

CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION

TWO HUNDRED AND SEVENTIETH MEETING

HELD AT CAPE COD NATIONAL SEASHORE, Marconi Station
Area, Park Headquarters, South Wellfleet, Massachusetts, on
Monday, November 16, 2009, commencing at 1:05 p.m.

SITTING:

Richard F. Delaney, Chairman
Brenda J. Boleyn
Dr. Howard Irwin
Sheila Lyons
Edward Sabin
Mary-Jo Avellar
Peter Watts
William Hammatt
Richard Philbrick
Larry Spaulding, alternate
Don Nuendel, alternate

Also present:

George Price, Superintendent
Kathy Tevyaw, Deputy Superintendent
Lauren McKean, Management Assistant
Bob Cook, Acting Chief of Natural Resource Management
Erin Der-McLeod, Planning Assistant
Tim Smith, Restoration Ecologist
Charleen Greenhalgh, Truro Assistant Town Administrator
Planner
Mark H. Robinson, Executive Director of The Compact of
Cape Cod Conservation Trusts, Inc.

Audience members

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NOTE: See attached letter from Eric Bibler.

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MR. PRICE: We have a new chair.

(Applause.)

MR. DELANEY: An encore performance. That's great.

MR. PRICE: Actually, as the federally designated official of the Cape Cod Advisory Commission, we did receive word that the Secretary of Interior has asked Rich Delaney to be the new chair of the Commission. And we certainly thank Rich for taking this on and appreciate his time.

MR. DELANEY: Thank you, George, and fellow members. Thank you for your confidence and trust. I will do my utmost to continue in the great tradition that Hank Foster and Brenda Boleyn and Ron Kaufman and then Brenda, again, recently stepping in -- thank you very much --

MS. BOLEYN: My pleasure.

MR. DELANEY: -- as established.

So I'm pleased to finally have the gavel in my hand, and I will bring this meeting to order. It is the 270th meeting of the Cape Cod National Seashore according to this press release. And we have a long agenda, lots of substantive things, so I'm going to launch right in with the Adoption of the Agenda.

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ADOPTION OF AGENDA

MR. DELANEY: So are there any additions or comments on what we're about to cover before we start?

(No response.)

MR. DELANEY: Hearing none, I will ask for an approval of the minutes from the previous meeting, which was held on September 14, 2009.

APPROVAL OF MINUTES OF PREVIOUS MEETING - SEPTEMBER 14, 2009

MR. DELANEY: And those were sent out to everybody.

MS. BOLEYN: I move approval.

MR. SABIN: I second.

MR. DELANEY: Moved for approval by Brenda. Seconded.

And are there any comments or changes? Brenda?

MS. BOLEYN: Just one, I think. I would like to make the name correction on page 30, on line 3. It says Gary Daly. It's Gary Delius. It's D-E-L-I-U-S, Delius.

MR. DELANEY: Thank you.

Any other changes?

(No response.)

MR. DELANEY: Hearing none, all those in favor of approving the minutes with that change, signify by saying aye.

BOARD MEMBERS: Aye.

1 MR. DELANEY: Those opposed?

2 (No response.)

3 MR. DELANEY: It carries unanimously. Thank you.

4 **REPORTS OF OFFICERS**

5 MR. DELANEY: We go to Reports of Officers now.

6 I don't have anything to add other than I'm happy
7 to be here and be your chair.

8 Any other officer wish to report?

9 MS. BOLEYN: No, thank you.

10 **REPORTS OF SUBCOMMITTEES**

11 MR. DELANEY: We'll move right to the Reports of
12 Subcommittees.

13 I know we have one subcommittee active right now,
14 which is the dune shack, and the superintendent will
15 be reporting on that in more detail momentarily. I
16 think our other subcommittees are currently not active
17 on any particular topic, but if there is a chairman
18 who would like to speak, I'll be happy to hear that
19 report.

20 (No response.)

21 MR. DELANEY: No? Okay, thank you.

22 And then we will move to the Superintendent's
23 Report.

24 George, please.

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SUPERINTENDENT'S REPORT

MR. PRICE: We have a lot of topics to cover today. At the last Advisory Commission meeting, I was asked for updates on a number of different projects, specifically Fort Hill, the Mary Chase Salt Marsh restoration, and Herring River.

This morning we had a field trip for the Advisory Commission, and there were a number of commissioners that participated. We actually went out to Fort Hill, and we met with Park staff, talked to them about the cultural landscape treatments, specifically the mowing and the berming back and forth and what we're trying to achieve there with our goals, and certainly the vista and the cultural landscape is going very well.

We also wanted to get an update on Herring River and Mary Chase. And if you will recall, at the last meeting, I said I'm not sure we knew a lot about Mary Chase. Well, fortunately, our newest staff member did. Tim Smith, you may recall, joined us from Massachusetts CZM a number of months ago now. And in Tim's former life, he actually was very active in the Mary Chase wetland restoration project, and he's our point person now for the Herring River, representing the National Park Service now that John Portnoy has retired. So I've

1 asked Tim to come and address the group and give us a
2 little bit of updates on both of those projects.

3 Tim?

4 MARY CHASE WETLAND RESTORATION PROJECT

5 MR. SMITH: Thanks, George.

6 So Mary Chase Marsh in Eastham is a salt marsh
7 restoration project that I worked on, as George said,
8 when I worked...

9 (Pause.)

10 (Mr. Hammatt enters the room.)

11 MR. SMITH: So this project was under development
12 for many years when I was working with the wetland
13 restoration program, which is part of the Coastal Zone
14 Management agency up in Boston. Initially this project
15 was identified by the Army Corps of Engineers who in the
16 early 1990s did a report looking at Cape Cod salt marsh
17 projects, and this was one of about six priority
18 projects that were identified in that report for
19 implementation for -- these are generally projects that
20 restore tidal flow to salt marshes where tides have been
21 restricted or limited by various infrastructure, road
22 crossings and things such as that.

23 This particular project, because it was fairly
24 straightforward, it didn't involve any road or other

1 complicated engineering kind of structures, was a very
2 high priority because of its apparent simplicity and
3 ease of implementation.

4 So the site here is Fort Hill, Town Cove. This
5 tributary is called Abilino Creek. It comes in off of
6 Town Cove here. The problem at this marsh is right here
7 in colonial times a stone dike was constructed across
8 the mouth of the marsh. This is 2002, prior to
9 construction. Right here this earthen and stone dike
10 was constructed to impound water as a saltworks. It was
11 a place where salt was produced, and the rocks and the
12 earthen material just restricted the movement of tides
13 through the mouth of the system into the marsh. So the
14 high tides were lower, and the low tides were higher.
15 So it was both keeping salt water from going up into the
16 system and holding freshwater back.

17 MR. PRICE: Tim, would you do me a favor? Would
18 you just point out the Penniman House in the upper
19 parking lot?

20 MR. SMITH: Sure. So the Penniman House is here,
21 the lower parking lot is here, and just the corner of
22 the upper parking lot right there at -- down to the site
23 (indicates).

24 Now, in this business of salt marsh restoration,

1 people have a tendency to say, oh, this is an easy
2 project. I mentioned the attractiveness here because it
3 appeared to be very simple. We found out after doing
4 this for many years there is really no such thing as an
5 easy project. There's always something that makes it
6 complicated. In this case, the land ownership was the
7 complicating factor. The Park boundary goes right
8 through the middle, down to the middle of this creek.
9 So the Park owns one side, and the state owns the other
10 side. The other side is a state wildlife management
11 area. So two different landowners.

12 The third confounding problem was neither of those
13 two landowners at the time was really very interested in
14 pursuing and sponsoring this restoration project, so the
15 town actually stepped forward and became the local
16 proponent or sponsor of the project. The town applied
17 for grants. They applied for the permits to do it. So
18 we had three -- three entities involved, town, state and
19 federal, which required crafting a memorandum of
20 understanding amongst the parties to agree to the work
21 being done. The Park needed some kind of document to
22 allow a third party to have contractors come onto the
23 site and do work. The state needed the same thing. So
24 they had to craft this agreement between all parties to

1 actually get the work done. And the work involved
2 fairly simple -- here's sort of a close-up of the stone
3 dike again. This is prior to construction, so an
4 earthen kind of foundation was constructed below the
5 current grade of the marsh and then the stone wall on
6 top.

7 And the design of this, basically the approach was
8 simply to remove enough blocks to allow the tide --
9 increased tide to get up into the system. So this
10 little schematic, this is essentially the design.
11 Again, there weren't really engineering plans or
12 anything very too sophisticated here. Each of these
13 rocks with the white dot were rocks that were to be
14 removed.

15 In the course of crafting this memorandum of
16 understanding, one issue that came out was the potential
17 historic significance of the dike, both the dike itself
18 and the land around it. There were concerns from Park
19 cultural resource staff and Mass. Historic Commission
20 about disturbing both the salt marsh itself, the land,
21 and the actual dike itself. So the structure had to be
22 documented and photographed and catalogued prior to
23 dismantling it. We had an archaeologist on site during
24 construction, and the work had to be limited and avoid

1 as much disturbance to the ground as could be. And the
2 way this was achieved was by implementing the project
3 with this machinery here, very, very small excavator,
4 which this picture here is a little hard to see, but
5 there is a wooden sort of roadway was constructed on the
6 salt marsh to minimize the compaction and damage to the
7 salt marshes south to allow the equipment to go out.
8 And this big arm here -- you can kind of see it here --
9 there's a thumb on the end of that, end of the bucket,
10 so he could just go over and pluck the rocks and pick
11 them right up without having to dig under and dig into
12 the salt marsh at all. So there was very, very little
13 actual digging, disturbance to the salt marsh.
14 Sedimentation was very, very minimal. Really nothing
15 went into the creek. There was no fine sediment
16 resuspended.

17 So after about five years of planning and
18 permitting and fund-raising for the project, this local
19 contractor was hired. In two, two and a half days, the
20 rocks were removed, and that was the construction
21 project.

22 And just some visuals of what was achieved here.
23 This is a hydrograph, the tidal curve of the system
24 prior to the construction. So the green line is the

1 tide range below the dike, and the red is upstream. So
2 we have high tide of just over two are still on the
3 downstream, and about a foot lower on the upstream side,
4 and then the same thing with the low tide. The low tide
5 is about a foot higher. And then when the dike was
6 removed, the effect of that was essentially to get
7 almost all of the high tide so the red line is almost
8 matching the high tide downstream to just about not even
9 half of a foot difference, but we still have the
10 drainage. All of the water still isn't going out, and
11 that's because of the remaining material that's left
12 there. So it's sort of a partial restoration of the
13 available tide range.

14 The work was completed in 2003. So since then it's
15 been getting this level of tidal influence back and
16 forth. So that's the Mary Chase project.

17 MR. DELANEY: Thank you, Jim.

18 Questions?

19 MS. LYONS: I'm just curious that since the change
20 of flow isn't equal or what it should be on the
21 outgoing, what's the consequence of that?

22 MR. SMITH: Well, what that's doing is it's keeping
23 both freshwater that accumulates in the system and also
24 seawater that goes in -- it's holding it back. So it's

1 a little bit wetter and a little bit fresher than it
2 would be normally. Probably you could do -- you know,
3 theoretically, go in and remove completely everything,
4 get everything out of there, and you have complete --
5 complete tide range, but it's probably not worth the
6 expense or the potential damage you would do from the
7 extra disturbance of actually digging both below the
8 surface to get that stuff out of there. So it's sort of
9 a compromise between trying to minimize the impact
10 during construction and maximize the tide -- the tide
11 that's changed.

12 MR. DELANEY: Brenda?

13 MS. BOLEYN: Is there any siltation resulting from
14 taking the rocks out?

15 MR. SMITH: Well, maybe very minimal during the
16 actual construction, but because the machinery was on
17 the timber platforms and just this very surgical removal
18 of just lifting the rocks off the surface, I'm sure
19 there's a little bit of sand and things in between, but
20 it was very, very, very minimal. We had ConComm folks
21 out there during the construction and other people, and
22 they've noticed hardly any change in the turbidity of
23 the water as it was going out.

24 DR. IRWIN: Do you anticipate it -- let me put it

1 this way. What change do you anticipate over the years?

2 MR. SMITH: Well, initially, one of the kind of
3 motivations for the project was to deal with Phragmites
4 that was encroaching onto the marsh. That, frankly,
5 hasn't really changed that much, and it has to do with
6 the sort of geomorphology and the freshwater input from
7 Fort Hill itself. There's just a lot of freshwater
8 seeping kind of on the edge of Fort Hill that's
9 providing enough freshwater, subterranean freshwater
10 that the Phragmites can keep its roots in relatively
11 freshwater and persist. So the Phragmites hasn't really
12 changed.

