okay. All right, I'm just going to be
 4 watching where I walk.
 5 MR. THOMAS: Permits are going to be sold or given
 6 out here?
 7 MR. PRICE: Right. There are 50 permits that we'll
 8 have. We don't charge for National Park permits, but
 9 you're required to have a state hunting license.
 10 MR. REINHART: A question for you. Did you have any
 11 negative feedback on this -- on having turkey hunting,
 12 because I'm not in favor of it at all. I'm in the woods
 13 a lot and I like seeing turkeys that come in my yard and
 14 stuff. And to just to shoot them seems insane to me.
 15 MR. PRICE: Well, a couple of things. They were re-
 16 introduced by the State Fish and Game to be a hunting
 17 species. So they --
 18 MR. REINHART: Hunting species, not something people
 19 can just enjoy; you can see them walking around.
 20 MR. PRICE: You can do that with all the species
 21 that get hunted. The hunters claim that they are the
 22 biggest wildlife enthusiasts of anybody. In fact, their
 23 fees go to help support wildlife propagation. So that's
 24 fair to say that their perspective.

1 It's fair to say during the public meetings when the
2 hunting environmental impact statement, it was very
3 intense and controversial and emotional. And there was a
4 lot of opposition and there was a lot of intense
5 emotional proponents in favor of it. So yes, there was a
6 lot of discussion at the time in both camps. It was not
7 an easy sell.
8 MS. LYONS: We are going over time, but I just want
9 to say, I agree with you Tom. I don't like having to --
10 although I eat --
11 MR. PRICE: One more thing about it, Tom. Without
12 natural predators, if we get an explosion of turkeys and
13 we have a very poor season of their food, a lot of people
14 on Cape Cod or at least on the outer Cape, are going to
15 start losing the lower courses of their shingled houses.
16 MR. REINHART: They usually come and eat in our
17 garden and stuff like that, but we don't mind.
18 MR. PRICE: Forget the garden, I'm talking about
19 the --
20 MS. AVELLAR: They eat shingles?
21 MR. PRICE: Well they're pulling shingles off to get
22 the critters that are underneath them. Because if you go
23 out to Nauset Road now, you could be stopped by --
24 they're not a herd, what's the --

1 gang of turkeys, by the way, not a flock - from the
2 internet.
3 I want to thank the Seashore Superintendent for
4 helping put together and I'm looking forward to meeting
5 the various stakeholders including Army Corp of
6 Engineers, our Federal Congressional Delegation, local
7 officials to visit the services board, the chambers and
8 all that, two weeks from today.
9 MS. AVELLAR: No, a week from today.
10 AUDIENCE MEMBER (REPRESENTATIVE PEAKE): Oh, yeah,
11 you're right, it's not the 26th, the 19th. You're right,
12 it's the 19th, absolutely, next Monday.
13 I do feel though like I have to make a comment about
14 process. I was here at your last meeting and I felt
15 encouraged by motion that was made -- I think Tom maybe
16 you made it. And that it was followed up on to reconvene
17 the subcommittee on the North Beach camps. I felt as
18 though there was an opportunity for continued public
19 process here. And then to first read in the paper and
20 hear today that Superintendent's office issued a letter
21 before that subcommittee had the opportunity to meet and
22 that the subcommittee met, had a 4-0 vote having before
23 it all of the information that you had provided in
24 response to the first subcommittee; it gives me pause to

1 MR. SABIN: A flock.
2 MR. PRICE: You'll get 60 turkeys walking in the
3 road stopping traffic.
4 MR. SABIN: Just this past month 21 turkeys walked
5 across the road - the road in Eastham.
6 MS. LYONS: I was just saying there's more people
7 hunting. And it's surprising to me when you hear buy
8 fresh, buy local, you know on the AMPR. There's more
9 people that are really trying to have direct access like
10 that. You know I know food, I hunted that food, I'm
11 eating that food, I didn't buy this food. And that's --
12 and there's also economic reasons why people are doing
13 this more and it's not comfortable. I don't feel good
14 about it, but it is becoming more and more, so it's
15 something we have to be aware of.
16 MR. PRICE: Well as Mary-Jo points out, there is a
17 lot of discussion about traditional uses here.
18 MS. AVELLAR: That is a traditional use.
19 MS. LYONS: All right the one thing we didn't have
20 time for yet is public comment and we have to do that.
21 PUBLIC COMMENT
22 Yes, Sarah.
23 AUDIENCE MEMBER (REPRESENTATIVE PEAKE): I'm going to
24 jump in. Thank you very much. It's called a rafter or a

