

**CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION
TWO HUNDRED AND EIGHTY-SECOND MEETING**

HELD AT CAPE COD NATIONAL SEASHORE, Marconi Station
Area, Park Headquarters, South Wellfleet, Massachusetts, on
Monday, January 9, 2012, commencing at 1:03 p.m.

SITTING:

Richard F. Delaney, Chairman
Ed Sabin
Tom Reinhart
William Hammatt
Mary-Jo Avellar
Sheila Lyons
Maureen Burgess

Ted Thomas, alternate
Don Nuendel, alternate

Also present:

George Price, Superintendent
Kathy Tevyaw, Deputy Superintendent
Susan Moynihan, Chief of Interpretation & Cultural Resources
Shelley Hall, Chief of Natural Resources
Lauren McKean, Management Assistant
Erin Der-McLeod, Planning Assistant
Karst Hoogeboom, Chief of Facilities and Maintenance
Molly Williams, Event Ranger

Audience members

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P R O C E E D I N G S

MR. DELANEY: Let's begin. We've almost got our quorum. We know a couple are en route, so I would like to start as much on time as we can. I'm happy to call the 282nd meeting of the Cape Cod National Seashore Advisory Commission to order.

And I would also like to recognize and welcome Representative Sarah Peake, who's in the audience today.

Thank you for being here today, Sarah, and all our other guests.

MS. PEAKE: Thank you.

ADOPTION OF AGENDA

MR. DELANEY: There has been an agenda distributed to our members in advance, so I would like as the first order of business to adopt that agenda or entertain changes.

Is there a motion?

MR. SABIN: I move it.

MS. AVELLAR: Second.

MR. DELANEY: Moved and seconded. We'll adopt the agenda as written.

APPROVAL OF MINUTES OF PREVIOUS MEETING (NOVEMBER 14, 2011)

MR. DELANEY: We'll also move to approve our minutes from our previous meeting, which was November

1 14. Those were distributed, again, in advance.

2 Do we have any corrections from our super editor?

3 MR. SABIN: No comment. No changes.

4 MR. DELANEY: No changes. Hearing none, I will ask
5 for a motion to accept them.

6 MS. BURGESS: I move.

7 MS. AVELLAR: So moved.

8 MR. DELANEY: And seconded. All in favor, signify
9 by saying aye.

10 BOARD MEMBERS: Aye.

11 **REPORTS OF OFFICERS**

12 MR. DELANEY: Reports of Officers. I don't have
13 any specific report.

14 **REPORTS OF SUBCOMMITTEES**

15 MR. DELANEY: All right, Reports of Subcommittees.
16 Have any of our subcommittees met in the interim?
17 I don't believe they have.

18 (No response.)

19 **SUPERINTENDENT'S REPORT**

20 MR. DELANEY: We'll move directly to the
21 Superintendent's Report.

22 **HERRING COVE**

23 MR. DELANEY: And I think one item that might be
24 out of order on the agenda that was sent -- I know the

1 superintendent wants to talk about Herring Cove
2 revetment, and I think some of you might be here
3 specifically for that. So since it is kind of a current
4 topic, I may actually, if there is an interest, take
5 some public comments out of order on that topic alone,
6 and then we'll continue the rest of the agenda.

7 MR. PRICE: Thanks.

8 MR. DELANEY: Okay, Superintendent, go ahead.

9 MR. PRICE: Thank you, Mr. Chair.

10 Yes, obviously the revetment at the Herring Cove,
11 you're all familiar with. It hit the newspaper since
12 our last meeting since actually we put the agenda
13 together. It was actually over Christmas weekend that
14 we had a lot of wave action that actually damaged that
15 revetment.

16 Erin, could you set up the PowerPoint for me?

17 MS. DER-McLEOD: Yes.

18 MR. PRICE: I just wanted to show just a couple of
19 slides. If you haven't seen the photographs, there's a
20 pretty good piece of damage right off the bat on this
21 one.

22 (Pause.)

23 MR. PRICE: I'm sure all of you are familiar with
24 Herring Cove, maybe not from this perspective, but this

1 is an area -- here's the main town obviously, and if you
2 continue on Route 6 all the way to the end, this was an
3 area which I, frankly, thought was developed in the
4 1950s from the state, but I just saw today actually an
5 earlier photograph of macadam and cars out at that
6 Herring Cove area, which is exactly where the North
7 Beach parking lot is today.

8 I wanted to show this perspective for a couple of
9 reasons. You can see this is approximately where the
10 bathhouse is actually located. There's a parking lot to
11 the north. There's a parking lot behind the dune to the
12 south. And in the 1950s a revetment was constructed
13 basically from all the way at the end of Herring Cove
14 north all the way south to about this area (indicates).
15 And when I arrived in 2005 there was a lot of concern
16 expressed by Graham Giese specifically because it was
17 narrowing here quite a bit (indicates). So this barrier
18 beach and primary dune were being really eroded away
19 because of the hardscape of the revetment. And Graham
20 Giese was concerned because we did have an overwash that
21 was a couple hundred feet wide and it would have direct
22 effect into this marsh area at Provincetown Harbor.
23 There was also some other concerns just generally here
24 with this large concave C. So for a long time obviously

1 this area has been talked about as something that we
2 have to take a look at.