13 Really what's occurring are things that are kind of
14 hard to see, you know, better access for fish, for
15 hooking up their -- you know, it's just their habitat
16 overall. There's more fish. There are more birds
17 feeding. There's less water. There's more tidal
18 exchange, more water being flushed back and forth.

19 DR. IRWIN: So it's more dynamic.

20 MR. SMITH: Right.

21 HERRING RIVER WETLAND RESTORATION

22 MR. PRICE: We had originally thought about doing
23 an update on the Herring River, but I'm just wondering
24 because of the press of other business if we shouldn't

1 have a longer presentation of the Herring River at a
2 future meeting.

3 MR. DELANEY: I would think that would make sense
4 at this point. Looking at the agenda, looking at the
5 number of people who have other comments that we want to
6 make here, I think we should keep -- save that for
7 another time.

8 MR. PRICE: Tim, would you mind?

9 MR. SMITH: No.

10 MR. DELANEY: Is that all right, Tim?

11 MR. SMITH: Sure.

12 MR. PRICE: Because I had planned originally just
13 to have it be a quick update, and I think now that Tim's
14 really getting involved in the project -- I think if we
15 have that as a longer agenda item that would probably
16 make more sense.

17 MR. DELANEY: Is that all right with the committee
18 members?

19 DR. IRWIN: Sure.

20 MR. DELANEY: Okay, good. Thank you. Thank you,
21 Tim.

22 MR. SMITH: Sure.

23 MR. DELANEY: And just before we go back to the
24 superintendent, I just want to add that the National

1 Park is very fortunate to have Tim as one of our members
2 now. I've worked with him for a number of years in his
3 capacity in the state and his work with the corporate
4 wetlands restoration program. His expertise is
5 outstanding, and he's a problem solver, and he gets
6 things done.

7 So we're fortunate to have you here, Tim. Welcome.

8 MR. SMITH: Thank you.

9 MR. DELANEY: Back to the superintendent.

10 UPDATE ON DUNE SHACKS

11 MR. PRICE: On the dune shacks, we had reported at
12 the last meeting that we successfully engaged an outfit
13 to help us move forward with our Dune Shack
14 Subcommittee. We had a very successful public scoping
15 meeting. We appreciate Rich allowing us to use his
16 facility at the Center for Coastal Studies. And that
17 first scoping meeting everybody who was there met the
18 cast of characters, whether they be from the Park
19 Service or from the Consensus Building Institute or the
20 Dune Shack Subcommittee individuals. That then was
21 followed up with a meeting on November 9 with an actual
22 meeting of the subcommittee itself.

23 And, Brenda, I know you were in attendance. Do you
24 want to say a couple words?

1 MS. BOLEYN: The work is still very preliminary,
2 but I thought it was a very successful meeting. Every
3 member of the subcommittee was in attendance, and the
4 emphasis was on inviting those around the table to share
5 their experiences and interests in the dune shacks and
6 get to know each other. And then the members were taken
7 on a tour of the dunes, out to visit the dune shacks.
8 So I think we're off to a good start.

9 MR. PRICE: So the plan is we'll be having
10 subcommittee meetings approximately once a month, and
11 again, Rich has offered his facility, which I think is
12 terrific.

13 Any other questions?

14 (No response.)

15 IMPROVED PROPERTIES/TOWN BYLAWS

16 MR. PRICE: The next topic has to do with improved
17 properties and town bylaws. Just a quick report.

18 I believe I reported at the last meeting that the
19 Assistant U.S. Attorney, who we were working with on the
20 Blasch house at the Neck over there on Wellfleet, filed
21 a request for a building injunction, and I reported that
22 that was denied by the judge with the caution to the
23 Blasches and the corporation that's building the
24 structure that that was their -- building was continued

1 at their own risk.

2 A couple of weeks later our Assistant U.S. Attorney
3 also filed a request for summary judgment, and her
4 feeling is that this is a case based on the law as it is
5 now. She prepared a brief which was reviewed by several
6 others, and that was made before a state land court a
7 couple of weeks ago, and that is still pending. The
8 judge is still reviewing that case. So that's where
9 that stands.

10 One of the requests of the Advisory Commission was
11 how are we doing with the towns relative to movement on
12 town bylaws. And you're all familiar with the vote that
13 was taken over a year ago by the Town of Wellfleet, but
14 we also continue to work with the Town of Truro and
15 their planning board on where their bylaws are headed,
16 and we invited Charleen Greenhalgh, assistant town
17 manager of Truro, to join us. She's the one that we
18 basically communicate with with the planning board, and
19 she's agreed to come and address us for a couple of
20 updates.

21 Charleen?

22 MS. GREENHALGH: Hi. For those who don't know me,
23 I'm Charleen Greenhalgh, the assistant town
24 administrator planner in Truro. I do have some copies

1 here. I think I brought 17, so there should be enough
2 for the folks at the table and a couple extras.

3 The Truro Planning Board started on an ambitious
4 rewrite of their site plan requirements. Currently the
5 site plan requirements are for commercial use as well as
6 certain developments within the Seashore District. We
7 believe that that really didn't have enough teeth. It
8 really didn't do what we wanted it to do, and in light
9 of that, we started looking at revising that. In the
10 course of doing that, we realized this isn't working.
11 So working with a representative from a group that
12 proposed a bylaw last year for the annual town meeting
13 -- it was a petitioned article. It had some merit, but
14 it had some problems. So working with a representative
15 from that group, he was meeting with the planning board,
16 and this is the latest draft of what they have come up
17 with. It is a draft. Numbers have not been cast in
18 stone yet. In fact, any numbers that show in italics
19 within the text really are still being considered,
20 whether they make sense, whether we can really stand on
21 them. But basically what this says is that no house,
22 single- or two-family dwelling, within the Town of Truro
23 can be any larger than 4,000 square feet of net area.
24 The net area is based on the assessors' database. And

1 if you look at -- for those of you who might have a
2 copy, if you look at the second page, here's a field
3 card from one of our actual planning board members. And
4 I've highlighted on the left-hand side net area, and it
5 indicates 2,087 square feet. What that is, is net
6 living area of the dwelling. It doesn't include
7 porches. It doesn't include unfinished areas. It
8 doesn't include an attic, that kind of thing.

9 The board looked at using this number because it's
10 a number that is legitimized by the board of assessors
11 and legitimized as best as can be expected. When a new
12 house is constructed within the Town of Truro, the board
13 or somebody from the assessors' office actually goes out
14 and measures that house. They don't take the building
15 plans verbatim. They go out and measure the house. So
16 this was a number we felt comfortable with. Now, if
17 somebody wants to dispute their net area number, they do
18 need to take that up with the board of assessors. And
19 actually, in a sense the board of assessors or at least
20 the deputy assessor is a little bit intrigued with this
21 bylaw because right now they can ask to go in your
22 house, but you don't have to let them in. Yet if you're
23 going to dispute a number, you have to let them in the
24 house, so it's kind of a "Hmm-mmm, hmm-mmm. What do we

1 want to do here?" So it would put a max on 4,000 square
2 feet of net area.

3 In an area that has a neighborhood -- and we're
4 defining neighborhood as a radius of 400 square feet
5 around the property. So any property within 400 square
6 feet -- and this is something you can do right on the
7 assessors' database. You can do it at home on your own
8 computer when you go to the Truro Web site on the
9 assessors. You can do a 400-foot radius. And if you
10 have ten or more single-family or two-family residences
11 within that 400 feet, you then take the average net area
12 of those houses, and you're allowed by right to go 150
13 percent over that. Again, that 150 percent is still a
14 working number. I have a feeling it may come down to
15 maybe 120, maybe 125 percent, but that still is a
16 working number. We just needed to start somewhere so we
17 had someplace to look and go from there. So by right
18 you can build up to that addition on your house of net
19 area, but you can't go over the 4,000 square feet.

20 If you're not in a neighborhood -- like in the
21 Seashore it's going to be very rare that you're actually
22 going to have ten properties around you that are going
23 to have a single-family dwelling. We picked a number of
24 2,500 square feet that you can build up to, a net area

1 of 2,500 square feet or an addition up to 2,500 square
2 feet, but if you go over that, you go to the zoning
3 board of appeals, and that's the same with if you're in
4 your neighborhood. If your average allows that you can
5 only build, let's say, 750 additional square feet of
6 area and you want to do 1,000, that's going to trigger
7 you to go to the zoning board of appeals for a special
8 permit.

9 I'm trying to see if I forgot anything. Oh, just a
10 couple things. One of the reasons that the numbers are
11 a little intriguing to us is we looked at -- we asked
12 the assessor to do a little list for us. Currently in
13 Truro the average net area of the single-family
14 residence, which is a state class code of 101 under the
15 assessors' database, is 1,915. The median-sized -- you
16 know what? I've got this backwards. The average size
17 is 1,768 square feet of net area. The median size is
18 1,915. The smallest house in Truro is 280 square feet,
19 and the largest house in Truro is 8,333 square feet.
20 That house is currently under construction, so that
21 number could vary once it is completed and they do the
22 actual net area because some of that may not count.
23 There actually may be more. So that number is still in
24 flux.

1 So by using the average size of 1,768 square feet,
2 if you multiply that times the 150-foot factor, it
3 actually comes out to about 2,600 square feet. So that
4 2,500 square-foot that we're looking at if you're not in
5 a neighborhood that would trigger zoning board of
6 appeals, we thought that was an okay number, but again,
7 those are still being looked at.

8 This is a working document. It has not been looked
9 at yet by town counsel or even our building commissioner
10 at this point. The next step is to bring it to the
11 building commissioner because obviously if it's not
12 something that's going to be interpreted the same way
13 the planning board's interpreting it, then it's not
14 going to work. So we have to make sure that the
15 building commissioner is understanding it the way the
16 planning board is and it's interpreting it the same way.
17 So the language could be tweaked. Another building
18 commissioner from another town actually did look at
19 this, had some questions and comments. We tried to
20 integrate some of his concerns within it. And what I'm
21 hoping will happen within the month of December is that
22 the planning board will actually hold some public
23 meetings on this bylaw to get some feedback from folks.
24 We're hoping to get some help from, you know, the local

1 newspapers to say, "Hey, we're having this meeting.
2 Please come and tell us what you think."

3 It was made very clear at our last annual town
4 meeting that the town wants something. Whether this is
5 what they want, I honestly don't know, but we're
6 certainly trying to do our best. Right now we're not
7 looking at changing site plan criteria, so anything
8 that's adding a thousand square feet or a second story
9 within the Seashore would still trigger site plan
10 review. The only thing with site plan review is there
11 is no teeth to it. There truly isn't. One of the
12 discussions that the board has had is the concern that
13 within the Seashore if there is a change by either a
14 variance or special permit it triggers review by the
15 Seashore and could make it so the certificate is in flux
16 a little bit.

17 We felt that a house of 2,500 square feet was
18 pretty decent, and if somebody wanted to go over that,
19 then they were doing it -- I don't want to say at their
20 own risk, but it would be a special permit. But at that
21 point the Seashore could weigh in like they always do
22 when we have an application, going before the zoning
23 board of appeals. The Seashore is always very good
24 about saying, "We're concerned about this" or "No, we're

1 not." We just recently had a situation where a dormer
2 was being added. Not a concern with the dormer, but
3 there was a concern if it was going to increase the
4 number of bedrooms. So that was actually put as a
5 condition of that approval, that "Okay, you could put
6 the dormers in, but no additional bedroom."

7 So we're hoping that this will work hand in hand
8 with what the Seashore has in the legislation and what
9 they had in mind and will also work for the Town of
10 Truro. Again, the numbers are still trying to be
11 tweaked a little bit, but we think that based on the
12 conversations that we had at the time at the town
13 meeting and where we're at now, this is getting pretty
14 close.

15 So if anybody has any questions, I'm more than
16 happy to answer them, if I can.

17 MR. DELANEY: Thanks, Charleen.

18 Peter?

19 MR. WATTS: You've done away with footprint. Is
20 that true?

21 MS. GREENHALGH: On this, yes, we have. At this
22 point. I do believe that there still needs to be a lot
23 coverage involved, but that's I think the next step.

24 MR. DELANEY: George?

1 MR. PRICE: We appreciate Charleen sharing this
2 with us, especially the fact that it is a work in
3 progress, and we all wanted an update as to how we were
4 doing. We appreciate her coming out to share this with
5 us, and we're still working on this too as far as what
6 our comments or feedback might be as well. And
7 traditionally we've been invited to meetings to do
8 workshop-type activities, so that's still part of our
9 process as well.