1 question the value of the process.
2 And I know that because of Cape Cod National
3 Seashore, as I mentioned the last time I was here, is not
4 a park like the Grand Canyon or Bryce Canyon or Zion
5 Canyon where there is an entrance to it and then it is a
6 wild expanse beyond that. But rather it is a park that
7 was overlaid over existing communities that had their
8 traditions and their traditional uses that human
9 interaction is something that is in constant dynamics
10 that happens here. You know we just talked about turkey
11 hunting. We heard about the dune shacks. We heard about
12 the beach cottages at North Beach camps, beach access for
13 surf casting fisherman, the transfer station in
14 Provincetown, how the Seashore deals with certain
15 predatory species; whether that be seagulls or crows or
16 whatever it might be. You know these are just some
17 things that I can think about off the top of my head
18 without doing research. You know it's a constant
19 constant.
20 And if there isn't a belief in the public process,
21 if there isn't the opportunity for the public to be
22 heard, if there isn't an opportunity for people including
23 this Advisory Committee, quite frankly, to feel that
24 their time in giving input to the Seashore is well spent,

1 then I feel discouraged about that moving forward.
 2 So I would once again, just ask that you reconsider
 3 your decision. We are already into the spring months
 4 here. There is further information I know from meetings
 5 with the people in the Town of Chatham from other
 6 engineering studies that can come forward. And I know
 7 that Congressman and our Senators have asked that
 8 everybody step back and take a breath. It is their
 9 belief in conversations with people up the line that
 10 there are ways to address and mitigate issues around
 11 liability and public safety so that those will come into
 12 play if those cottages are allowed to remain standing for
 13 an additional year.
 14 It's a 4-0 vote of the subcommittee. The
 15 subcommittee is here for a purpose. The people have very
 16 busy lives, yet they're taking the time off to care about
 17 this issue enough. So that's my sadness about where we
 18 are today on that issue. I would ask your
 19 reconsideration. I would also ask that moving forward
 20 that the public interest and the public comments be
 21 considered. Because as I said, there is any number of
 22 issues. We have two big ones right now before us, but
 23 every time we turn around there's something else; where a
 24 bike path is going or where a road is being reconfigured,

1 of interesting programs they've been running about the
 2 Fukushima disaster. I heard one the radio the other day
 3 and I wish I could come up with whose show it was on. It
 4 might have been last Friday's or whatever, where United
 5 States NRC people went over to Japan right after the
 6 disaster happened, were making a recommendation. They
 7 said that if it was our evacuation plan to work, the
 8 Japanese were calling for a evacuation within a 10 mile
 9 radius. They would have called for a 50 mile radius.
 10 And they had serious conversations with the Embassy there
 11 and the Secretary of State's office about advising that
 12 all Americans anywhere in Japan be evacuated because of
 13 the potential for nuclear fallout. So you have a NRC
 14 person saying that for what's in Fukushima, we would only
 15 like the same consideration that they were giving
 16 Americans that were in a 50 mile radius in Japan, that we
 17 have the same consideration.
 18 MS. LYONS: There's no guarantees for anybody. And
 19 even if they gave it, we all know that that's just a
 20 false -- it's just saying it to satisfy us. But I think
 21 those are good suggestions. I was struggling with that
 22 last paragraph and I think those are very good points.
 23 AUDIENCE MEMBER (REPRESENTATIVE PEAKE): So thank you
 24 for that -- thank you for having this opportunity for

1 wherever it might be.
 2 The second thing I want to talk about is the Pilgrim
 3 Nuclear Plant. My only suggestion for your letter might
 4 be -- because asking them to give you full assurances,
 5 they will write back and say, oh, rest assured, we would
 6 never realize -- be assured of the public safety. I
 7 think an appropriate ask might be and what I have asked
 8 of the NRC, is that the facility not be re-licensed until
 9 there is a viable evacuation plan for the Cape - for Cape
 10 Cod, and that mitigation measures are put into place for
 11 environmental and public safety mitigation. So in other
 12 words, going beyond that 10 mile perimeter.
 13 And that because of our unique geographic location,
 14 that we be considered for evacuation mitigation plans as
 15 well. There's precedent to this, if you look in the
 16 Mass. General Law Ch. 111 that we were referring to
 17 earlier that gets us the money for potassium iodine. The
 18 section was added to that for, I believe Cape Cod and the
 19 islands, maybe it's just Cape Cod because there was a
 20 recognition by the State Legislature at that time because
 21 of our down-wind location, this is not just your average,
 22 oh, 10 miles, it's a safety thing.
 23 Another interesting aside on that because it is the
 24 one-year anniversary of Fukushima, there's been a number

1 public statements. I'm going to scoot now and --
 2 Again, I ask you for your reconsideration. Thanks,
 3 George.
 4 MS. AVELLAR: Should we move to amend our letter to
 5 incorporate Representative Peake's --
 6 MS. LYONS: You want to play with those suggestions
 7 and to be sort of adamant and say, you know to give us
 8 assurances, you know they can't give you 100 percent
 9 guarantee.
 10 MS. BURGESS: That's why I avoided saying that.
 11 MS. LYONS: Yeah, but I do think that it's very
 12 good to say, let us -- inform us of what you're doing and
 13 consider this and --
 14 MS. BURGESS: That's why I said, what's the plan.
 15 MR. THOMAS: Review your homeowner policy, it's
 16 right there.
 17 MS. AVELLAR: It covers nuclear fallout?
 18 MR. THOMAS: It does not.
 19 MS. BURGESS: So it sounds like that there is
 20 ongoing funding; is that what you're -- for the potassium
 21 iodine?
 22 PARK SERVICE (MS. TAYLOR:): As far as I know. I just
 23 read what the regulations said and it didn't say just for
 24 one year, one time.