3 What we were looking at in Provincetown, there are
4 a whole number of issues, and as you know, there have
5 been a number of projects that we've undertaken
6 recently. There was the bike path where we're having
7 people actually having accidents on it. Last spring we
8 completed the Moors Road piece, which we're concerned
9 about both for pedestrians as well as traffic, and
10 specifically there was a culvert across to the marsh
11 that looked like it might be failing. And there were a
12 number of other projects here, most recently the
13 bathhouse itself, which, again, it's a 1950s structure,
14 and both because it was built on sand and just because
15 of its age -- aging infrastructure, we already had to
16 condemn the second floor. So we were looking for funds
17 in order to replace that. And I reported in previous
18 meetings that we actually did secure the funds, and it
19 looks like construction planning for that should be in
20 2013 and construction in 2014. Frankly, we thought we
21 actually had a couple more years on the revetment issue.

22 A couple of years ago -- that's two years ago now
23 -- I think we held a workshop up at the Provincetown
24 Center for Coastal Studies with Dr. Graham Giese as well

1 as Mark Adams and others to talk about the whole
2 shoreline issue here in larger context, not any
3 particular project, for us to get an understanding. In
4 fact, nature advanced all this on us.

5 Erin, if you can just hit the next slide.

6 Oh, actually, this is, again, an historic -- giving
7 an idea of how extensive the construction was, and that
8 actually took place -- they actually had cofferdams when
9 they put down this large, large macadam revetment.

10 Next slide. This gives you an idea of the type of
11 damage if you were to go up there today. You can see
12 that the revetment has actually punched through, given
13 away, and is really disassembling virtually at every
14 tide.

15 Next slide. What we've done in the interim is that
16 we've actually put up snow fence to prevent people from
17 getting buried nearby. What concerns us, some of these
18 areas are being underwashed in the sand quite a bit, so
19 there's actually a large platform of macadam that goes
20 out, and it's basically hanging in space. So even
21 though we know people are breaking through the fence,
22 we're trying to maintain it as much as we can to keep
23 pedestrians outside of it so no one gets hurt, and we'll
24 basically have to monitor this over time.

1 Next slide. The next one. This snow fence that
2 you see up here we actually put up a couple of years
3 ago. Way down at the end this was all part of Herring
4 Cove South, and the macadam had started to erode down
5 there, had already eroded I guess for a couple of years
6 before I arrived. And a couple of years after that it
7 was the surface of this macadam that was so disruptive
8 that we actually had to prevent pedestrians from going
9 on down there.

10 So what we've done in the short short term is we
11 had a coastal engineer from Boston come down, take a
12 look at this. Graham Giese and his people are taking a
13 look at it, and we anticipate to regroup shortly so that
14 at least on the Park Service side we can get an
15 understanding of what's happening and where we can even
16 approach on our mere term. What people probably don't
17 realize is that over time we have actually been doing a
18 lot of patching out there. In fact, if you go to the
19 Herring Cove North parking lot, you will see a
20 comparatively new macadam that's been sealing some of
21 the seams and some of the holes from previous years.

22 I believe, Karst -- am I looking at the patch from
23 last summer there?

24 MR. HOOGEBOOM: That dark area is the patch from

1 last summer.

2 MR. PRICE: Last summer there was about a 10-foot
3 hole in this location that we went ahead and patched.
4 And I can't remember. Is it --

5 MR. HOOGEBOOM: That's the newer one that we
6 patched in November.

7 MR. PRICE: In November there was another patch
8 here (indicates).

9 This past fall with Hurricane Irene, even though it
10 was not a direct hit, we had some more damage from the
11 wave action up there, and we just secured about \$78,000
12 in storm damage money, which we're intending to use to,
13 again, seal off any sort of the breaks and that sort of
14 thing, which we believe would be the cause of something
15 like this. Obviously that money is going to probably
16 not go as far as we would need in order to do a rehab.

17 So where we are right now is that we basically have
18 the area fenced off. We will be talking with engineers
19 and scientists in order for us to even figure out a
20 beginning place to start a dialogue and a planning
21 process. So we're seeking some planning funds, and we
22 would intend to go through the same type of planning
23 process that we've done, for instance, with the
24 bathhouse, with the bike trail, and that sort of thing.

1 As far as having alternatives develop, we're obviously
2 going to have some public meetings. Actually, this
3 afternoon I'll be meeting with the Provincetown Board of
4 Selectmen on some other topics, and obviously this will
5 be a hot topic up there, but this is something I was
6 particularly concerned about and did not anticipate this
7 type of damage this soon.

8 Is there another slide, Erin? I'm not sure.

9 (Pause.)

10 MR. PRICE: But I would anticipate as we actually
11 get winter storms, which this has been a very mild
12 winter -- I know there's another one coming up the coast
13 on Thursday, for instance, but we could actually see
14 more damage before we're done into the spring on this
15 one.

16 So I don't have a timeline per se. I just want you
17 to all understand it's obviously a major priority, and
18 we appreciate the Provincetown Center for Coastal
19 Studies working with us on this. And basically once we
20 have a handle on the project and where it fits, we'll
21 both come back to this group and keep the Provincetown
22 Board of Selectmen and the town up there apprised as
23 well.