10 MS. GREENHALGH: And that will be happening
11 shortly. They're meeting tomorrow night. They haven't
12 met as a committee yet, as a board to review the letter
13 that you sent, but they will be meeting tomorrow evening
14 and hopefully setting up a work session and inviting you
15 and Lauren to come to that.

16 MR. PRICE: That would be appreciated.

17 MS. GREENHALGH: Probably after Thanksgiving,
18 though, because I have a lot of cooking to do.

19 MR. DELANEY: Okay, thank you very much.
20 Appreciate it.

21 MS. GREENHALGH: Thank you.

22 MR. DELANEY: George, back to you.

23 WIND TURBINES/CELL TOWERS

24 MR. PRICE: The next topic that we've had is wind

1 turbines and cell towers. I wanted to break this up
2 into two pieces. One, obviously because of the most
3 recent activity in the Town of Wellfleet as far as the
4 proposal goes with White Crest and because we have a
5 couple of new members of the Advisory Commission,
6 specifically what I wanted Lauren to do is, you will
7 recall the Advisory Commission had in essence a
8 subcommittee. Peter Watts was the representative from
9 the Commission to that group, and it really consisted of
10 the group called the Lower Cape Planning --

11 MR. WATTS: Roundtable.

12 MR. PRICE: -- Planning and Development Roundtable,
13 which was an outgrowth of the Endless Summer Conference.

14 And if you all recall, when I arrived, one of the
15 observations I made was that all six towns in the
16 Seashore at that point were talking about wind turbine
17 placements. And that was -- believe it or not, in
18 February it will be five years that I've been here. And
19 I had just arrived from the Boston Harbor Islands where
20 wind turbines were really a hot topic. And one of the
21 things that we did at the Harbor Islands was we talked
22 about viewsheds and critical viewsheds, and we embarked
23 upon a study to determine, if and when we were going to
24 place wind turbines in and around the Harbor Islands,

1 where would it be, say, compatible with the existing
2 view and where would there be views that we would maybe
3 want to protect and not have obstructions in that view.
4 The Town of Hull right on the border of the Harbor
5 Islands has now constructed two wind turbines, for
6 instance, so it was a very real process. My position
7 was not if, but where, and that was my guiding
8 principle. And you all -- I really appreciated the
9 cooperation. We embarked on this group. We had about
10 two years of meetings, and our most significant product
11 was a planning map, which we worked with the Cape Cod
12 Commission.

13 And, Lauren, if you would maybe go up and walk us
14 through a little bit and remind us.

15 And, Peter, you were the representative, if you had
16 anything to add to that as well.

17 But I know there's a lot of interest in it, and how
18 do we arrive at this, and I thought this would be a good
19 way, Rich, to kick off this discussion.

20 MR. DELANEY: Good.

21 MS. McKEAN: Well, basically what we tried to do
22 with the roundtable group is really get out there what
23 are some of the issues in viewshed sensitivities that
24 are the most important to us. Are there certain places,

1 views from a certain place that we feel are important to
2 maintain into the future? Are there money shots? Just
3 basically using sort of a lexicon of viewshed --

4 MR. PHILBRICK: (Inaudible) because nobody can see
5 the map.

6 MR. DELANEY: The screens?

7 MR. PHILBRICK: Yeah, it needs light.

8 MS. McKEAN: It needs light.

9 MR. PHILBRICK: Daylight.

10 MS. McKEAN: Okay, I'll have to...

11 (Pause.)

12 MR. DELANEY: It helps a little bit. Thank you.

13 MR. PHILBRICK: A little, yeah.

14 MS. McKEAN: So what we did, when we first convened
15 the roundtable a number of years ago, we convened Truro,
16 Wellfleet, and Eastham, and since that time we have
17 invited Provincetown and even this year invited Orleans
18 and Chatham in. The initial reason that we looked at
19 the three towns was we're really focused on zoning, and
20 we had -- those were where we had the bulk of the
21 private improved properties within the Seashore. But we
22 did invite David Gardner in, and he came in at the end
23 of the process. So we're showing here that the viewshed
24 mapping for Provincetown was not completed. We also did

1 not do views in from the water, which is a whole
2 different take, as you can imagine, from a boat.

3 But what we did with each town, we broke into
4 groups, and several people are here who were at those
5 work sessions, an Eastham, Wellfleet, and Truro group.
6 We basically had each town frame up where the sort of
7 green light and red light areas in their town. So
8 you'll see a green and red legend basically. Where
9 there were sites in areas of higher sensitivity, they
10 got a red, and you can see in the background there is
11 some red. The Commission was kind enough to produce
12 these maps for us. They put in the transmission line,
13 the NStar line, but they also put in each commercial or
14 industrial area within the towns, mostly commercial.
15 They also put in town lands, which are -- it's very
16 faint. You do have to take a look at it. So we could
17 kind of comprehensively look at the commercial
18 properties and various town properties as well as
19 Seashore sites.

20 AUDIENCE MEMBER (ERIC BIBLER): Excuse me, Lauren.
21 As a point of clarification, how is it that you arrived
22 at the red light and the green light areas?

23 MS. McKEAN: That I guess you could say is somewhat
24 subjective. It was basically more of a consensus.

1 AUDIENCE MEMBER (MR. BIBLER): Was there a vote of
2 some kind of committee members or just sort of a touchy-
3 feely consensus?

4 MS. McKEAN: There was no vote. Basically it was
5 we had several people from the roundtable meet with us
6 several times. We did one major workshop that we sent
7 each town home with a map of their town, and it was
8 generally planning board members, alternative energy
9 committee members. They went and shopped it around to
10 other committees in the town, including the board of
11 selectmen in some cases and other committees.

12 AUDIENCE MEMBER (MR. BIBLER): So all local -- all
13 local people?

14 MR. DELANEY: Point of clarification. Points we'll
15 take, but we don't want to debate right now. It's
16 between the membership.

17 AUDIENCE MEMBER (MR. BIBLER): All right.

18 MR. DELANEY: Thank you.

19 AUDIENCE MEMBER (MR. BIBLER): I'm just trying to
20 understand here.

21 MS. McKEAN: We also have sort of a green line,
22 areas of sites to be considered, sites needing further
23 evaluation, designated viewsheds. So basically -- you
24 can take Truro, for example. Truro basically found that

1 they've had some green light sites that were scattered
2 mostly along Route 6. They felt that it was very
3 important that views out from each of their beaches went
4 to the beach, but there was not a facility in those
5 locations. They did a specific site visit to Bearberry
6 Hill, and although it's a little bit crude, basically
7 that oval is based on the elevation of that little Pamet
8 River Valley in there.

9 Then when he moved down into Wellfleet, there was a
10 discussion that basically any land that was west of
11 Route 6 they wanted to basically highlight as a red, as
12 not an area that they wanted to further consider, and so
13 some of the commercial zones and larger properties from
14 down there to Eastham got a green light. The committee
15 went out, or the members of the roundtable and then Bill
16 Burke, our branch -- chief of cultural resources, and I
17 went out with the committee to do a specific site visit
18 at Marconi site. People felt it was very important to
19 keep open the views of the bay, but from that site as
20 well as the open heathlands to the south here
21 (indicates).

22 Eastham, basically -- and I think they might have
23 had the smallest group, but they, again -- they had a
24 number of town lands and commercial areas where they

1 felt that wind turbines could be supported. They had
2 pretty much the ocean views that they wanted to see
3 screened out as well as Nauset Marsh, and that's a major
4 area obviously. It's a sensitive bird area as well that
5 they had screened out. They also did screen out the
6 first encounter of Boat Meadow Beach area, also feeling
7 it's so far away from the electrical grid connection
8 that it was probably not really a good site to begin
9 with.

10 I think we had a workshop in the spring of '07 and
11 then carried it forward into the fall, had the towns
12 still meeting. I don't think we met again and really
13 got this finalized until 2008, with some edits once they
14 went to the towns. And so the commission has helped us
15 reframe the map and just updated it for us.

16 MR. PRICE: One of the things that -- let me put
17 this in context again. So this was really a working
18 group and was codified by this advisory commission as
19 representative of this commission. So these were a
20 number of meetings, a number of workshops that were
21 actually held. Primarily each town focused on each
22 town. As Lauren said, they then went back to a variety
23 of committees, including the board of selectmen.
24 However, I do think it's important to note none of the

1 groups actually voted on this. So this was not a
2 codified policy per se. Even this group looked at it
3 because the issue then became that each committee felt
4 that they needed to look at each individual proposal
5 with its own merits.

6 So nobody was prepared to do a blanket
7 codification, if that's the right word, for this
8 proposal, but this was really the working proposal. My
9 concern and my request to this group was if all the six
10 towns were talking about it, then where at least would
11 we have non-starter locations? And the objective of
12 this map was, if anybody was going to propose something
13 in one of these high sensitive areas, they want to know
14 if they're going to have a long line of people that are
15 going to fall on their sword right out of the box on
16 these projects. The other areas that were not on the
17 map -- it wasn't like this group was proposing wind
18 turbines for those locations. What they were saying is
19 if there was a proposal for those locations, then they
20 would go through the normal planning and community
21 process and requirements for compliance and everything
22 else that you would have to do in those locations. So
23 that's really the difference in this particular map, and
24 I appreciated all the work that everybody did.

1 Peter, did you have any other?

2 MR. WATTS: Yeah, I do remember going out with a
3 number of committee members to the Marconi site right
4 around the bend and standing up on the platform and more
5 or less viewing 360 degrees and looking to see what
6 viewsheds would encompass, and we spent quite a bit of
7 time on that type of looking from various sites in the
8 town. And a lot of the people that are on the Wellfleet
9 Alternative Energy Committee were present during that
10 research.

11 MR. PRICE: So part of this had to do -- and the
12 reason it says wind turbines and cell towers, I think
13 we're looking at any types of obstructions. Obviously
14 because these are working communities, we have cell
15 towers, we have water towers, we have electrical lines,
16 and now we have these proposals for the wind towers.
17 Obviously the scale of these wind towers is very
18 different than what we're talking about.

19 So I thought it was important, Mr. Chair, just to
20 at least remind everybody how far this group had gone
21 and give everybody a fresh map.

22 Obviously since the town meeting vote to move
23 forward with investigating the opportunity for the White
24 Crest placement, it's really caused a lot of interest

1 both pro and con. Our office and the Park Service has
2 had many written letters, and obviously there have been
3 letters to the editor everyplace else.

4 MR. DELANEY: Questions of Lauren?

5 (No response.)

6 HIGHLANDS CENTER UPDATE

7 MS. McKEAN: Well, I can just give you a quick
8 update. Yeah, I just wanted to let you know -- as I
9 said at the last meeting, we are working on a Highlands
10 Center wind feasibility study and that we have Royal
11 Renewable Energy as our consultants. We're still
12 working on it. We'll be back to you probably midwinter
13 about the direction we're going. We've been crunching
14 the electrical load numbers for both Highlands Center
15 facility, Park-wide, et cetera in order to figure out
16 what's a good sizing of that potential facility, and we
17 will be doing an environmental assessment under the
18 National Environmental Policy Act in order to put
19 forward that project. We've done a lot of bird counts
20 this summer through a consultant as well, so we've got
21 some good avian data as well as some bat data.

22 The Wellfleet proposal, just to give you a little
23 bit more read on that, the town meeting just authorized
24 \$290,000 to engage consultants to analyze, to do land

1 survey, wildlife assessment, and a survey of
2 interconnection with the utility grid. They are
3 proposing a 1.5-megawatt turbine, which is approximately
4 262 feet in height and 387 feet at the tip of the blade.
5 This is proposed at Site 2 at the White Crest Beach
6 area.

7 We don't have much in the way of maps. We just
8 blew this up from their report, and you can pass that
9 around, if you'd like. Here is the White Crest Beach
10 area, and there's a bit of town land. There are some
11 federally owned parcels scattered amongst it as well.
12 This is Site 1, 2, and 3. They've selected 2 to move
13 forward with at this point.

14 MS. BOLEYN: Can you point it out on that map right
15 there where White Crest Beach is?

16 MS. McKEAN: Actually, you're looking at about
17 right in here (indicates). Here's White Crest Beach,
18 and then the three sites are 1, 2, 3.

19 MS. BOLEYN: You said --

20 MR. DELANEY: Peter?

21 MS. BOLEYN: Excuse me.

22 MR. DELANEY: Peter?

23 MR. WATTS: I just want to say that at that town
24 meeting in October this vote was a voice vote, and it

1 took a two-thirds vote to pass, and it overwhelmingly
2 passed. There was no count.