1 MS. BURGESS: Great.
 2 MS. LYONS: All right, George.
 3 MR. LYONS: No, one more.
 4 MS. LYONS: I'm sorry. Who?
 5 Yes, Steve.
 6 AUDIENCE MEMBER (MR. BUCKLEY): Yeah, Steve Buckley.
 7 A request to speak if I follow the procedure for asking
 8 before the Board. I'm not sure - I'm curious to know if
 9 any of you have gotten that letter?
 10 MS. LYONS: Which one is it in our package or no?
 11 MR. PRICE: I forwarded that letter to the Chair of
 12 the Advisory Commission.
 13 MS. LYONS: Yes.
 14 AUDIENCE MEMBER (MR. BUCKLEY): It's basically a one-
 15 page summary of what I wanted to talk about. So that's
 16 why I wanted to know if you've all seen it. But I did
 17 make some copies.
 18 MS. LYONS: Okay, that would be fine.
 19 AUDIENCE MEMBER (MR. BUCKLEY): It's a one-page
 20 summary. (Distributing letter to the Board)
 21 MR. PRICE: Put them on the other piles because we
 22 send them to the other Commissioners that are not here.
 23 MS. LYONS: Yes.
 24 AUDIENCE MEMBER (MR. BUCKLEY): Basically what I said

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1 what other document, because whether it's in the EIS or
 2 environmental assessment or even a categorical exclusion,
 3 just something. The only thing is you have to know the
 4 magic word, categorical exclusion because they don't put
 5 out a notice on categorical exclusion. So that's the
 6 thing that I know a lot of agencies like to do. They
 7 like to put stuff into the categorical exclusion because
 8 you don't have to involve the public and that slows
 9 things down. So I understand totally.
 10 We had a very cordial conversation with the
 11 Superintendent the other day, it was on Wednesday - last
 12 Wednesday. And he and I both talked as bureaucrat to
 13 bureaucrat, I understand his dilemma. I was in property
 14 management reporting for the Navy and other federal
 15 agencies and I understand it takes a long time to get
 16 going and so forth. But these regulations have been
 17 around for 30 years. And regulations are not guidelines,
 18 they have the force of law.
 19 MS. LYONS: Yes, they're regulations.
 20 AUDIENCE MEMBER (MR. BUCKLEY): It's basically fine
 21 print, here's the law and this is how you're going to do
 22 it and so forth and so on. When they say EPA
 23 regulations, they're not guidelines. You have to
 24 follow --

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1 is -- I don't want to read it, but I did not want to
 2 speak to the emotions of the North Beach camps. But I've
 3 been described as a recovering bureaucrat with unresolved
 4 issues about public engagement.
 5 MS. LYONS: Those are different emotions, but go
 6 ahead.
 7 AUDIENCE MEMBER (MR. BUCKLEY): A little addiction.
 8 But in any event, what I wanted to point out here is
 9 that the process that Senator Peake was just talking
 10 about is what I wanted to point to was that there are
 11 very specific and clear federal regulations for doing
 12 this, not some little known, pardon my pun, police chief,
 13 which by the way I found in like two minutes the other
 14 day. All you have to do is put North Beach on the search
 15 part of the Chatham Town website and go to North
 16 Beach...boom, there's the regulations for the permit for
 17 the Police Chiefs. I don't know if anybody looked for
 18 it.
 19 I don't want to get off track, but what I was trying
 20 to say is that when I found out last August that there
 21 was this decision that had been made, immediately my -- I
 22 put on my NEPA hat, my NEPA nerd hat because most NEPA
 23 are nerds, and said, oh, well there must be some
 24 documentation or when do I as a citizen get to review

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1 MS. LYONS: Yeah, you have to follow them.
 2 AUDIENCE MEMBER (MR. BUCKLEY): -- them and so forth
 3 and so on. So this is not new stuff. And so the idea is
 4 that as I found out that there was a decision made, I
 5 thought then a categorical exclusion would come out a few
 6 months later. And then I said, I'll just wait and see
 7 how this unfolds and so forth. So I was not going to
 8 meetings or in Chatham or any place else and try to
 9 situate -- I'm just going to wait until I as a citizen
 10 have been notified that there's an opportunity for me to
 11 say, hey, this is what we're thinking of doing. What do
 12 you think?
 13 And so, the 40 CFR has been attached to that.
 14 Anybody wants to contact me, I can give you an email
 15 address with all the links that are highlighted on the
 16 underline there. With the hard copy you can't click on
 17 the various ones. So anyway if you guys want to bring up
 18 the -- there's still lessons to be learned, so no matter
 19 what happens today, I think the issue is not another camp
 20 supporter or camp defender - defender of public
 21 engagement. So look at it, you can talk to me later. I
 22 know you're running late.
 23 MS. LYONS: I know, but I thank you. I appreciate
 24 that, Steve very much.