24 So that's basically what we've got, if anybody has

1 any questions.

2 MR. DELANEY: Thanks, George.

3 Questions from members of the Commission? Yes,
4 Mary-Jo?

5 MS. AVELLAR: You said that you're meeting with the
6 selectmen today?

7 MR. PRICE: Yes.

8 MS. AVELLAR: At their regular meeting?

9 MR. PRICE: Yes.

10 MS. AVELLAR: Six o'clock?

11 MR. PRICE: Yes.

12 MS. AVELLAR: Okay, I would have appreciated them
13 to let me know. Thank you for letting me know about it.

14 MR. PRICE: It wasn't related to this topic at all,
15 by the way.

16 MS. AVELLAR: Oh, it wasn't? Oh, okay.

17 MR. PRICE: It was a totally -- again, it was
18 before it happened.

19 MS. AVELLAR: I was going to go there tonight
20 anyway after this meeting to tell them whatever it was
21 you told us today.

22 Now, you said that you're seeking planning funds
23 much the same way that you've been seeking planning
24 funds for the bathhouse reconstruction?

1 MR. PRICE: Right, seeking funds and the same sort
2 of process.

3 MS. AVELLAR: The thing that bothers me about that
4 is that you're talking about planning in 2013 and
5 construction in 2014 for bathhouse repairs.

6 MR. PRICE: Right.

7 MS. AVELLAR: I don't think that this can wait that
8 long. Number one, this is a cash cow for the Seashore,
9 the money that you take in with the daily visitors that
10 come to that -- the most popular beach in Provincetown.
11 It really is the best beach, in my opinion, on this end
12 of the Cape, but it certainly is the most popular beach
13 in Provincetown, number one. And number two, I think it
14 would severely impact Provincetown's tourism economy to
15 not have this beach accessible to the public. And that
16 is my very real concern, is this will have a severe
17 economic impact if this beach continues to deteriorate,
18 if steps aren't taken to repair it, and people are
19 unable to access this beach. They're going to be stuck
20 with Race Point, which is a very small parking lot, and
21 the big south parking lot that you have, which is
22 inadequate. And it feeds into what is the very real
23 fear of local people, is that it's the ultimate --
24 ultimate goal of the Park Service to be shuttling people

1 into these beaches and to not have parking available for
2 the public; that this is something that was talked about
3 when I was on the negotiated rulemaking committee when
4 Maria Burks was the superintendent, is this was
5 something that the sport fishermen and others who used
6 the beaches in their off-road vehicles were always
7 afraid that that was the goal, to not let people be able
8 to access the beach themselves, that it was the
9 Seashore's goal to have shuttle buses to eliminate
10 vehicles out there.

11 I think this damage -- we've talked about it a lot
12 in the past; Butch Francis has brought it up a lot --
13 has a really serious economic impact for Provincetown.
14 So if we're talking about the same kind of planning
15 process that we have for the bathhouse, we're looking at
16 several years down the road, and I think this is an
17 emergency myself.

18 MR. DELANEY: All right, thank you.

19 I didn't detect an exact question for the
20 superintendent, but --

21 MS. AVELLAR: So I want to know what the process
22 is, I guess. That was my question. Sorry.

23 MR. PRICE: Me too. Me too.

24 MS. AVELLAR: But I mean, is it going to be a

1 lengthy several years down the road kind of situation?

2 MR. PRICE: Well, it probably depends on how much
3 damage there is, frankly. Our initial field assessment
4 from our coastal engineer is that we're not expecting
5 this is actually going to impact either parking lot. We
6 expect more damage right from the bathhouse, but when
7 you come in, you might recall you actually don't get as
8 far as the bathhouse. You either have to turn north to
9 the north parking lot or south to the south parking lot.
10 And then the access for those beaches is basically off
11 those parking lots directly. So right in front of the
12 bathhouse has not generally been as popular as in recent
13 times. So if that's the case, then we will have missed
14 a major bullet.

15 MS. AVELLAR: The far end of the north parking lot
16 has a very steep incline now too where sand has come
17 out, has eroded away, and hasn't been replaced. And I
18 think I told you the last time I was here how my stepson
19 rigs a rope from the back of his SUV so his kids can get
20 down to the beach. So there's a possibility at that end
21 that there are serious problems there too, and Butch
22 always talks about how he's afraid to park his camper
23 there because he's afraid he's going to go over the
24 side.

1 MR. PRICE: Well, that was because he felt there
2 was a lot of sand accreting by the car stops, and he was
3 just concerned that people would not recognize it as a
4 car stop but just a bump and go over. Obviously blowing
5 sand is a problem, but we've tried to maintain those
6 lots, you know, in a better sense.

7 MR. DELANEY: Other questions? Yes?

8 MS. LYONS: Mine is more of a technical, and I
9 guess I need education on this, but are revetments -- I
10 mean, I assume revetments serve their purpose. That's
11 why you keep restoring these. But when I see those
12 pictures, they look very precarious to me because you
13 don't see what's going on underneath. You don't see
14 that sand has been washed away and that eventually this
15 is -- you know, a certain amount of pressure is going to
16 bust it up.