3 MR. DELANEY: Thank you.

4 MS. LYONS: And how many people were in attendance?

5 MR. WATTS: Four -- no, I think three hundred at
6 that meeting.

7 MS. LYONS: At least, yeah.

8 MR. DELANEY: Brenda?

9 MS. BOLEYN: Yes, you said that you had significant
10 avian data. And what else?

11 MS. McKEAN: It was both bird and bat research that
12 was being conducted. We have less of the bat data, some
13 into dusk and some predawn counts, but much more at the
14 Highlands Center site for the daytime counts.

15 MS. BOLEYN: Thank you.

16 MR. DELANEY: Any other members of the committee
17 have questions of Lauren or comments on this topic?

18 (No response.)

19 MR. DELANEY: I'd like to suggest that we let the
20 superintendent finish his report. We will go to public
21 comment period, and I have a feeling this will come back
22 up in more detail. I know I already have a couple of
23 letters that I have been asked to read into the record
24 during the public comment period. So if it's all right

1 with my fellow commissioners, we'll just revisit this.
2 I'm sure we will revisit it during the public comment
3 period.

4 George, would you like to continue.

5 MR. PRICE: Sure.

6 Lauren, did you have any other Highlands
7 information?

8 MS. McKEAN: No, we'll be back in the winter with
9 that.

10 ALTERNATE TRANSPORTATION FUNDING

11 MR. PRICE: Alternate Transportation Funding.
12 We've had Karst Hoogeboom and Clay Schofield here in the
13 past. Just to let you know, we're moving ahead on our
14 current projects. We're almost finished with the bike
15 trail up in Provincetown. And that we ended up with a
16 fantastic contractor, and we're actually pretty far
17 ahead. We'll be closing up the work for the winter and
18 coming back in the spring to finish some of the side
19 work, some of the landscaping work, and the striping and
20 that sort of thing. So that's a very positive movement.

21 We're continuing, just to remind you, on three
22 planning projects, the bike trail study with the Cape
23 Cod Commission, which is Cape-wide. It isn't just
24 within the Seashore. We're working on the parking lots

1 on the ocean-facing beaches primarily as well as an
2 Intelligent Transportation System project. So those are
3 the three studies that are currently underway, and we
4 worked with staff and committee members within each town
5 on all three of those initiatives.

6 OTHER CONSTRUCTION PROJECTS

7 MR. PRICE: On other funding, just to give you an
8 idea, the Province Lands Visitor Center will be seeing
9 some construction work up there soon. We're going to be
10 taking care of some structural issues, some new windows,
11 and a new deck out the back. You'll see roof work
12 currently being done on the Salt Pond Visitor Center as
13 well as the Highland House. The Highland Lighthouse
14 keeper's house is having a new roof put on it. We're
15 also working on HVAC work in a couple of places and
16 installing fire suppression systems at the Highland
17 House and the Highland Lighthouse. So that work is all
18 proceeding.

19 We also have -- you may see out here by the
20 maintenance shop a new two-story structure. That's the
21 fire cash, and that was started last year with funds,
22 and that's being completed this year with our portion,
23 part of our portion of the stimulus monies. So the fire
24 cash money, we support an entire professional wild

1 fighting crew. Dave Crary is the chief of that. They
2 do controlled burns here in the Seashore and around the
3 Cape as well as get dispatched to national fires,
4 especially in the western United States. They're
5 primarily paid out of Boise, Idaho, at the Boise fire
6 system. So a lot of this is done in collaboration with
7 the larger national fire program.

8 LAND PROTECTION

9 MR. PRICE: Under the topic I have as *Land*
10 *Protection*, basically our single land acquisition
11 project, which is still pending, our lands people are
12 still in negotiation over the North of Highland
13 Campground. We've checked in with our real estate
14 people recently, and that's still at their level. So we
15 have little or no information to report, but I did want
16 to introduce Mark Robinson to talk about other ways to
17 actually achieve land protection. As you know, we work
18 with land trusts. In a lot of cases, as long as the
19 land is being protected from extensive development, if
20 it matches our goal, it works for us.

21 So, Mr. Chair, I'd like to introduce Mark and get
22 this PowerPoint going for him.

23 MR. ROBINSON: Thank you, George.

24 I have a handout here. I think there's enough for

1 everybody, so you can send them around.

2 I'm very happy to be invited to talk about open
3 space protection both on the Lower Cape and in the
4 National Seashore specifically, and I have a few slides,
5 pretty pictures and some interesting characters, to show
6 you. I would like to recognize that we have at least
7 two donors of land in the National Seashore, donors of
8 land restrictions in Peter Watts and Dr. Irwin. So I
9 very much appreciate them being here to see this too.

10 Since 1986 I've had the honor of serving as the
11 executive director of The Compact of Cape Cod
12 Conservation Trusts, which is a big name for a small
13 group. I have a small staff. We're headquartered in
14 Barnstable, and our job is to provide technical services
15 to all of the nonprofit local land conservation trusts
16 on Cape Cod. And so we work in all of 15 towns. Each
17 of the towns has a local land trust, as you'll see some
18 examples in our show.

19 And the genesis of The Compact is actually out here
20 on the Lower Cape. It was founded by six land trusts
21 from Provincetown to Orleans, and I was hired initially
22 as a part-time secretarial help and worked my way into a
23 full-time job and have been working at it since 1986.
24 So we work primarily on land acquisition work, but we

1 also provide a suite of services, including grant
2 writing. You'll see some press coming up about the half
3 million dollar grants we brought in from the state for
4 land acquisitions in Brewster and other towns.

5 MR. PRICE: Just pull it out.

6 MR. ROBINSON: Thank you.

7 And we also do, as you'll see on the green sheets,
8 some regional research on wildlife habitats. We focus
9 primarily on guiding our decision-making, what are the
10 most important lands to still protect on Cape Cod. And
11 obviously they are dwindling, dwindling, dwindling every
12 year, which you'll see in the green sheet. We believe
13 there's at least 15-16 percent of the Cape that's still
14 up for grabs. We can't buy it all, but I think, as
15 you've heard here today, towns are trying all the
16 different tools in the tool kits, whether it's changing
17 zoning, regulation, but ultimately if there's something
18 that's really critical for habitat linkage or a money
19 shot scenic view, then sometimes we have to put our
20 money where our mouth is and buy it, and that's what the
21 legacy of the Cape Cod Land Bank has been on the Cape
22 over the past ten years; 4,450 acres were preserved
23 through the Cape Cod Land Bank efforts by the town
24 governments, and as you'll see, over 6,000 acres have

1 been preserved privately through our local land trusts.

2 We have 23 of these organizations listed on the
3 green sheet that belong to The Compact. They each
4 receive services from our staff, and just a year or so
5 ago we worked with George and Lauren to construct a
6 memorandum so that we can have some kind of a
7 partnership if and when there are projects that are
8 appropriate for The Compact to help do some fund-raising
9 for land acquisition projects in the Seashore. And just
10 in the last ten years -- again, I've been around since
11 1986, but in the last ten years, we've been able to
12 focus a little bit more in getting this word out to
13 private landowners in the park. And I've talked to some
14 of the taxpayer associations, the Seashore owner
15 associations, and I'm happy to do as many times as I'm
16 invited. So if any of you belong to those groups, I'd
17 be happy to come and talk about not only the process of
18 preserving private land but also the tax benefits, which
19 are very real and substantial, provided by Congress
20 primarily.

21 So these are the organizations that work on the
22 Lower Cape, and we'd be focusing on the ones from
23 Eastham up to Provincetown with some examples. So
24 you'll see that there's a wide range of groups working

1 just in this small defined area.

2 Some of the recent projects that we've been
3 highlighting involved Truro, Wellfleet, and Eastham land
4 trusts, and you'll see some of them listed here. Dr.
5 Irwin's conservation restriction, North Pamet Road; the
6 Goldsteins, who provided a five-acre land gift abutting
7 the National Seashore. Susan London-Payne gave a three-
8 acre building lot on Old County Road when she sold her
9 house a year or so ago. Peter Watts and his wife Gloria
10 provided a conservation restriction on a building lot on
11 Pamet Point Road. The Jencks-Hurwitz family provided an
12 eight-acre conservation restriction of critical
13 heathland habitat, and then the Reed and Shaw families
14 provided donations outright of their beachfront
15 properties on Coast Guard Beach in Eastham.

16 The Eastham Conservation Foundation is over 30
17 years old. Henry Lind has been the president for almost
18 that length of time. He just recently retired as the
19 national resource director for Eastham. He's still
20 providing guidance to the land trust in Eastham and
21 serves on my board.

22 A couple of examples of recent donations. This is
23 just south of the Coast Guard Station. The Shaw family
24 goes way back and have been out here hunting and fishing

1 in Nauset Marsh for many years. When her parents died,
2 Chaya Hurwitz of Brooklyn donated the 4 1/2-acre piece
3 of barrier beach, including the beach itself, the dune,
4 the marsh behind it, a real slice cross-section of the
5 barrier beach into the marsh and gave that to the
6 Eastham Conservation Foundation.

7 This is a watercolor by I think it's Alden Ripley,
8 who's a famous wildlife artist. Anybody heard of Alden
9 Ripley? And he was so excited to go out and stay in the
10 old hunting shack with the Shaws that he provided them
11 with this painting after he left.

12 The Macomers and Reed family were also out there,
13 and they had the last remaining dune shack out on Coast
14 Guard Beach. It actually survived the Blizzard of '78,
15 came down subsequent to that, but the family had used it
16 for a long, long time. And Ms. Carol Reed and Francis
17 Reed from Pembroke, Mass., were so happy to give us this
18 land. They said, "There's enough development on Cape
19 Cod. We need some more land preservation, and we're
20 happy to do our small part." And it was in honor of
21 Carol's parents who had built the cottage back in the
22 early '50s.

23 The Wellfleet Conservation Trust has been around
24 for more than 25 years, done a stellar job in protecting

1 land in Wellfleet. Think about 350 acres in Wellfleet
2 or 275 acres in Eastham. These are towns that there
3 isn't a whole lot of land left that is up for grabs.
4 It's either in the Park or it's been developed into
5 small lots. So to cull together all these small pieces
6 and end up with this aggregate total is really quite
7 significant, I think.

8 One of the important projects a couple of years
9 ago, Peter and Gloria donated this conservation
10 restriction. A conservation restriction is a technique
11 in which the landowner still owns the land. It's still
12 private property, but they're extinguishing forever the
13 right to build on that property. And, in fact, this lot
14 is across the street from the Wattses' home and was
15 determined through title research to still be a
16 buildable lot because it was a separate lot that
17 predated the National Seashore. So by extinguishing the
18 development rights in the property, the Wattses have
19 provided this enhancement to the habitat value on the
20 south side of Pamet Road. It doesn't do it justice that
21 time of year either, does it?

22 MR. WATTS: No.

23 MR. ROBINSON: It's much nicer in the summers.
24 It's like a leaky tunnel driving through there.

1 Also out of Wellfleet in the north end of town on
2 Bound Brook Island, the Hurwitz family has had this
3 little place for about 70 years now. Penelope Jencks'
4 father, Gardner Jencks, is a famous pianist from New
5 York and composer who set this up as a small family
6 compound out on the island. It actually was originally
7 about 60 acres and went all the way down to the bay, and
8 when the Park came in, the family sold most of the land
9 except for the eight acres around the house. It was
10 beautiful coastal heathland, lots of the little bluestem
11 grasses and bearberry. I haven't found any (inaudible)
12 out there, but it's got everything else. And a
13 beautiful view down to the bay. You can see a hint of
14 the bay down here. And you can see what's happening
15 like many of our other heath plants, the pitch pines,
16 little seedlings are starting to crop out, and we've had
17 some volunteers just go out this month and help enhance
18 part of the vegetation by suppressing the pines and some
19 of the other --

20 DR. IRWIN: Topping them, yeah.

21 MR. ROBINSON: I'm sorry?

22 DR. IRWIN: Topping them.

23 MR. ROBINSON: Well, actually, topping them,
24 pulling out the small little seedlings.

1 And because, as you know, as you drive Old County
2 Road in South Truro, Brenda, remember that view?

3 MS. BOLEYN: Yes, I do. Yes.

4 MR. ROBINSON: It's all gone now because of the
5 pitch pine.

6 MS. BOLEYN: Big weeds.

7 MR. ROBINSON: In their place. They're doing a
8 great job.

9 MS. BOLEYN: They're big weeds.

10 DR. IRWIN: Yeah, but they're native.

11 MR. ROBINSON: They're native.

12 In Truro the conservation trust has been around for
13 almost 30 years and was founded by Dr. Charles Davidson
14 and Ansel Chaplin. Fred Gaechter now serves as the
15 chair. And again, 300 acres in Truro has been preserved
16 through the land trust.