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1 Is there any comment to that?
 2 MR. PRICE: Just that Mr. Buckley has expressed his
 3 opinion to us and to our regional staff and basically
 4 we've let him know our decision making process and the
 5 rationale and our supports for it, and he obviously has a
 6 disagreement with the process. And he has a lot of
 7 experience in his previous government job. I believe
 8 that his perspective is well-founded and our NEPA
 9 compliance people feel the same way.
 10 MS. LYONS: Okay. Yes, could you identify yourself.
 11 AUDIENCE MEMBER (MR. LONG): Yes, I'm Bob Long from
 12 Chatham. I just want to follow up briefly on what Steve
 13 said and it's very directly related to that.
 14 Last Friday camp supporters - we engaged our
 15 environmental consultant to file for an urgent request
 16 for expedited review of National Park Services uses as a
 17 categorical exclusion, and he also believes it is an
 18 incorrect use in this case. And he did -- we did get a
 19 formal request with the Executive Office of the
 20 President, the Counsel on Environmental Quality, which is
 21 the proper agency to air that concern.
 22 A lot of time was spent this afternoon kind of going
 23 back and rehashing some of the history. I would like to
 24 take just a minute to kind of talk about where we're at

1 needed more information. The request is incomplete and
 2 in his eyes needed more details. And he hopes to review
 3 that in the next couple of days. By the law he has up to
 4 14 days to review that application and either issue the
 5 permit, deny it, make recommendations, whatever he needs
 6 to do.
 7 Now the Seashore made this decision back in August
 8 and the Town of Chatham just received the final protocol
 9 of how this operation is going to take place within the
 10 last month. The final revision was an email from Karst
 11 last week. To send out a letter of the tone that Mr.
 12 Price did to Florence Seldin, the Chair of the Board of
 13 Selectman on Friday, threatening to hold the Town liable
 14 for any further delays - financially liable for staging
 15 costs up until this point, is quite frankly, from the
 16 Selectmen that I talked to, from the town officials that
 17 I spoke with, obviously camp supporters; very
 18 frustrating. You've had six months to look at this and
 19 devise your plan. You've then given it to us in final
 20 details. And I believe the Town of Chatham, and I'm not
 21 alone in this, deserves the opportunity to properly vet
 22 the plan and to open it up for public discussion, to go
 23 over concerns of any possible potential negative impact
 24 to the Town and to be utilized the potential to the

1 right now because my people even in your own Commission
 2 aren't fully aware.
 3 In addition to this request that we made last
 4 Friday, which is hopefully being expedited, there's been
 5 some reference to a little bit of authorizations required
 6 from Chatham Police Chief to operate heavy equipment on
 7 the beach. There will a hearing tomorrow evening at the
 8 Chatham Parks and Rec Commission to discuss the various
 9 violations of the Chatham Rules and Regulations that will
 10 take place by this action. It's still important to the
 11 Town of Chatham. And near as I can tell from the
 12 statements from the Superintendent this afternoon, he
 13 intends to proceed regardless of that fact that there
 14 will be rules and violations -- violations of the Rules
 15 and Regulations of the Town. In addition to the Parks
 16 and Rec violations and the required authorization from
 17 the Police Chief, there's also a mooring plan and a
 18 resulting mooring permit that needs to be applied for,
 19 and approved and authorized by the Chatham's Harbor
 20 Master. We didn't even receive a mooring plan until
 21 Friday, meaning we, the Town of Chatham, from the
 22 contractor even though over a month ago this Harbor
 23 Master did notify them that was still required. The
 24 Harbor Master has it, as of this afternoon he still