17 Is that the best -- is that the best method to try
18 to keep this -- I mean, I'm sure there would be less
19 beach today if there weren't revetments.

20 MR. PRICE: Actually, what we're looking at is
21 1950s technology and philosophy.

22 MS. LYONS: Right.

23 MR. PRICE: So we're not actually looking at
24 anything that would be approved today --

1 MS. LYONS: Right.

2 MR. PRICE: -- in this exact same construction. So
3 what we've been doing is trying to repair and replace
4 pending a larger, more thoughtful planning process
5 before this happens.

6 MS. LYONS: I see.

7 MR. PRICE: And that's what I'm saying. We had all
8 these other projects up in Provincetown, and this was
9 the next one to be queued up for us to figure out. I
10 mean, this is a 1950s state design.

11 MS. LYONS: If it were today, what would be the
12 norm or the rule of thought?

13 MR. HOOGEBOOM: It would be very similar -- it
14 would be in line with our thinking on the bathhouse
15 where we're proposing to have a modular movable series
16 of smaller buildings for the bathhouse that we can move
17 as the shoreline changes. So we would have a more
18 similar coastline to many of our other beaches where we
19 don't have that hard armor and that revetment, that
20 paved front of the beach. And so I think our goal is
21 always to have beach there, but where exactly it is.

22 MS. LYONS: Right, will be just decided by the
23 tide.

24 MR. HOOGEBOOM: Right.

1 MR. DELANEY: Tom?

2 MR. REINHART: I gather that -- I think we talked
3 about this a meeting or two ago -- that the current
4 philosophy is to just kind of let nature take its
5 course.

6 MR. HOOGEBOOM: No, that's not what we're saying at
7 all. We're looking to repair and retain and stabilize.

8 MR. REINHART: What we have, but I'm just talking
9 about, say -- you said movable bathhouse/beach house.
10 So that means the parking lots will be moving at the
11 same time if it were done in the current philosophy; is
12 that correct? There wouldn't be a revetment barrier?
13 You would just let the sand wash away? I'm just kind of
14 trying to get an idea of what the future is.

15 MR. HOOGEBOOM: I think that points to George's
16 statement about we need to do an overall planning
17 exercise here to figure out where it makes the most
18 sense to have our bathhouses, because right now we have
19 three of them, and is the parking going to be stable or
20 do we need to look at alternative locations for the
21 parking, but we're not looking at -- I don't think we
22 want to be in a situation where we have to try to get
23 approval for an armored shoreline because in this day
24 and age that's never going to get approved. So we're

1 trying to maintain what we have now as best we can for
2 as long as we can.

3 MS. LYONS: Until the grand plan is decided on.

4 MR. HOOGEBOOM: (Nods.)

5 MR. PRICE: I think that's something that we
6 continue to need to work on. Obviously we're working in
7 this kind of a coastal system. The most dramatic
8 example we had was the Coast Guard Beach in '78, but we
9 have some other examples that we're continuing to deal
10 with. Even on the Atlantic Coast here, obviously Nauset
11 Light Beach is another one that's in the queue to be
12 worked on because that erosion keeps on coming forward.

13 The field trip we actually had this morning out at
14 the Marconi historic site here was just about that topic
15 because our staff has been working on alternative plans.
16 So if you recall the Marconi historic site where the
17 shelter is, well, there's been steady erosion on that
18 face. We've already had to pull back the overlook that
19 was there. We've had to pull back the remnants of the
20 material, and now we're making plans for ultimately
21 having to remove that shelter that's been there since
22 the '60s when the Park was established and what's the
23 alternative for that.

24 So when you're dealing with these coastal

1 environments, obviously there's a lot of continual
2 change, and when we have recreational opportunities or
3 other physical requirements, we need to figure out how
4 we're going to deal with it.

5 MS. LYONS: Thank you.

6 MR. PRICE: So I think to get back, Tom, to your
7 question -- I think that's part of what these workshops
8 and planning sessions will have to be. We'll have to
9 get some coastal engineers, and we'll have to get some
10 coastal scientists to really look into this so that we
11 can develop alternatives.

12 MR. REINHART: It just seems like letting things go
13 the natural way -- we talked about this -- I don't know
14 how well that's going to work because we're really
15 getting things are washed away pretty quickly, and I
16 don't know if you can just let that go. You won't have
17 any public facilities up there in through Provincetown
18 if that happens. I mean, you can't just keep moving
19 parking lots back every year. It's not so easy either.
20 It's a problem.

21 MR. DELANEY: I'll just put it in context. Don't
22 forget this issue is not exclusive to Cape Cod National
23 Seashore. There are towns all the way up and down Cape
24 Cod and private property owners that are encountering

1 dramatic erosion in shifting of sands along the entire
2 coastline of Cape Cod as sea level rises and as we have
3 more erratic and stronger storms. So it does need to be
4 thought about in big policy terms and more comprehensive
5 planning. It's not easy. You're right, Tom.

6 Okay, I think some people may be here primarily for
7 this issue. So if the public would like to comment on
8 this, fine. Otherwise we'll take public comment at the
9 end.