17 And this is the three-acre parcel building lot
18 donated by Susan London-Payne. When she sold her house
19 on Old County Road a couple of years ago, she carved off
20 three acres out of the twelve acres and donated it to
21 the trust.

22 I want to stop here for a minute and answer the
23 question that I hope is on your mind, which is why are
24 these gifts going to the land trust instead of to the

1 Park? In fact, as an American citizen and U.S.
2 taxpayer, I would prefer that they go to the Park, but
3 what we've seen is there are some institutional
4 obstacles for people making those donations,
5 particularly in terms of the cost to the National Park
6 Service of doing the due diligence both in terms of
7 title research, hazardous waste research, and just the
8 conveyancing itself, which has set up an obstacle for
9 people to make these simple gifts of land. So the land
10 trusts are able to do this in a much quicker, simpler,
11 less red tape and cheaper process.

12 As the superintendent mentioned, I think we're all
13 in agreement that if this land is protected, it doesn't
14 really matter who owns it. These are small parcels.
15 They're not places that are particularly useful for
16 trails or other types of amenities like that, so they
17 don't have to be owned by the public, but they are
18 providing important habitat enhancements and water
19 protection perhaps for some of the vernal pools and
20 ponds as well.

21 This is a really neat property right along the old
22 railroad bed in Truro. The Goldsteins donated it
23 outright. And it's not in the Park, but it abuts the
24 Park. And this rail bed is now a very popular trail

1 that goes through the whole North Wellfleet section of
2 the Park. So this is sort of a trailhead at Ryder Beach
3 Road for that. A lot of people enjoy that.

4 And this is the view of the heathland that the
5 Goldsteins donated, and as you can see, it looks over
6 towards Bound Brook Island to the south. So while it's
7 not in the Park, it's providing that view of the Park as
8 well as the view out of the Park that's been protected
9 now.

10 And in Provincetown the trust, again -- as you
11 notice, these have all been formed in the late '70s,
12 early to mid-'80s. That was the period where all the
13 land trusts were just getting off the ground, and the
14 Provincetown Conservation Trust founded by Richard
15 LeBlond, Joe Notaro, Mark Primack is continuing to
16 cobble together little lots even in Provincetown. We
17 got a lot just this past month at the end of Atkins Mayo
18 Road. It was one quarter of an acre. And that's a
19 couple building lots in Provincetown where the zoning in
20 town is as little as five to eight thousand square feet.
21 So again, cobbling together these little places have
22 some significance, but they've also done one major
23 project that will, I hope, stand the test of time at
24 Shank Painter Pond.

1 We've talked about maybe mistakes in judgment that
2 the early Park planners made in drawing the boundary.
3 They made an error in not including Shank Painter Pond.
4 Howard will correct me. It's not the world's largest
5 quaking bog. It's the largest quaking bog on a barrier
6 beach in the world.

7 DR. IRWIN: Right.

8 MR. ROBINSON: I remembered that when I was driving
9 out. And I said there are going to be people there that
10 are calling me on that, so I better correct it first.
11 Shank Painter Pond, though, is tremendous rare species
12 habitat, and the trust and the town and the state and
13 the Seashore all work together to help provide the
14 funding so that a seven-acre, five-lot subdivision was
15 not built on the shore of this pond five, ten years ago.

16 So thank you very much for listening. I'd be happy
17 to answer any questions.

18 MR. DELANEY: Thank you, Mark.

19 Questions, comments from the Commission members?
20 Brenda?

21 MS. BOLEYN: I would like to just let Mark know
22 that we're in the process of developing a plan to remove
23 the encroaching pine trees from Poor's Hill to preserve
24 that valuable heathland on that dome.

1 MR. DELANEY: Sheila?

2 MS. LYONS: And you referred to it -- was it a
3 quaking bog?

4 MR. ROBINSON: Quaking bog.

5 MS. LYONS: What is a quaking bog?

6 MR. ROBINSON: I defer to my superiors.

7 MR. SABIN: It quakes.

8 DR. IRWIN: It's a bog that is developed on the
9 surface of what was shallow water, but it will support
10 people. So it does quake. It gives as you walk on it.
11 Sometimes you can fall right through it, as I have.

12 MR. ROBINSON: In the right spot.

13 MS. LYONS: Thank you.

14 MR. DELANEY: Dick?

15 MR. PHILBRICK: Lands that are preserved within a
16 town and also within the Park, do they ever return to
17 the ownership of the Park or do they always remain owned
18 by the town?

19 MR. ROBINSON: Well, all of these examples that
20 I've mentioned of inholdings in the Park are private,
21 privately owned inholdings in the Park, and they will
22 remain private property unless they are deeded to the
23 local conservation trust. Now, if the local
24 conservation trust owns it, they own it to protect it

1 just as Mass. Audubon protects their sanctuary in South
2 Wellfleet. There isn't any reversion clause, if that's
3 what your question is.

4 MR. PHILBRICK: Yeah, that is my question.

5 MR. ROBINSON: The conservation trusts are private
6 nonprofit organizations. In the event they were ever
7 dissolved, any of their assets have to be treated as
8 charitable assets that would be kept in conservation by
9 another group that was either designated at the time or
10 assigned by the probate court judge.

11 MR. DELANEY: Peter?

12 MR. WATTS: I just want to say after 16 years I
13 will assign the land that we took a restriction on over
14 to the Conservation -- Wellfleet Conservation Trust.

15 MR. ROBINSON: So when Peter put a restriction on
16 his land, he kept title to the land. He just was
17 signing a contract not to develop it. What he's saying
18 now is that he would actually transfer title to the
19 Wellfleet Conservation Trust at the appropriate time.

20 MR. DELANEY: Brenda?

21 MS. BOLEYN: Before Mark sits down, I just wanted
22 to comment that without The Compact -- I would just say
23 the minimal amount would have been achieved. Mark's
24 organization and his expertise has made it possible for

1 all of us amateurs who try to participate in these
2 compacts -- I mean, these conservation trusts to make it
3 work. It's just been extraordinary assistance and
4 enabling this to happen.

5 MR. DELANEY: I think we all need to second that.
6 Mark's done an extraordinary job.

7 (Applause.)

8 MR. PRICE: Thank you.

9 MS. AVELLAR: And he's my cousin's college
10 roommate.

11 (Laughter.)

12 NSTAR SPRAYING

13 MR. PRICE: Mr. Chair, just two more pieces of
14 business, if you will.

15 At the last meeting, I was asked about the NStar
16 spraying. And I had included two letters in your packet
17 just for your information. One was just a copy of the
18 original August 13 letter that we distributed to NStar
19 with the requirements that we would have allowed if they
20 went ahead with their spraying as far as spraying within
21 the boundary of the National Seashore. I also then
22 included an October 13 letter just reminding NStar that
23 the permits that we would give are really good for one
24 calendar year. So in the event that they were going to

1 attempt to do another spraying initiative, that they
2 would have to reapply for a permit from us.

3 I also was asked at the time did our approval
4 through our Integrated Pest Management program and Dr.
5 Wayne Millington, who is the person that we use -- was
6 there a question asked about just the natural resource
7 vegetation issue, or knowing that this is on an aquifer,
8 did that have a difference? And I just wanted to report
9 objectively that he basically said, given the proper
10 application of these particular chemicals, that he felt
11 it would be a safe application. That's really the key,
12 and the key has to do with the stipulation as to how
13 they actually do it. It's not an indiscriminate
14 spraying per se, but there are certain weather
15 conditions and natural plant application that would have
16 to be done. So I just want to for the record let you
17 all know what that particular answer was.

18 ADVISORY COMMISSION BUSINESS

19 MR. PRICE: And then just for Commission business,
20 obviously you know we have the chair. The letters went
21 to the Secretary of the Interior. Judith Stephenson has
22 officially received her letter. She actually had a
23 hiking accident. Apparently she's okay because she
24 could e-mail me, but she certainly wasn't able to travel

1 down today.

2 And, Sheila, your appointment letter is still
3 pending.

4 MS. LYONS: To be expected.

5 MR. PRICE: Okay, thanks.

6 And that's my report.

7 MR. DELANEY: Okay, thanks very much.

8 Members, questions for the superintendent on any
9 part of his report?

10 MR. SABIN: Just to back up a little bit, I think,
11 probably to alternate transportation, George, did you
12 say that all the basic paving is done at the bicycle
13 trail in Provincetown with just all the things like
14 striping and odds and ends to finish it? But the paving
15 is basically done; is that correct?

16 MR. PRICE: Basically, yeah. They might still have
17 some other edge work to still do, but it's my
18 understanding the majority of the paving will be done
19 this month.

20 MR. SABIN: And the trail is open?

21 MR. PRICE: Then what they'll do is they'll reopen
22 that section as they can. I mean, right now the whole
23 thing has been closed while it's been a construction
24 project.

1 MR. SABIN: It's still closed now?

2 MR. PRICE: Yes. And when the contractor's out,
3 he'll remove all his material, but then they'll come
4 back in the spring.

5 And probably, Mr. Chair, we should have a ceremony
6 because it's really quite an accomplishment.

7 You all have heard the Park Service talk about how
8 we don't have the money to do these things, so the fact
9 that we've been able to finish all 7.2 miles of that
10 trail I think is remarkable. And the reports from the
11 folks who are avid bikers have been very, very positive.

12 MR. DELANEY: Good. Will do.

13 Mary-Jo?

14 MS. AVELLAR: I have to say that, you know, as far
15 as the Town of Provincetown is concerned, the bike
16 trails are probably one of the most popular assets in
17 the Park. People really love the bike trails, and we're
18 really grateful that they have been rehabilitated.
19 There have been a lot of accidents that we know about
20 out there.

21 My question for you, when you were talking about
22 the alternate transportation funding, the North parking
23 lot at New Beach, is that being addressed in the -- you
24 know, it's eroding away. Butch isn't here. Butch

1 Francis has been concerned about that too, that that
2 parking lot is eroding away, and there are some areas
3 that getting to the beach you have to go down a very
4 steep -- when you park, then you have to walk down this
5 very, very steep --

6 MR. DELANEY: Berm?

7 MS. AVELLAR: Macadam, I guess, the black stuff.
8 And it really is very steep in some areas, and some
9 areas you can just step right out of your car and walk
10 onto the beach. And last year I noticed down where the
11 public restrooms are, those little buildings with the
12 big silver --

13 MR. PRICE: (Inaudible).

14 MS. AVELLAR: Yeah. There used to be a wooden
15 pathway from those restrooms down to the beach, and that
16 was eliminated.

17 MR. PRICE: That was washed away in the storm.

18 MS. AVELLAR: Was it washed away? Okay.

19 So are we going to look at that parking lot and the
20 erosion out there?

21 MR. PRICE: That's all part of a larger project, I
22 guess, we're looking at.

23 MS. AVELLAR: But it's not part of this?

24 MR. PRICE: It's not part of this per se because we

1 have the parking lot, we have the erosion issue, we have
2 that whole macadam -- basically it's a seawall -- as
3 well as the replacement for the bathhouse.

4 MS. AVELLAR: But it's dangerous --

5 MS. BOLEYN: Yes, it is.

6 MS. AVELLAR: -- trying to get onto the beach if
7 you have to park near that area.

8 MR. DELANEY: Richard?

9 MR. PHILBRICK: I'm curious about the bike path. I
10 know that a portion of it at least coming from the mid-
11 Cape, let's say, from out this way provides -- it is
12 provided that it is available for bikes, pedestrians,
13 and bridle path use, and I'm curious about how far that
14 may extend and if anybody knows about it because it came
15 to me as a surprise that it ran this bridle path as far
16 as at least Eastham.

17 MR. DELANEY: George?

18 MR. PRICE: Well, the goal of this bike study,
19 frankly, Dick, is to have a very comprehensive Cape-wide
20 bike trail system at least on the table for planning
21 purposes. So the concept is that we would actually have
22 a spine that would connect the existing rail trail with
23 Provincetown on one end and then all the way from, say,
24 where it begins all the way into Hyannis and then

1 further actually into Bourne. So there would be a major
2 spine that would be a continuous trail, and then off of
3 that there would be numerous other town initiatives that
4 would have more trail to them. For instance, the
5 Seashore has additional trails going out to Coast Guard
6 Beach, going up to Head of the Meadow and obviously in
7 Provincetown. The Town of Falmouth has 11 miles, the
8 Shining Sea Bike Trail, and numerous other towns have
9 initiatives as well.

10 So the answer is yes, that we're looking ultimately
11 for a continuous bike trail from one end of the Cape to
12 the other.