1 abutters - private property abutters and also to the
 2 sense of environments in place.
 3 So I would ask that the Superintendent wait on
 4 taking any action until the Town of Chatham offers the
 5 proper authorization. I will offer that we fail to see
 6 how the Town of Chatham could be somehow negligent or
 7 taking on some kind of liability because of decisions
 8 made by the Superintendent to proceed before he had
 9 actually complied with all of the rules and regulations
 10 that were in place to take this action.
 11 Thank you.
 12 MR. PRICE: Just two comments. One is that the --
 13 my letter was in reference to the -- as you mentioned the
 14 emergency, being the Board of Selectmen, that the Parks
 15 and Recreation Commission regulations, which we believe
 16 in consulting with counsel, did not apply in this case.
 17 And we believe that that was done as a delay tactic. And
 18 as we've heard previously by members of the Board of
 19 Selectmen in this room, that they certainly intended to
 20 use as many delay tactics as they could.
 21 Based on our walk-through with the Conservation
 22 Commission representatives and supplying all the material
 23 that they requested relative to our environmental
 24 concerns, especially the protocols, we believed that we

1 had everything in place that we needed to in order to
 2 proceed. It is true that we learned last week that our
 3 contractor had not submitted the request to the Harbor
 4 Master, that's a different issue. And we worked with our
 5 contractor, there was a communication problem on that one
 6 and we submitted the material and will continue to work
 7 with the Harbor Master for that to be satisfied.
 8 MS. LYONS: Thank you.
 9 Yes.
 10 AUDIENCE MEMBER (MS. LUMPKIN): My name is Donna
 11 Lumpkin from Chatham. Please forgive me for sitting, I'm
 12 shaking.
 13 MS. LYONS: Okay.
 14 AUDIENCE MEMBER (MS. LUMPKIN): I would like to
 15 correct a few statements and mention a few other
 16 concerns. First of all, Superintendent Price said that
 17 money was exchanged when all the camps were taken over by
 18 the National Seashore. There was no money passed in our
 19 case, it was an exchange of land. We were moving on to
 20 what Howard Rose owned, which became National Seashore
 21 property at the time, so there was no money. It is in
 22 the exact same spot that it was before the storm. In
 23 fact, we're using the same well point where it was.
 24 He reports to Scott and Achilles camps frequently

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1 Monday. That includes things like the Clean Water Act
 2 for removing more than -- or disturbing more than 5,000
 3 feet of temporary (inaudible) into wetlands. There are
 4 at least four feet of sand on the Crowell's camp that has
 5 to be moved from -- to be able to remove the cross beams.
 6 The National Seashore is speaking of when they take
 7 the pilings out, pushing in the sand that's already
 8 there. There's no excess sand to go into these holes, so
 9 where are they digging them? I disagree that one rain
 10 storm is going to cover it all up.
 11 I am thoroughly upset with the National Park Service
 12 and their rules, regulations, how you go about appeals.
 13 The fact that things are filed after the fact when a
 14 person finds out about it. We've applied through the
 15 Freedom of Information Act to get the application to the
 16 Army Corp of Engineers; we still have not got that back.
 17 The application to the keeper is still outstanding.
 18 MS. LYONS: Excuse me, that's your second
 19 application; is that correct?
 20 AUDIENCE MEMBER (MS. LUMPKIN): It's the application
 21 for the 11 camps, not the five.
 22 I guess that pretty well covers it.
 23 MS. LYONS: Is there any other public comment? Yes.
 24 AUDIENCE MEMBER (MR. CROWELL): I'm Robert Crowell, I

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1 and are totally different situations. The Scott camp had
 2 already been knocked off its foundation, it had been
 3 pretty well destroyed. The Achilles camp was right on
 4 the edge of the break. It was obvious that the time had
 5 come for them to take down. We've been telling
 6 Superintendent Price since August that it was not 80 feet
 7 of erosion this year. He did not go along with this
 8 until about a week or two ago it came out in the
 9 newspaper that the erosion process had slowed down. That
 10 was the first time he ever admitted that and in fact, the
 11 beach has improved.
 12 I'm equally concerned with the National Park Service
 13 as I am with the destruction of camps. The appeal
 14 process of the National Park Service is flawed. You can
 15 write to Superintendent, you can write to his immediate
 16 boss. They will return messages. The letters are
 17 basically the same way. You go above that, you get no
 18 response to an email, to a hard copy, anything.
 19 We have found out there were rules and regulations
 20 that are still being done after the fact. As of this
 21 morning the Natural Heritage of Endangered Species
 22 program director said that the National Park application
 23 --- they had no record of the National Park application.
 24 And the Army Corp of Engineers had no application until

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1 had a camp next to Donnas. I would just like to pass
 2 these pictures around to members of the Commission
 3 showing the sand in front of our camp from May until a
 4 couple of weeks ago. The one with dogs is May and the
 5 bottom one is two weeks ago showing over 100 feet of
 6 accretion of beach sand. You know we've discussed these
 7 before in public meetings and it's just been ignored.
 8 MS. LYONS: George would you like to --
 9 MR. PRICE: Only that actually last Monday, Mark
 10 Adams and my staff did another walk-through and he
 11 consulted with Graham Giese and they believe that the
 12 same prediction is in existence. Remember that he
 13 stressed to us the erosion on North Beach is storm
 14 related. So this is not your normal tide-to-tide. And
 15 that a lot of the sand that they see in front of Crowell
 16 camps, specifically where the high tide line is showing
 17 what they predicted. And I don't know that's --
 18 AUDIENCE MEMBER (MR. CROWELL): This is the picture
 19 with the sand above the high tide line. And I talked to
 20 Mark Adams when he was out there on a couple of occasions
 21 and we both remarked on how much the beach had grown and
 22 the Chatham Harbor Master had attested to the channel had
 23 moved further north, this is probably the major reason
 24 why the accretion has developed to the point that it has.