10 (No response.)

11 MR. DELANEY: No? Okay.

12 Let's keep going, Superintendent. Thank you.

13 UPDATE ON DUNE SHACKS

14 MR. PRICE: We have on there the update of the dune
15 shacks. Basically, as I continue to report, we
16 completed a while ago now with the help of the Advisory
17 Commission the draft preservation and use plan as an
18 environmental assessment document, and frankly, we're
19 still waiting for the State Historic Preservation
20 Officer to weigh in with affirmative reaction. In the
21 past, they've given us documents just asking for more
22 information, but we basically need or would like to have
23 that sign-off for us to proceed to actually implement
24 that program.

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IMPROVED PROPERTIES/TOWN BYLAWS

MR. PRICE: Under the topic of improved properties and bylaws, obviously we're still, when the opportunity arises, in conversation with the Town of Truro with their situation. We would like to see something a little bit more protective of the Seashore District in the town, and that's what we're currently and continually asking them to do.

HERRING RIVER WETLAND RESTORATION

MR. PRICE: The Herring River wetland restoration process continues. In December a couple of the members of that committee, Hillary Greenberg and Gary Joseph, presented to the board of selectmen a series of questions that they were asking the board to start to consider. So there's been a very active, very robust committee from the towns, both Wellfleet and Truro, and then about seven different federal and state agencies that have met on a regular basis.

The National Park Service is actually funding the environmental impact statement, and Tim Smith has been the point person for that. He's made presentations to you all in the past. We're anticipating a rollout either in the spring or the summer where we will talk about preferred alternatives. So what was presented by

1 Hillary at the board of selectmen meeting was basically
2 four questions on the side of the board of selectmen
3 asking them how they would like that information
4 transferred to them, what kind of discussions would they
5 like to have as workshops, as Q&A's, or what needs to
6 happen next.

7 And I'll give you an example. There's a couple of
8 roads -- there's High Toss Road, for instance, which is
9 basically a raised road that was built at some point,
10 and we believe the documents say the Park Service
11 actually owns it, but it's in conjunction with public
12 access from the town, and I think some of the town
13 attorneys think they might actually own it. So it's an
14 issue. It's not a dispute. It's just an issue. But we
15 wanted the town to know that from the Park Service side
16 we don't believe that road needs to continue to exist.
17 So as part of the restoration project, they could either
18 dismantle the road or they could decide to put in a
19 bridge or what have you. If the town, for instance,
20 decides, no, it's very important to their citizens, "We
21 want to have that road and have access," then all that
22 means is we have to continue -- consider that as part of
23 the budget as to how that road would be addressed.

24 There are a number of other roads that we know

1 would have to be addressed that would have to be raised
2 or diverted in some manner, which is a long-term project
3 for sure. They also were asking the town if they had
4 the ability to, quote, act as the bank, for instance.
5 So as we get monies from different organizations and
6 agencies, would they be able to administer it once we
7 moved from a planning process to an actual construction
8 phase?

9 So I attended the meeting. It was very cordial.
10 It seems to be a very positive topic in the town, and it
11 was very well received. And basically it's a roll-up-
12 your-sleeve work effort.

13 WIND TURBINES/CELL TOWERS

14 MR. PRICE: We still have on the agenda a topic of
15 just generally wind turbines and cell towers. We have
16 no information to report on that.

17 SHOREBIRD MANAGEMENT PLANNING

18 MR. PRICE: The flexible shorebird management,
19 we've talked about this in the past. We're continuing
20 to work within our staff on the scoping information that
21 we received, all the information that we received from
22 the various agencies. We recently had a presentation of
23 research recently conducted by Massachusetts Audubon.
24 All of us are familiar with piping plovers, and the

1 reason we're familiar with them is because of the way
2 that they nest on the beaches and how we have to deal
3 with them vis-a-vis access. They're a federal- and
4 state-listed species. We were certainly aware of the
5 fact that the roseate tern, which is also a federal-
6 listed species, is here at the Cape but not as a -- not
7 for the nesting period but for their --

8 MS. HALL: Staging.

9 MR. PRICE: -- staging period -- thank you --
10 which I wasn't aware of, which came out of the
11 presentation.

12 I'm not sure if you'd call it preliminary or
13 ongoing research, but they have information which they
14 believe something to the effect of 90 percent of the
15 estimated population of roseate terns actually come here
16 to Cape Cod. So these are birds basically that do their
17 nesting and have their nests further north up in the
18 maritimes north of Nova Scotia and those islands. They
19 seem to funnel down here to the Cape. Not just to the
20 National Seashore but to Monomoy and some of the other
21 properties around. Unlike the piping plovers, they move
22 around a lot. So there was a dramatic picture of 20,000
23 birds in the air up at Long Point, and they estimated
24 probably out of the 20,000, six to nine thousand were

1 probably roseates. So that was a dramatic photograph,
2 I'll tell you.

3 So as we're going through our shorebird management
4 plan, the impact of staging shorebirds is part of it,
5 and because of the federal listing and the state listing
6 of the roseates, that's something that we have to take
7 into consideration.

8 You should also know that what happens after they
9 leave here -- and their staging area basically is from
10 -- is it July to October?