13 MR. PHILBRICK: I'm particularly interested in its
14 use for equestrian use.

15 MR. SABIN: I've never seen a horse on it.

16 MR. PHILBRICK: I haven't either, but I have been
17 assured that some portions of it are designed and
18 intended for bridle path use.

19 MR. PRICE: And I'm not familiar with that per se.

20 MR. PHILBRICK: We ought to find out.

21 MR. SABIN: That bike trail that you're talking
22 about is a Massachusetts state bicycle trail, not
23 Seashore.

24 MR. PRICE: Correct. The rail trail is a state

1 initiative.

2 MR. SABIN: Right.

3 MR. PRICE: So the rail trail program and the
4 recent couple year ago restoration of that trail was a
5 state initiative. And Karst Hoogeboom, who now works
6 for us as our facility chief and who's been the point
7 person on this Cape-wide rail trail, had actually worked
8 for DCR and was involved with this particular rail trail
9 restoration as well as others. So he's very well
10 experienced with it.

11 MR. PHILBRICK: There are many ramifications that
12 will arise if somebody should invoke a provision for
13 equestrian use, like sanitation and safety and so forth.
14 I see nothing that would prevent an enterprising outfit
15 selling horseback riding to bring a trailer full of
16 horses and riders to the parking lot at, let's say, near
17 the courthouse in Orleans and take them on the bridle
18 path -- on the bike path.

19 MR. DELANEY: Yeah, well, it sounds like a topic
20 worth gathering a little bit more information on.
21 That's a very interesting point you're making, Richard.
22 Peter?

23 MR. WATTS: I think the real problem with the rail
24 trail is that it comes up into South Wellfleet at this

1 point, but the problem is to get that continuous line
2 through Wellfleet and Truro, and that's a very difficult
3 problem.

4 DR. IRWIN: Yeah.

5 MS. BOLEYN: Yes, it is.

6 MR. SABIN: Probably more difficult than horses.

7 MR. PHILBRICK: Huh?

8 MR. SABIN: Probably more difficult problem than
9 horses.

10 MR. PHILBRICK: Yes, yes. I think there are some
11 potential problems there.

12 MR. DELANEY: Yeah, interesting point.

13 MR. PHILBRICK: When I went to the state hearing on
14 the design of the overpass for the trail at Harwich near
15 Route 124 near the Orleans/Eastham circle, I asked if
16 they were being designed to carry the weight of bridle
17 path use, and they said absolutely, that's in their
18 specs. So it's not a fable.

19 MR. DELANEY: All right, thank you.

20 Other questions, comments, or suggestions? Brenda?

21 MS. BOLEYN: I'm just interested to know how the
22 Seashore made out in this northeaster in terms of
23 coastal erosion the last couple of days. It looked
24 pretty interesting from Long Nook, for instance, where

1 the waves were beating against the toe of the cliff, and
2 it's clear that there's going to be some significant
3 slumping, I think.

4 MR. PRICE: Right. I think -- I'll tell you, this
5 year has been tough on ocean-facing beaches, especially
6 here in Marconi and Coast Guard as well as up to
7 Newcomb. Interestingly enough, Race Point and some of
8 those other beaches have accreted sand, but this past
9 year you may have noticed that here at Marconi at high
10 tide there was only about ten feet literally from the
11 bottom of the stairs to the high tide mark, and then we
12 had protected shorebirds nesting immediately to the
13 right. So we had a very, very limited beach. So it
14 will be interesting to see how our winter storms do for
15 us this year. There was no other physical damage with
16 any structures or stairs or any of that sort of thing.

17 MR. DELANEY: Okay, thank you. George, thank you
18 very much. Appreciate it.

19 **OLD BUSINESS**

20 MR. DELANEY: I'd like to move to Old Business.
21 I'm not aware of any that we need to address
22 immediately.

23 **NEW BUSINESS**

24 MR. DELANEY: So New Business, new topics that we

1 each of the states that prospectively have offshore wind
2 projects proposed, and there's an attempt to, I believe,
3 by the federal government, the MMS, to coordinate its
4 planning with state plans and to gather some input from
5 state and usually local and county officials. So it's a
6 good opportunity to coordinate.

7 George, are you appointed finally?

8 MR. PRICE: Yes.

9 MR. DELANEY: George accepted appointment.
10 Sheila's on it. So we certainly as a group will have
11 some participation on that.

12 I've been participating pretty extensively with the
13 Massachusetts Ocean Plan, which is the area that would
14 be adjacent to the federal properties that this first
15 task force is going to deal with. So there's a lot of
16 activity on the oceans these days, including some of it
17 sort of motivated by President Obama's executive -- it
18 wasn't exactly an executive order, but his request to
19 his federal agencies to improve their coordination and
20 focus on what is being called marine spatial planning,
21 largely prompted at least in this part of the country by
22 offshore wind proposals; in other sections of the
23 country, stimulated by large aquaculture proposals
24 offshore in Alaska and other issues. But all in all,

1 it's become evident to a lot of people that we need to
2 think about the future of oceans like we did at some
3 point in our history the land use issues. And hopefully
4 we've learned something about land use planning, and in
5 being a little bit more prospective and some of those
6 lessons can be applied on the ocean side, hopefully
7 we'll have sustainable oceans not only in terms of uses
8 but in terms of their ecological health.

9 So that's what all this is about. From my side
10 from the Massachusetts Ocean Plan, the draft plan has
11 been on the street for two or three months now. A
12 public comment period will go on I believe through the
13 end of November. My organization has submitted -- the
14 coastal states -- who do I work for now? -- the Center
15 for Coastal Studies has drafted comments, and we've
16 accumulated comments from other organizations on Cape
17 Cod, and they're all on our Web site should you want to
18 look at some of the things we are all saying about the
19 plan. Those comments will be taken into consideration
20 by the state officials who are doing the plan, and it
21 must be finalized by law by December 31 of this year.

22 So stay tuned, and if you want to get involved,
23 that would be wonderful.

24 Sheila?

1 MS. LYONS: Nothing. It's just that, as far as the
2 county, we are involved with that as well with the Cape
3 Cod Commission, and they've combined some of their
4 efforts with Martha's Vineyard and I think with you,
5 Rich.

6 MR. DELANEY: Yes.

7 MS. LYONS: They've been working as a coordinated
8 effort, I think.

9 MR. DELANEY: Lauren?

10 MS. McKEAN: We're also working based on the
11 letters that the Cape Cod Commission and Center for
12 Coastal Studies -- we're working on a response this
13 week, and we'll be finalizing that by the end of the
14 week.

15 MS. BOLEYN: Sounds good.

16 MR. DELANEY: Okay, hearing no other items for New
17 Business, let's look at the date and an agenda or at
18 least a draft agenda for our next meeting.

19 **DATE AND AGENDA FOR NEXT MEETING**

20 MR. DELANEY: I am caught without my calendar. So
21 I think these Monday afternoons seem to be working for
22 everybody pretty well. We've had good attendance.

23 So, Brenda, what would you have suggested in this
24 case?

1 MS. BOLEYN: Well, it looks like we're going to be
2 on the other side of the New Year; is that right?

3 MR. SABIN: Mid- to late January, I would assume.

4 MR. DELANEY: So we'll meet in January perhaps. We
5 have the Monday the 11th or Monday the 18th.

6 MR. PRICE: The 18th is a federal holiday, Martin
7 Luther King.

8 MR. DELANEY: So we have Monday the 11th or Monday
9 the 25th as the two options in January.

10 MR. PRICE: That's the anniversary date for
11 Auckland? Oh, never mind.

12 (Laughter.)

13 MS. AVELLAR: New Zealand?

14 MR. PRICE: Yes.

15 (Laughter.)

16 MR. DELANEY: We get two for one out of this thing.
17 Are we in agreement that the 11th would be an
18 appropriate date?

19 DR. IRWIN: The 11th is fine.

20 MR. DELANEY: Okay, please pencil in January 11,
21 dare I say, 2010. At the same time, same place.

22 For agenda items we will obviously have the
23 superintendent's report.

24 Others?

1 MR. WATTS: We have the Herring River.

2 MR. DELANEY: We have the Herring River update.

3 Tim, I assume you'll be on tap for that.

4 MR. SMITH: Yeah.

5 MR. DELANEY: Other pressing issues from members?

6 MR. DELANEY: I would be willing to offer an update
7 on the final draft of the Ocean Plan should that be of
8 interest to people.

9 MS. BOLEYN: That would be good.

10 MR. DELANEY: It should be completed by that day --
11 by 11 days before that.

12 Okay, well, as always, please send any other last
13 minute or subsequent thoughts about agenda items to me,
14 and we'll make sure they're on the agenda.

15 Mark?

16 MR. ROBINSON: I was just wondering if the
17 Commission has talked about the different campgrounds.
18 There seem to be more and more up for grabs nowadays.
19 And I know the North of Highlands has been discussed,
20 but the other ones are coming to the fore now too.

21 MR. DELANEY: That may be of interest to all of us,
22 I think. Is that something that we would like to have
23 addressed?

24 MR. SABIN: Would that be in the Superintendent's

1 Report, or would that be a separate item?

2 MR. DELANEY: George, this would be part of your
3 Superintendent's Report anyway. You alluded already
4 today about the one that was being pursued.

5 MR. PRICE: Yes, North of Highlands is still --
6 we're pursuing. We've made some outreach to the
7 Horton's Campground to see if they're interested in
8 being able to do a federal land appraisal, and we're
9 still working on that.

10 MR. DELANEY: Horton's being a second campground
11 that now potentially is available -- is for sale?

12 MR. PRICE: Correct.

13 MR. DELANEY: So I think at least we would like to
14 have that addressed and updated in your report.

15 MR. PRICE: Sure.

16 MR. DELANEY: Okay, so date is set. The beginning
17 of a draft agenda is set.

18 **PUBLIC COMMENT**

19 MR. DELANEY: And now we move to our public comment
20 period, and that is where we take time to hear from the
21 rest of our colleagues and constituents and neighbors.
22 I've heard from two by letter, people who could not be
23 here today, and if you'd allow me, I'll read this
24 quickly.

1 MR. PRICE: Actually, Mr. Rogers is here.

2 MR. DELANEY: Oh, Mr. Rogers is here, okay.

3 Then let me call on you first. Go ahead, sir.

4 Please identify yourself for the record.

5 AUDIENCE MEMBER (JAMES ROGERS): James Rogers, 195
6 Pilgrim Road, nonresident taxpayer in Wellfleet.

7 MR. DELANEY: Okay.

8 AUDIENCE MEMBER (MR. ROGERS): I know it's
9 interesting that Mr. Price mentioned people west of
10 Route 6 who would fall on their swords that the tower
11 not be constructed, so I'd like you to hear from someone
12 who would fall on their sword that one not be
13 constructed on the east side. It's very brief. It's
14 from my wife and me.

15 (Reading) In our judgment, the Wellfleet Energy
16 Commission's proposed wind turbine violates the special
17 charm and unique ambience of the National Seashore and
18 gambles with homeowners' cherished properties (end
19 reading). The quote *special charm and unique ambience*
20 is from the *Cape Cod National Seashore Advisory*
21 *Commission Handbook*.

22 (Reading) The WEC proposal is based on very
23 speculative financial projections as well as
24 questionable scientific efficiencies for wind turbines.

1 Please do not allow the uncritical approval of a 400-
2 foot wind turbine within a spectacular viewshed of the
3 Cape Cod National Seashore to be the legacy of your
4 commission (end reading).

5 Thank you.

6 MR. DELANEY: Thank you.

7 I will call on other members of the public, but
8 since this letter follows on the last one, I would just
9 read this into the record: (Reading) Dear Mr. Price --
10 (end reading) -- this is from George and Marsha
11 Zebrowski, South Wellfleet and Windsor, Massachusetts --
12 (reading) I would appreciate having this e-mail read at
13 the Cape Cod National Seashore Advisory Committee
14 meeting on Monday.

15 My wife and I live in the Berkshires and have a
16 vacation/future retirement home in South Wellfleet. My
17 wife's family is one of two families that lived on the,
18 quote, back shore year-round in the 1950s and '60s.

19 I am at a loss for understanding why you, as
20 superintendent of the Cape Cod National Seashore, and
21 the Cape Cod National Seashore Advisory Committee have
22 not come out opposed to the proposed -- come out opposed
23 to the proposal to site a wind turbine off of Ocean View
24 Drive in Wellfleet.

1 While I commend you and the CCNS for opposing
2 construction of the Blasch trophy home off Chequessett
3 Neck Road as being inappropriate in size for land within
4 the Park, I can't help but wonder why you would consider
5 a nearly 400-foot-high wind turbine appropriate for one
6 of the prettiest vistas in the Park, the view just past
7 the Beachcomber looking south to the ocean and land.