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1 MS. LYONS: Did you have anything to continue?
 2 AUDIENCE MEMBER (MR. CROWELL): That's all. Thank
 3 you.
 4 MS. LYONS: All right.
 5 MR. REINHART: I guess I --
 6 MS. LYONS: We're really late.
 7 MR. REINHART: Yeah, I know.
 8 MS. AVELLAR: We still have to do new business.
 9 MS. LYONS: So we have new business, Tom. Go ahead
 10 if you can make that brief and make --
 11 MR. REINHART: No, I just want to comment on this
 12 whole procedure and that it seems that when a community
 13 is so strongly against something that even if the science
 14 says one thing that your ear should go back to the
 15 ground. Because you can see the emotion and the -- you
 16 know these things have value that is hard to imagine if
 17 you're not in the community or not on Cape Cod. I mean,
 18 I didn't realize how important these were. And I think
 19 that in some ways that should trump this "so called"
 20 science or at least give people a chance to feel like
 21 they've been listened to a little bit more.
 22 You know I know you've been really good at that and
 23 I'm sure you didn't want to have this come this way. But
 24 I think at some point just the fact that you got so much

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1 would I have done it? Before the '07 breach when we
 2 could have reached to buy land? Before the third year of
 3 80 feet of erosion and therefore, to come to this crisis.
 4 And I admit because I was approached by people -- I was
 5 approached by Mark and his findings and I was in as much
 6 denial as everybody else. And the example I have on the
 7 table is what happened North of the bridge.
 8 So Donna mentioned - I definitely do talk about the
 9 Scott cottage and the Achilles cottage. And the Achilles
 10 cottage had been knocked off it's foundation by an
 11 overwash. It actually was in pretty good shape, but --
 12 so the actual witness of the ground -- one of my rangers
 13 had given me pictures of the Scott cottage and how
 14 vulnerable it was. And I was resistant to actually pull
 15 the trigger on making that decision until it was knocked
 16 off it's foundation and it wasn't viable anymore. I
 17 resisted making the decision on the Achilles until I was
 18 so disrupted by the sand that it cost us more to get it
 19 off.
 20 And obviously, I don't remember Bill, how many
 21 private owners removed their facilities. There were
 22 about a dozen structures there prior to the '07 breach.
 23 And I don't know whether half of them were taken down or
 24 more than half, but then there were a bunch then that

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1 resistance, it would have been good to give it just
 2 another year just to -- you know, be the good guy.
 3 Because you are a good guy. You know what I mean?
 4 MR. PRICE: You know it's funny, Tom. If they don't
 5 -- being the good guy is not in my position, working in
 6 communities is. And unfortunately in this case, in
 7 taking a look at the facts on the ground and the advice
 8 that we had from the Park Service managers, from people
 9 who have experience with other area beach systems and the
 10 scientists, we really -- I really had to take it to
 11 heart.
 12 Bill will recall the first call I made to him as the
 13 representative of the Town on the Advisory Commission
 14 before the announcement was public there were several
 15 people I called; the Town Manager, Bill, Rich Delaney and
 16 folks from Philadelphia giving a report about what I
 17 learned. And I take those responsibilities very
 18 seriously. And that's basically the direction we've been
 19 pursuing.
 20 Bill said you have no idea how emotional this is
 21 going to be and how much these camps mean to the people
 22 out there. And I knew full well, it's probably why --
 23 you've heard me say this before, everybody says, well why
 24 didn't you do something earlier. Well, when earlier

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1 suffered defects of the wind and the waves.
 2 MR. HAMMATT: One of them was removed and four more
 3 were taken down when they became threatened.
 4 MR. PRICE: So at half of that experience from only
 5 '07 and there was no claim of historic designation and
 6 that's one of the reason it's taken us so long to move on
 7 this because of the historic designation process and the
 8 appeals and everything. And there was no complaint from
 9 the Town and it was a process where they -- I believe
 10 people just understood it was your business taking care
 11 of your responsibilities, and that's the way we did it.
 12 So when we took a look at this one a number of years
 13 later, I realized that it was going to be controversial,
 14 because in this instance we had still -- the families
 15 were still in those five cottages. So it was a different
 16 perspective. But the responsibility of it hadn't
 17 changed. So that's been the dilemma.
 18 MS. LYONS: We really have sort of exhausted this.
 19 Bill, I'll give you the last word and then we're going to
 20 move on to New Business because we're almost an hour
 21 over.
 22 MR. HAMMATT: During the winter I have not -- the
 23 leases went year-to-year on an annual basis. Everyone
 24 knew for a period of nearly 20 years that at some point