11 MS. HALL: (Nods.)

12 MR. PRICE: And once they leave here, they go down
13 to some islands off of Brazil. We also know that their
14 population has been declining dramatically. So as a
15 federal-listed species and as the research is showing
16 that they're declining, the question is, in the world of
17 roseate terns and who cares about them, such as Mass.
18 Audubon, U.S. Fish and Wildlife Service, National Park
19 Service and others, what ultimately might or might not
20 be the impact or responsibility at our end?

21 So I thought that this would be a good time to at
22 least let you know what I heard the middle of last
23 month. It was an excellent presentation. That research
24 will still have to be peer reviewed and vetted and

1 published and all of that, but this was a heads-up.

2 MR. DELANEY: Mary-Jo?

3 MS. AVELLAR: What's staging?

4 MR. PRICE: Basically resting. So that they've
5 done they're nest-- -- they've flown up to the maritimes
6 or the islands up in the north. They've produced their
7 young. They come down here with their young, and then
8 they just basically rest, feed, bulk up for the flight
9 down to Brazil.

10 Is that a good --

11 MS. HALL: Yeah.

12 MR. PRICE: Off the top -- I don't want to put you
13 on the spot, but are there other similar staging birds
14 that people would recognize?

15 MS. HALL: Yeah, I mean, the flocks of staging
16 birds are a combination of species. There's two or
17 three different species of terns that are generally all
18 together staging, so common terns and arctic terns and
19 ones that don't nest here but are using this area as
20 they move through.

21 MR. PRICE: Basically it's a stop off for feeding.
22 That's why you see flocks in the fall or even the early
23 summer at some of the marshes at low tide.

24 MR. DELANEY: Thanks, George.

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HIGHLANDS CENTER UPDATE

MR. PRICE: We go to Highlands Center next. Lauren made a presentation. We met the representative from the ARM project. Do you remember? They're still planning on coming in July. Lauren's been working with the advance team on location and housing and that sort of thing, so there'll be more updates of that over time for sure.

ALTERNATE TRANSPORTATION FUNDING

MR. PRICE: On the alternate transportation funding world, Karst continues to work with the Cape Cod Commission on presenting our future projects.

Specifically on construction projects, one of the things, Mary-Jo, that I'll be talking about this evening is it will be the first time I've had an opportunity to meet with the board of selectmen since our Herring Cove bathhouse has actually been approved by the Denver process, scope of DAB, Design Advisory Board. And the good news is not only was the project approved but the funding was approved with it to actually have a sewer hookup to the wastewater treatment system. So as I understand it, folks in Provincetown are very happy because this betterment fee will help put them over the top of the third phase of the wastewater treatment

1 plant.

2 MS. AVELLAR: You mean our sewer fees might come
3 down, George, now that we're hooking in? That would be
4 nice.

5 MR. PRICE: I didn't say that. I think it allows
6 more volume.

7 (Laughter.)

8 MR. PRICE: So that works for me a lot. I mean, I
9 must admit ever since I was told the Herring Cove
10 bathhouse had to be replaced, my biggest concern was
11 where would we go with the Title 5 septic system for
12 that facility because in this day and age and the
13 vagaries of how you calculate waste and everything, that
14 was something I wasn't sure where we would go on that.
15 So to be able to hook it up, I think is terrific, and
16 then because these systems are modular, what we were
17 hoping was -- we were hoping we could maybe put the
18 septic system in one place and maybe that life would
19 last through maybe three moves of the facilities. Well,
20 now that we've got a line that will be up there, it
21 doesn't matter where the facilities are. We'd be able
22 to hook up. So I think that's a very positive thing
23 that the Park Service did. We're pleasantly surprised
24 with that. Well, not pleasantly surprised. Pleasantly

1 satisfied.

2 MR. REINHART: You'll have to have a big rubber
3 hose if you're going to be moving.

4 MR. PRICE: That's right.

5 I actually don't have anything additional on land
6 protection or ocean stewardship.

7 BIKE TRAILS

8 MR. PRICE: We did have an addition on the bike
9 trail program with the bike trails.

10 Karst, do you want to --

11 MR. HOOGEBOOM: Oh, sure. As one of our
12 alternative transportation projects, we had been awarded
13 a quarter of a million dollars to implement a bicycle
14 shuttle. And what this shuttle consists of is several
15 -- we're looking at two 12-passenger vans with two
16 trailers that hold 12 bicycles. We're working with the
17 Cape Cod Regional Transit Authority. They're going to
18 supply us with the drivers and the buses. We've already
19 acquired the trailers.

20 The RTA has been out making some dry runs with the
21 actual -- the executive director of the RTA -- not --
22 the management director, not the executive director.
23 And the plan is to run from South Wellfleet at the end
24 of the Cape Cod Rail Trail down to Provincetown and back

1 on roughly an hourly schedule. The concern has been --
2 and it was demonstrated or proven last year when we had
3 the death, the fatality of the 16-year-old boy in
4 Provincetown, that Route 6 is just not a safe place for
5 families to ride their bicycles. So this shuttle will
6 go from South Wellfleet General Store roughly to
7 MacMillan Pier and back again, two of them operating
8 opposite in a shoofly arrangement. And it will run from
9 June to early September, and the potential is to have --
10 if funding works out well, we will extend either the
11 hours of the day or the length of the season, but it's
12 anticipated to run from, I think, 10 a.m. to 6 p.m. is
13 the current time frame.