8 I have read some reports indicating that viewshed
9 studies have been conducted and discussed over the years
10 and that the wind turbine wouldn't block the view of the
11 ocean. Well, the Blasch house doesn't block anyone's
12 view of the ocean either, yet you have the good sense to
13 recognize a house the size of which is out of place for
14 that location.

15 Our opposition to this proposal isn't a case of
16 NIMBY, not in my back yard. In the early '80s, we
17 looked into putting a wind turbine on our land in the
18 Berkshires. The cost of the project simply couldn't be
19 justified.

20 We simply feel that siting a huge industrial-size
21 wind turbine off of Ocean View Drive within the Cape Cod
22 National Seashore is a case of opposing an
23 inappropriately sized structure in an appropriate site.

24 Thank you for your consideration (end reading).

1 Other comments from the public? Yes?

2 AUDIENCE MEMBER (HELEN MIRANDA-WILSON): I'm Helen
3 Miranda-Wilson. For those of you who don't know me, I
4 live in Wellfleet year-round. I grew up here. I've
5 served on nine different committees and boards,
6 including the planning board, the zoning board of
7 appeals. I've been a selectwoman. I'm currently
8 serving on the Shellfish Advisory Committee.

9 But what's relevant to what I'm going to say about
10 wind turbines has to do with my training. Well, let me
11 say first I would never argue with what someone says
12 they want to look at or not look at. It's about taste.
13 It's inarguable. If you can't hear something and if
14 it's environmentally sound, it doesn't hurt the
15 environment, and I'm very tough on that. I think any
16 pesticide use is not good. I just -- I'm very tough on
17 that. But in terms of looking at something, my training
18 includes 40 years of working from life as an artist.
19 You can Google me. That's what I do. Nationally,
20 internationally, that's what I'm known for. When I come
21 into a room, when I come into a natural space, I assess
22 it way beyond, as I've learned, what anybody else does.
23 I'm aware of what every single one of you is wearing,
24 and I have a point of view about it without any value

1 judgment. It's simply that I see things and do so more
2 every year of my life. Given that, you should know that
3 my first encounter with wind turbines was east of Los
4 Angeles 20 years ago. I never heard of such a thing. I
5 had no idea what it was. The man I live with, also a
6 trained artist, and I drove into the pristine desert
7 there, and beneath the mountain at the foot of a
8 mountain was something that made us stop the car we were
9 driving in. We both looked at it and said, "What is
10 that?" And both of us who have actually very different
11 tastes visually thought it was beautiful. We thought it
12 was one of the most extraordinary works of art we'd ever
13 seen, and only later did we find out what it was, which
14 was a wind turbine array.

15 So again, if somebody doesn't want to look at it,
16 it's inarguable, but what we all know is that even if
17 every single effort is made the world over right now to
18 do everything we can to stop using fossil fuels and stop
19 polluting and stop everything we can do that contributes
20 to global warming, it will still not make enough of a
21 difference really. And we can't wait for that. An
22 aesthetic consideration, given it doesn't hurt the
23 environment in any other way, really is nothing compared
24 to that.

1 Thank you for listening.

2 MR. DELANEY: Thank you for coming.

3 Other members of the public wish to comment on any
4 number -- any topic? Yes, sir?

5 AUDIENCE MEMBER (STEVE DURKEE): I'd like to know
6 what the national parks --

7 MR. DELANEY: Please identify yourself. Would you
8 identify yourself for the record.

9 AUDIENCE MEMBER (MR. DURKEE): Oh, I'm sorry.
10 Steve Durkee in Wellfleet.

11 I'd just like to know what the national park feels
12 about, about having turbines throughout the country in
13 the National Park parks. Can you share that?

14 MR. DELANEY: George, do you want to respond to
15 that?

16 MR. PRICE: Well, obviously I can't speak for the
17 entire national park system, but I think the conflict is
18 that we're certainly supporting green energy and want to
19 have a reduction -- a fossil fuel reduction of
20 emissions. In fact, that's one of our stated goals, to
21 try to become as carbon neutral as possible. And what
22 I'd like to think is it, again, goes back to a condition
23 of not if, but where. And whether it's wind turbines or
24 whether it's (inaudible), this is what a lot of

1 superintendents around the country are grappling with.
2 Again, if this were the backcountry of Yellowstone,
3 obviously no wind turbines would be considered. We're
4 talking about communities here that have been around for
5 400 years and have all these other utilities as well.

6 When I was at the Harbor Islands, again, the
7 argument was try to keep the view safe from Georges
8 Island out of Little Brewster, have that be --
9 colloquially we call it a money shot. That is the
10 *National Geographic* picture. As you're looking towards
11 Hull and Quincy, you're also looking at shipyards and
12 industrial background. So therefore, many of us felt
13 that having wind turbines in that location would be
14 fine. When we went through this exercise, we were also
15 looking at what views are the definition of Cape Cod and
16 specifically what the Seashore is about and what views
17 were perhaps where a wind turbine could be considered.

18 You might have also heard Lauren say we're in the
19 process after several years' investigation of seeing if
20 we can't place a wind turbine up in Truro at the
21 Highlands Center. Again, the goal there is to have as
22 least impact on the electrical load on the Outer Cape as
23 possible as that particular facility would be developed.
24 We've also been exploring a much smaller wind turbine

1 for the bathhouse facility at Provincetown similar to
2 the small wind turbine that the nonprofit organization
3 has put on the Race Point Lighthouse.

4 So it really is a mixed bag. At one point -- and
5 the same thing is true for cell towers and railways and
6 everything else. We would not put a wind turbine on
7 Cadillac Mountain, for instance, in Acadia, but we might
8 consider putting green energy appliances elsewhere.

9 AUDIENCE MEMBER (MR. DURKEE): So how do you feel
10 about the wind turbines proposed for Wellfleet?

11 MR. PRICE: I feel that it needs to go through with
12 this community process that it's going through right
13 now, and I think that as we see representations of the
14 photo examples, then we'll also be a commenter as an
15 abutter as well.

16 AUDIENCE MEMBER (MR. DURKEE): I mean, do you --
17 not personally, but does the National Park, you think,
18 support that idea of a Wellfleet turbine?

19 MR. PRICE: As I said, this whole exercise was to
20 determine where they shouldn't be, and as proposals come
21 up, we have to take them on their own merit. We did the
22 same thing when they were being proposed for Eastham,
23 and we provided comment for the Eastham proposal. We
24 have to take a strong look at this one and to see how we

1 would look at it as well.

2 AUDIENCE MEMBER (MR. DURKEE): I just would like to
3 make a comment that I'm also in the visual art field,
4 and I look at everything from design. I've talked
5 design for years. And the turbine is a beautiful thing
6 to see. And I feel it's the Statue of Liberty. I know
7 it's going to free us from foreign influence and foreign
8 oil, so I think it's a marvelous idea, and I just hope
9 we see them everywhere.

10 Thank you.

11 MR. DELANEY: Thank you.

12 Peter?

13 MR. WATTS: I just want to say the proposed White
14 Crest wind generator is on municipal land. That's land
15 that belongs to the Town of Wellfleet. And the purpose
16 of the wind generator is to provide electricity for the
17 Town of Wellfleet municipal buildings.

18 MR. DELANEY: Okay, George?

19 MR. PRICE: One more thing that I want to bring up
20 that's no small matter, and that is that the other issue
21 that's relevant to your question is the fact that this
22 would be a municipal wind turbine.

23 AUDIENCE MEMBER (MR. DURKEE): Yeah, I know that.

24 MR. PRICE: So according to our legislation, if it

1 supports a municipal purpose, then the National Seashore
2 can embark upon these kinds of agreement. So whether
3 it's the transfer station in Provincetown, whether it's
4 the firehouse in Wellfleet, whether it's the Nauset
5 Regional High School or other municipal purposes, we can
6 do it. If this were a commercial venture and a
7 commercial power company, that would be a whole
8 different ballgame because we're prohibited from any
9 additional commercial activities within the boundaries
10 of the Seashore.

11 MR. DELANEY: Yes, sir?

12 AUDIENCE MEMBER (MR. ROGERS): Mr. Price, could you
13 cite the passage where the municipal use is okayed by
14 the National Seashore? I know the Town of Wellfleet
15 says that, but where do you say that? Where is that to
16 be found in the enabling legislation or any other
17 official documents?

18 MR. PRICE: Well, we'd have to get you the exact
19 citation.

20 AUDIENCE MEMBER (MR. ROGERS): I would appreciate
21 that because I can't find it.

22 MR. PRICE: I can't give it to you without --

23 AUDIENCE MEMBER (MR. ROGERS): I've looked for it.
24 I can't find it.

1 MR. PRICE: Sure, be glad to.

2 MR. DELANEY: Yes, sir?

3 AUDIENCE MEMBER (ERIC BIBLER): Yes, I'm Eric
4 Bibler. I reside in western Connecticut. I have family
5 in Wellfleet. I've been coming here for over 30 years.

6 On the topic of not if, but where, you cite the
7 restriction against commercial businesses within the
8 boundaries of the Seashore. There's some question about
9 the statute about municipal use, but does that mean that
10 if you didn't have a prohibition against commercial use,
11 you'd be in favor of wind turbines in Seashore property
12 for just production of clean energy as a substitute for
13 coal fire or something? In other words, if you didn't
14 have that restriction as the superintendent of the Park,
15 would you have any reason to oppose it?

16 MR. PRICE: Well, first of all, I'm not going to
17 answer a speculation like that. We have no more
18 commercial opportunities within the boundaries of the
19 National Seashore. As far as the municipal purposes are
20 concerned, we have a long track record of working with
21 the local municipalities on improvements. I mentioned
22 there was a land transfer for Nauset Regional High
23 School. There was a land transfer -- just as you exit
24 here, immediately to the left there's a Wellfleet

1 firehouse. It was a long project on the land transfer.
2 The transfer station in Provincetown. We have cell
3 towers that we worked on, which is why the particular
4 entry says cell towers and wind turbines because, before
5 my arrival, the previous superintendent worked with the
6 Cape Cod Commission and with the communities as far as
7 siting cell towers, again, for the same type of issues
8 having to do with visual sensitivity.

9 AUDIENCE MEMBER (MR. BIBLER): I'm trying to get a
10 sense of whether you have a philosophy within the
11 Seashore of not wanting to frustrate the things that the
12 towns want to do and sort of give them more leeway
13 because of this municipal use factor or whether that's
14 really a factor at all and your overriding concern is
15 sort of green energy, you know, and you couldn't do it
16 if it was commercial but sort of it's sort of a happy
17 accident that it's the municipality that has to do it.

18 MR. PRICE: No, I think it's an issue of --
19 certainly it's an inherent conflict. National parks are
20 full of inherent conflicts because we're responsible to
21 provide for the protection as well as the use. So if
22 anybody has watched the Ken Burns series, that's been an
23 inherent conflict of the organic accents that was
24 actually enacted, and therefore, how much use is there

1 or how much protection is there. When the Cape Cod
2 National Seashore was established, it was the Cape Cod
3 model. It was the first time this particular type of
4 legislation was created where it was overlaid in a long-
5 term continued occupation, certainly a European
6 occupation. The towns were already here. The reason we
7 talk so much about zoning is because there are large
8 Seashore districts, especially within the three towns of
9 Eastham, Wellfleet, and Truro that are within the
10 boundary of the Seashore but are supposed to be managed
11 through the towns through zoning, compatible zoning.
12 There was an allowance for the continuation of the
13 commercial uses. There was an allowance for hunting.
14 We're only one of fifty-six units that have hunting.
15 There was an allowance for the ORV vehicles, as well as
16 that could be managed with protection of the resource or
17 the balance of them.

18 So this is not a preferential type of thing. It's
19 a balance in the reality sort of thing, which is
20 fundamentally different than a Yellowstone, which was
21 drawn on a map before there were even any states out
22 there. So this was a new model in the early '60s. And
23 since then there's been Fire Island. There's been
24 Assateague. There's been Minuteman National Historical

1 Park. They're all fundamentally different places
2 because of the structure in the particular enabling
3 legislation that they actually have.

4 So it's not my personal philosophy at all. It's
5 this whole challenge of how we actually have the
6 modeling. We also have the luxury and the benefit here
7 of having this established advisory commission, which
8 meets with the superintendent on a regular basis to
9 advise on these particular issues, and as you can see,
10 that was the process that we actually used for a period
11 of time so that it wasn't going to be a personal
12 judgment one way or the other on my part.

13 AUDIENCE MEMBER (MR. BIBLER): But of all those
14 activities you mentioned, I don't think I heard one that
15 constituted a commercial activity. None of those
16 captured this conflict between, you know, this sort of
17 green energy impulse. You know, and a power utility I
18 think would be considered a commercial energy if it was
19 run by anything other than a town.