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1 they were going to end. This science didn't suddenly
2 come up on some day in August, it had been incurring for
3 a long period of time. George himself said it was three
4 years of 80 feet a year. Well, maybe that was the
5 handwriting on the wall. Maybe at that time he should
6 have said there's going to be the end of this year, we're
7 not going to be renewing leases or at the end of the next
8 season you will not get a renewal. That could have been
9 done -- that could have been done this year and it could
10 have been adjusted -- I can't remember if he had the
11 leases in January, but to pull it on somebody in August,
12 I think is way out off the line. And obviously the Town
13 of Chatham agrees with me in that.
14 As far as the Achilles camp and the Scott's camp,
15 both of those had voluntarily terminated the use and
16 occupancy -- their continuation of the use and occupancy
17 and both for different reasons. The Achilles were
18 deceased they had been using it as caretakers for a
19 number of years, it was given up, it was there. It was
20 used for the next two or three years by the Park Service,
21 mostly from what I could tell going by it on a very
22 regular basis for a very enjoyable weekends down there.
23 I was told it was for work purposes, but most people
24 working were seldom sitting out there in their bathing

1 road, let's get going on it now and we'll all come to a
2 consensus. There's no doubt about that. We're all in
3 agreement about that. And I think even George if you
4 could do it over again, you probably would do some things
5 differently.
6 However, there was time given for all of those
7 permits to go forward. There was planning that wasn't
8 done because we weren't sure how those permits were going
9 to be and that's why when things are moving ahead it
10 feels quickly. It feels quickly. I think August feels
11 like a long time ago. And it's a very sad loss for not
12 only those who have lived there, but for the rest of us
13 who love the Cape and love the idea of even living
14 there.
15 So with that note, there's New Business.
16 I'm sorry you had a comment. I apologize. You
17 weren't adamant enough. Go ahead.
18 AUDIENCE MEMBER (MR. RUDD): I'm Mick Rudd from
19 Office of Tourism.
20 I just want to draw your attention to the statement
21 that our office submitted to you and just to say that in
22 reduction in the access to Herring Cove Beach, this
23 summer or in the long term, would have a very dramatic
24 detrimental effect on our local economy.

1 suits.
2 MR. PRICE: And the town science program.
3 MR. HAMMATT: I was only speaking of the people I
4 knew that worked for the Seashore that occupied it.
5 As far as the Scott's camp, it sat there for over a
6 year after having been -- the whole, by the way has
7 pushed in shore. I was next door to it, I know what was
8 there. And that went on for years, but it wasn't an
9 emergency in that year. Those beaches are more leveled
10 than this is now. So I don't see why when something
11 that's geared to withstand the 100 year storm is suddenly
12 an emergency. I just don't think you need to be that
13 quick.
14 MS. LYONS: I think that the lesson learned here is
15 that there could be a better roll out on such things. As
16 I said, judges and politicians and nobody stops and
17 thinks about that when they're elected. But when you're
18 paid to do and make hard decisions, you're really just
19 going with the honest job description you have. But
20 there are other things that one must think about. And I
21 think maybe it's something maybe we can talk about as far
22 as notification procedures and how do you notify a
23 community of such a thing or do you involve a community
24 in that process if you know it's going to happen down the

1 My office does over \$500,000 a year in marketing and
2 promoting Provincetown as a resort destination and we
3 were trying to protect that investment.
4 Thank you.
5 MS. LYONS: Okay, we are too.
6 Yes, Mary-Jo.
7 NEW BUSINESS
8 MS. AVELLAR: I have one more actually from the
9 office of tourism. It says: "This coming July, Family
10 Pride week, July 28th to August 4th will be family
11 equality 17th Summer Provincetown". They had 300
12 families registered last -- oh gosh, it didn't print out.
13 On several occasions they have tried to get pre-approval
14 from the Seashore for campfire permits. They need to be
15 sure of the time and location in advance because only a
16 limited number are available each day. I'm going to have
17 to read it off my cell phone.
18 Basically they have never been able to get pre-
19 approval of these permits, so they wind up going to
20 Truro. So they're wanting to know if there's any way
21 this can be done in advance so that they can print it in
22 their advertising that this is where they're going to
23 hold their campfire event, I guess.
24 So I'll have to forward that to you.