14 It's a very successful program in Acadia, and we
15 feel that there's a very strong need here as we talk
16 about creating other bicycle opportunities that don't
17 require us to rely on Route 6.

18 MR. REINHART: Is the idea people ride up to South
19 Wellfleet on their bikes and then they can jump on the
20 shuttle and go up and continue riding in Provincetown
21 and then come back?

22 MR. HOOGEBOOM: Or stop along the way at a number
23 of stops between South Wellfleet and Provincetown, yes.
24 And it also gives the opportunity for if Molly and Suzie

1 were a little less able to get as far as they thought
2 they could, it's in effect a sag wagon to pick them up
3 and bring them back.

4 MR. PRICE: And it's with a fee.

5 MR. HOOGEBOOM: There will be a fee, yes. A
6 nominal fee, but there will be a \$2 or \$3 fee.

7 MR. DELANEY: Sounds like a nice amenity.

8 MR. HOOGEBOOM: And just to conclude, I don't know
9 if you've seen the flex buses with the bike racks on the
10 front of them, but in the summertime, it's very rare to
11 see one that doesn't have two bicycles in that rack.
12 The unfortunate thing is that it only carries two
13 bicycles, so this now gives a family the opportunity to
14 have a transit.

15 MR. REINHART: That's good.

16 OCEAN STEWARDSHIP TOPICS - SHORELINE CHANGE

17 MR. PRICE: Under the topic of ocean stewardship,
18 obviously we're facing a lot of shoreline change issues
19 in a number of our conversations today, but we're
20 continuing obviously to work with the Center for Coastal
21 Studies and Graham Giese and specifically Dr. Mark
22 Borrelli, who's a staff member up there, and he's
23 developed a particular way to examine the profiles of
24 beaches. And we had already talked to him about getting

1 involved in the Herring Cove area in our shoreline.

2 Graham and Mark have been studying the shorelines,
3 especially since they found they can actually reconnect
4 with the Marindin survey that was done over a hundred
5 years ago. And over time they have actually been
6 plotting all of the Henry Marindin benchmarks with the
7 current shoreline that we have today. So we're probably
8 in a better position than most parts of the country to
9 certainly understand the history of shoreline change,
10 and then the question is, how do we interpret and
11 evaluate that into how it actually affects our
12 management decisions?

13 So Mark's actually presented twice, and I've missed
14 both presentations about his system.

15 MR. DELANEY: Just to add to that, we're pleased to
16 be able to help out. With Mark's technology, he can do
17 profiles under the water, which happens often by itself,
18 and then continue that profile up onto the beach. So
19 his maps will be a seamless profile of the sand as it's
20 on the beach, on the beachfront face, and that tells a
21 lot more when it's together than just understanding one
22 side or the other. So it's actually fairly innovative,
23 and we're very pleased to be able to have that
24 technology and help out here at the Park.

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50TH ANNIVERSARY

MR. PRICE: Mr. Chair, last time you asked about an update on the 50th anniversary events.

MR. DELANEY: Yes.

MR. PRICE: I've asked the famous Molly Williams to come out of retirement. Molly was our special event ranger to help us pull this all off last year, and we appreciate her time. She's put together a PowerPoint for us to take a look at. And also in your package we've put together a commemorative booklet of events that took place over the last year. This was funded by the Friends of the Cape Cod National Seashore, and we surely appreciate that. A fellow named Glenn Ritt, who's the one that's done the Friends Seashore magazine, took this project on, and it turned out certainly pretty spiffy compared to at least what I was envisioning to begin with.

I thought it was important to really take time and mark the year, especially the totality of the events. There was everything from ribbon cuttings of Moors Road and the bike trail to talking about the Biddle family and the acquisition of the ten acres for preservation in Wellfleet to a lot of the other fun events we had over the course of time, including the science program.

1 So please enjoy that, and if you have any other
2 folks you would like to pass on a copy to, let me know.

3 So, Molly, do you want to crank up the -- I realize
4 it's been -- what? -- months now since you have been
5 here.

6 MS. WILLIAMS: And there are more photos on some of
7 the events in September in the book that aren't in the
8 PowerPoint.

9 So on May 14 we had the dedication for the exhibits
10 at Salt Pond, which were "*People of the First Light*" and
11 Cape Cod, "*A Great Arm in the Sea.*" And we had some
12 Native Americans come and do presentations for us. This
13 gentleman was doing some games with the kids outside.

14 George, do you want to introduce?

15 MR. PRICE: This is the chief of the Mashpee
16 Wampanoags, Vernon Lopes. He also is known as "*Silent*
17 *Drum.*" And he made some very good comments from the
18 heart, which we certainly appreciated.