20 MR. PRICE: That's true.

21 AUDIENCE MEMBER (MR. BIBLER): Right, so I'm just
22 wondering if the green energy sort of trumps that other
23 desire of the national park not to have these types of
24 activities within the boundaries.

1 MR. PRICE: I'm not sure I have an answer for you
2 as far as what would be satisfactory. I can only deal
3 with the legislation we have.

4 MR. DELANEY: Thanks, George.
5 Peter?

6 MR. WATTS: I just want to say that the Town of
7 Wellfleet owns 650 acres within the National Seashore.
8 They've applied for and received a municipal purpose for
9 the senior center, and they built that inside the
10 Seashore on town-owned land. That's a municipal
11 purpose, and this wind generation is a municipal
12 purpose.

13 AUDIENCE MEMBER (MR. BIBLER): Right, but there is
14 a certain legislation applying to property that's
15 bounded by the National Seashore even if it's owned by
16 the town, if I'm not mistaken, right? So that kind of
17 required a permitting process that involves the National
18 Seashore because you are within the National Seashore;
19 isn't that correct?

20 MR. WATTS: In this case, the town owns a strip of
21 land which would allow us to run the cables from White
22 Crest Beach to the grid, get it into the grid going on
23 municipal land.

24 AUDIENCE MEMBER (MR. BIBLER): So it's not

1 completely bounded? There's an (inaudible)?

2 MR. WATTS: Right.

3 MR. DELANEY: Thank you.

4 Other comments from the public on this or any other
5 topic? Yes, sir?

6 AUDIENCE MEMBER (ERIC PLEACE): My name is Eric
7 Pleace, a year-round resident of Wellfleet. My wife's
8 family has been coming here for summers since '55.

9 I'm interested in living here in a healthy way and
10 as healthily as possible, so I favor any considered
11 activity that will contribute to my health and the
12 health of my neighbors. And it seems to me that if we
13 can sensibly and with the proper consideration put up
14 something that will reduce the size of the power line
15 that runs onto the Cape, reduce the typically westerly
16 flow of polluted air from our dear friends on the
17 mainland who make our electricity out of coal typically,
18 that would be a positive. Taking everything into
19 consideration very gently and, as George has said, with
20 consideration for the process, I'd be very much in favor
21 of anything that would take that forward.

22 MR. DELANEY: Okay, thank you.

23 George, do you want to respond?

24 MR. PRICE: Well, I just said I didn't want to get

1 into personal opinions, but I have a very strong
2 personal opinion, and that is I wish activities like
3 this would actually result in reduction of our reliance
4 on fossil fuels. What personally gets me going -- and
5 I'm saying this maybe more under the public comment than
6 as the superintendent of the Seashore -- unfortunately,
7 I think a lot of these projects are just adding to our
8 energy use. I wish, sir, that there was a commensurate
9 reduction somewhere, but that's I think one of the next
10 serious steps that we need to take. And I know we're
11 trying to take that within the Seashore itself to reduce
12 our use of energy, but that is the other step.

13 When I was reading about Cape Wind, for instance,
14 they're talking about that being a small percentage of
15 the increase of power that this region is going to need
16 and use, and I'm not sure that's going in the right
17 direction.

18 Sorry. That's a personal editorial.

19 MR. DELANEY: You had to get us going now because I
20 want to say something too.

21 (Laughter.)

22 MS. LYONS: Well, I'm going to also preface by
23 saying this is more of my personal opinion as opposed to
24 a member of the Commission.

1 You know, I think that these are all worthwhile
2 efforts, and I think that in any way if they can
3 contribute -- I mean, I agree. It would be nice to say,
4 well, if we build this much solar and wind energy, then
5 we have to eliminate that much coal-powered or fossil
6 fuel-generated energy. It would be nice to have that
7 trade-off. Having said that, I also look at wind as one
8 of these technologies that will have a lifespan for
9 about -- what? -- 25 to 40 years of its efficacy, and
10 then it will be replaced by something that has been
11 developed in being much more efficient.

12 So my only concern -- I have faith in all of the
13 people who are on this project in Wellfleet. If it was
14 a different group of people, I may be concerned, but I
15 do think that those who are involved and those who are
16 really doing the work are stewards of the land to begin
17 with. I mean, their love is there. So they are not
18 going to -- I don't think that they would go forward if
19 they thought there was going to be permanent adverse
20 fallout from this. However, there are two things that
21 concern me. And also we have to point out that the
22 National Seashore has regenerated itself. At one point
23 this was all basically mowed down by our ancestors for
24 fuel of their own and trees removed and the old-growth

1 trees, which we really can't replace with our pine.

2 But my concern is in all of these projects is that
3 since it is a lifespan of so long, I think that we can
4 also consider what's going to happen to the remnant, to
5 the now outdated, you know, parcel. And I know you
6 can't answer that now, but as you're planning, I think
7 that to think down the road what would it cost to now
8 remove this footprint of this because now we have
9 something new and let it grow back and let it become
10 what it was or for another use of municipal.

11 So that's the only comment I would make, to try to
12 write that in here.

13 MR. DELANEY: Sir? Would you like to identify
14 yourself.

15 AUDIENCE MEMBER (JIM SEXTON): I'm Jim Sexton with
16 the Energy Committee and a town resident.

17 The plan is to when we decommission it is you can
18 sell the scrap value to offset the cost of the
19 commission.

20 MS. LYONS: Okay, great.

21 MR. DELANEY: Thanks.

22 MS. LYONS: Thank you.

23 MR. DELANEY: Is there someone else who hasn't had
24 a chance to comment yet on this or another topic?

1 Okay, we'll take a couple more. Yes, sir?

2 AUDIENCE MEMBER (MR. ROGERS): I've met most of the
3 wind -- Wellfleet Energy Commission people, and I
4 appreciate their hard work. I think they're all very
5 high-minded people, but I think there must be some
6 oversight there, both on the part of the Cape Cod
7 National Seashore Advisory group and the -- although
8 it's not the role here, the selectmen and the finance
9 committee. That is not happening right now. They are
10 taking the ball and running without any real oversight
11 in my opinion.

12 MR. DELANEY: And you've heard the superintendent
13 talk about the process that we will be engaged in, but I
14 appreciate your comment.

15 AUDIENCE MEMBER (MR. ROGERS): Thank you.

16 MR. DELANEY: Yes, sir?

17 AUDIENCE MEMBER (MR. BIBLER): Mr. Chairman, I have
18 sort of a procedural question. I wasn't sure I was
19 going to be able to make it today. I talked to
20 Superintendent Price -- I found out about the meeting 5
21 o'clock on Thursday, I think it was -- Friday morning.
22 So I had prepared a written statement, and it's rather
23 lengthy. I'm not sure that this group has the patience
24 to sit for it. I'm wondering if there's some other way

1 I can insert it in the record because I have rather
2 detailed substantive concerns about the process and the
3 financials and the efficacy of this whole program.

4 I also prepared some appendices of articles that I
5 thought that the advisory board might find useful about
6 some of the health effects, some letters from people
7 that -- some testimonials from people who live near wind
8 turbines that have discussed the personal experiences
9 they've had, some studies from some noise control
10 engineers that are highly regarded that talk about the
11 types of standards that are applied.

12 So I don't want to take up -- I certainly wouldn't
13 review all of that with you. I was prepared for you,
14 and I don't know what to do about this statement, but I
15 would like to get it on the record because I think these
16 concerns are quite substantive and timely.

17 MR. DELANEY: You're welcome to submit written
18 comments as well as these oral comments. We'd be happy
19 to have that, and copies will be made available to the
20 committee members. Secondly, I have a feeling this will
21 be a topic again at one of our meetings upcoming. And
22 thirdly, just for those of you who may be here for the
23 first time, just a quick recap of what we are. We are
24 an advisory commission. We have membership representing

1 each of the towns, the county, the state, and now my
2 position, the U.S. Department of Interior. George and
3 most all of his predecessors have listened to our advice
4 very, very carefully, and I think we play a very
5 effective role in creating a wider community voice.

6 So in this case, Peter Watts is the representative
7 of Wellfleet, and I think he'd be happy to hear from
8 fellow members of the town as well as comments directly
9 to this. So there are at least two or three avenues for
10 you to get your information and your concerns -- I'm
11 speaking to everybody now -- to us.

12 AUDIENCE MEMBER (MR. BIBLER): Right.

13 MR. DELANEY: We will deliberate. We will make
14 advice. We will offer recommendations as advice when
15 and where it's appropriate to the superintendent.

16 AUDIENCE MEMBER (MR. BIBLER): Just one particular
17 point on that. I have a particular interest in getting
18 this in the record. I'm wondering if I can give it to
19 you and have it published in the minutes at the end of
20 the minutes.

21 MR. DELANEY: All this is going into the minutes
22 over here, so I will do that --

23 AUDIENCE MEMBER (MR. BIBLER): You mean the written
24 statement?

1 MR. DELANEY: Yeah, yeah. I'll be happy to submit
2 it, sir.

3 MR. WATTS: I think it could be sent to the
4 selectmen, who would then send it to the finance
5 committee.

6 AUDIENCE MEMBER (MR. BIBLER): That would be great
7 too. Someone had advised me that if I didn't send it
8 directly to the selectmen, there was a risk -- "If it's
9 not addressed to us," they won't put it in their
10 minutes. But if you'll assure me that you can get it in
11 the minutes, I can do that.

12 MR. DELANEY: Okay, all right. Other comments or
13 topics? George?

14 MR. PRICE: I just wanted to point out -- and this
15 goes back -- oh, he's gone. This goes back to the
16 balance issue. (Inaudible), who I believe is still
17 here, actually called me. Did anybody hear about the
18 *National Geographic Traveler* topic? This was in
19 yesterday's editorial, but *National Geographic*
20 *Traveler's* has put out a number of sites, and Cape Cod
21 declares the National -- Cape Cod declares the National
22 Geographic Society, its analysis of how iconic travel
23 destinations are withstanding the pressures of overuse
24 and development is, quote, a place in the balance, a

1 mixed bag of success and worries with future at risk.

2 It says: Cape Cod in crisis? Not yet.

3 But, boy, I'll tell you. It just talked about the
4 balance issues. We spend a lot of time talking about
5 the Blasch house and zoning as a way to maintain the
6 Cape Cod character, and now we're up against these new
7 technologies such as wind turbines and PV and what is
8 the determination. I find it very, very interesting --
9 I just want to make this observation -- that largely the
10 same individuals who spent countless, countless,
11 countless hours over the last couple of years rewriting
12 the Wellfleet Zoning Bylaws to protect community
13 character find it absolutely consistent to also support
14 the placement of the wind turbine as part of the energy
15 technology of the future to support the committee out
16 here on Cape Cod. And although the scale is vastly
17 different, obviously Cape Codders since the Indians
18 arrived have been using wind technologies to keep the
19 industries going out here, whether it was saltworks or
20 grinding or what have you.

21 So I just think it's a challenge and it's a balance
22 that we're all up against, and we intend to continue to
23 work with the communities as well as to apply the
24 National Park Service principles and policies to try to

1 see what the best decisions are for the future.

2 MR. DELANEY: Okay, thank you.

3 Seeing no other hands, I will close the public
4 comment period and will use my new prerogative as chair
5 to make my last three comments.

6 That same *National Geographic* article, as I recall,
7 suggested that more bike trails are necessary to improve
8 the quality for the tourists visiting here on Cape Cod,
9 so as we discussed earlier, let's keep moving for that.

10 And conceptually I deal with this alternative
11 energy problem that both you and our speaker over here
12 alluded to in thinking about the construct of a pyramid,
13 an energy pyramid. If our national international policy
14 promotes the alternative energy route but that's the
15 very peak of the pyramid, it's only going to succeed in
16 my mind if it's wholly built on two other big building
17 blocks, energy efficiency and energy conservation. And
18 for a long time we haven't had those two pieces of
19 national policy in place, and I'm still not sure we do
20 have strong incentives for conservation and efficiency.

21 MS. BOLEYN: Right.

22 MR. DELANEY: So we could build, as you suggested,
23 a lot of wind turbines and still lose unless we focus on
24 that, and that's part of the discussion that's not

REPORTER'S CERTIFICATE

PLYMOUTH, SS

I, Linda M. Corcoran, a Court Reporter and Notary Public in and for the Commonwealth of Massachusetts, do hereby certify that:

The foregoing 97 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, November 16, 2009, commencing at 1:05 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 7th day of December, 2009.

Linda M. Corcoran - Court Reporter
My commission expires:
September 13, 2013