1 MR. PRICE: Would you forward that to me.
 2 MS. AVELLAR: Yeah, it just did not print out.
 3 MR. PRICE: The campfire permit is a hot permit --
 4 Ha Ha. And if you ever drove by the Salt Pond Visitor's
 5 Center in the early morning, you'll see people lined up
 6 on their beach chairs.
 7 MR. SABIN: I can verify that.
 8 MR. LYONS: As some of you go into the visitor's
 9 center in the morning. We'll take a look at the process
 10 and if that can be served or not. It's very much
 11 first-come, first-serve basis and I understand how that
 12 can have an impact on an event like this.
 13 MS. BURGESS: And I think from what I've observed at
 14 it, Provincetown Visitor's Center they actually require
 15 several days notice. If you're going to have a fire on a
 16 federal beach, you have to plan it a couple of days in
 17 advance.
 18 MR. PRICE: We have to take a look at what the
 19 process and procedure is. It's a straightforward one, I
 20 don't happen to know it. But they only allow so many
 21 permits per night. And they've set up the system for
 22 fairness so that everybody would have a shot at it.
 23 MS. LYONS: Right. Yeah, I think you have to give
 24 two days in advance. Whereas the Wellfleet Beach, it's

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1 week in May be considered". Now I don't know if that
 2 means the second week and beyond.
 3 And by the way, I'm only throwing this out for your
 4 information.
 5 MS. LYONS: Right.
 6 MR. PRICE: That's just a request from one of the
 7 Commissioners.
 8 MS. LYONS: Well we have a request from this
 9 Commissioner as well because I will be at that Smarter
 10 Cape Summit on the 14th and the 15th of May.
 11 And I do recommend that people look at the Cape Cod
 12 Commission website, there is a link to the Smarter Cape
 13 Summit. It will have information about last years summit
 14 and this years coming up summit, but it's really about
 15 the future of the Cape and what we're doing on economic
 16 development and technologies.
 17 MR. HAMMATT: What date?
 18 MS. LYONS: That's the 14th and 15th. So I would
 19 propose the 21st.
 20 MR. PRICE: Well, if she's back by the 15th, then
 21 the 21st theoretically she would be available. I'm not
 22 sure.
 23 BOARD MEMBER: Smarter Cape doesn't start until 1:00
 24 on the 14th.

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1 the morning of and -- that's a whole other discussion
 2 that we won't put on the -- we won't have for here.
 3 Is there anything else?
 4 On that, do I have a motion to adjourn.
 5 MR. PRICE: No, we need next meeting.
 6 DATE AND AGENDA FOR NEXT MEETING
 7 MS. LYONS: Oh, you do. I'm sorry, I am not reading
 8 my agenda. I apologize.
 9 MR. PRICE: Next meeting would be scheduled -- would
 10 be normally scheduled in May. And we received a
 11 communication from Judy Stephenson, asked that it be the
 12 second week in May, which would be May 14th. I do know
 13 there's a Smarter Cape.
 14 MS. LYONS: Yes, the summit, which is a Smarter Cape
 15 Summit, which I do encourage people to attend.
 16 MS. AVELLAR: She said she's going to be in Turkey.
 17 MR. PRICE: Who?
 18 MS. AVELLAR: Judy.
 19 MR. PRICE: In May?
 20 MS. AVELLAR: She said May 6th, I thought she
 21 emailed me that.
 22 MR. PRICE: She said she will be away from February
 23 15th to May 7th in Florida and she would like to -- "if
 24 it can be scheduled in May, could I ask that the second

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1 MS. LYONS: This meeting starts at 1:00. Okay, I
 2 know. I'm sorry.
 3 MS. AVELLAR: What day are we going to do it?
 4 MS. LYONS: 21st works for people?
 5 MS. AVELLAR: Good for me.
 6 MS. LYONS: Okay, we will put it on for the 21st if
 7 that's fine with everyone here at one o'clock.
 8 And now that I found my agenda that I was not
 9 following. I apologize everyone.
 10 ADJOURNMENT
 11 MR. HAMMATT: I move we adjourn.
 12 BOARD MEMBERS: Second.
 13 MS. LYONS: All in favor?
 14 BOARD MEMBERS: Aye.
 15 MS. LYONS: Thank you everybody.
 16 (Whereupon, at 3:49 p.m. the
 17 proceedings were adjourned.)
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REPORTER'S CERTIFICATE

PLYMOUTH, SS

I, Jo-Anne M. Golden, a Court Reporter and Notary Public, in and for the Commonwealth of Massachusetts, do hereby certify that:

The foregoing 134 pages comprises a true, complete, and accurate transcript to the best of my knowledge, skill, and ability of the proceedings of the meeting of the Cape Cod National Seashore Advisory Commission at Marconi Station Area, Park Headquarters, South Wellfleet, Massachusetts, on Monday, March 12, 2012 commencing at 1:00 p.m.

I further certify that I am a disinterested person to these proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal this 6th day of April, 2012.

Jo-Anne M. Golden - Court Reporter
My commission expires:

November 14, 2014

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