19 One of the things that's interesting to me, going
20 back to the -- one of the issues Sue Moynihan, chief of
21 interpretation and cultural resources, and others have
22 talked about, really the lack of Native American story
23 here at the National Seashore, and a number of the
24 exhibits have been changed since the original 1960 Salt

1 Pond Visitor Center. When they were changed, the Native
2 American were reduced significantly, so we thought that
3 was an omission. And when you take a look at the
4 historic photograph of when the Salt Pond Visitor Center
5 was actually dedicated, there was a whole delegation of
6 the Wampanoag people there with the Secretary of
7 Interior who was here for the event. So to be able to
8 bring that back, we thought was terrific.

9 MS. WILLIAMS: These are the Mashpee Wampanoag
10 singers and dancers that performed at the amphitheater,
11 and that was one of the most spectacular things I think
12 I saw all summer. They included the crowd, which was
13 wonderful. I mean, everybody got up and danced and had
14 a good time that day.

15 MR. PRICE: While we're on this photograph, a
16 couple of things. This is Jim Peters. Jim is actually
17 the Commissioner of Indian Affairs for the Commonwealth
18 of Massachusetts. He's a Mashpee Indian.

19 This is Jonathan -- is Sue here?

20 MS. MOYNIHAN: It escapes me now what his last name
21 is.

22 MR. PRICE: Jonathan is one of the cultural
23 resource people for the Aquinnah Wampanoag tribe.

24 MS. MOYNIHAN: Perry.

1 MR. PRICE: Jonathan Perry. And he's also the
2 THPO, so he's the tribal --

3 MS. MOYNIHAN: He's with the cultural office with
4 the Aquinnah tribe.

5 MR. PRICE: The Aquinnah tribe. So, for instance,
6 when we have any projects that were involved with, say,
7 construction -- for instance, the Herring River
8 restoration project. So both the Aquinnah and the
9 Mashpees, we send information to them if they would like
10 to consult on it, if they have issues, et cetera. So
11 he's one of the actual tribal representatives, and
12 collectively they represent what they call the Wampanoag
13 Nation Dancers.

14 MS. WILLIAMS: On June 11 we had the ribbon cutting
15 for Moors Road. This is a photo of it.

16 George, did you have anything --

17 MR. PRICE: Well, the feedback has been terrific on
18 the Moors Road project. And we took this for a couple
19 of particular reasons. One, if you tried to drive down
20 Moors Road on any given sunny day in July or August, it
21 was like driving your car through a mall. You know, not
22 even the mall parking lot. Cut through the mall
23 passageways on the interior of the mall. So we were
24 very concerned about pedestrian and bikes versus cars.

1 The other issue was there's actually a culvert that goes
2 from the ocean side to a small wetland on the interior
3 side, and that was showing signs of deterioration. And
4 we were concerned that that culvert might actually fail.
5 It's my understanding that culvert was rebuilt or put in
6 after the *Blizzard of '78*. I think it was a
7 (inaudible). And actually, Dick Ramos, who just retired
8 as our long-term maintenance foreman, remembers that as
9 one of his early jobs here.

10 But the traffic patterns at that end of
11 Provincetown seems to have changed, and there's a lot of
12 heavy traffic and trucks that prefer to use that area
13 instead of trying to come down Commercial Street. So
14 consequently I was concerned that -- we were all
15 concerned that if we had a failure of that culvert, that
16 that would cause major disruptions. So working with
17 Federal Highways, we were able to come up with financing
18 to do that repair. And working closely with them, we
19 were able to actually include a pedestrian and bike way
20 on the other side, and that's proved to be very
21 successful. At least that seems to be the feedback.

22 MS. WILLIAMS: Shortly thereafter on June 30 we had
23 the bike trail ribbon cutting for the Province Lands
24 bicycle trail, and we had several guest speakers.

1 MR. DELANEY: One of whom rode her bike to the
2 event.

3 MS. WILLIAMS: Yes, yes.

4 MS. PEAKE: I did pedal there. Over very steep
5 sand dunes.

6 (Laughter.)

7 MS. WILLIAMS: George, did you want to add any more
8 to that?

9 MR. PRICE: So 7.2 miles of bike trail we had over
10 the course of two different phases, and the second phase
11 was actually the stimulus of the ARRA money, as it's
12 been called. It was actually put to this project. This
13 was the first -- as I understand it, the very first bike
14 trail ever established in the National Park system in
15 the early 1960s. And we, again, had only been doing
16 some patching up until now, so this was a great
17 opportunity to take advantage of the explosion in
18 visitors bringing their bikes out.

19 MS. WILLIAMS: This was actually cutting the
20 ribbon.

21 MR. PRICE: And we had the opportunity to take the
22 congressman around. Actually, Rich and I talked to him
23 a lot about some of our joint projects and studies.

24 MR. SABIN: Sarah Peake's in that picture too?

1 MS. WILLIAMS: Uh-huh.

2 MR. PRICE: Pardon?

3 MR. SABIN: Sarah Peake is in that picture.

4 MR. PRICE: Oh, yeah.

5 MS. WILLIAMS: On July 9 we had the Highlands Fest,
6 and it was "*Celebrating Volunteerism, Making Waves.*"
7 This is the start of the mural as the volunteers started
8 painting the mural. And then that's as it was getting
9 more color and more color on it, and that's the finished
10 mural.

11 MS. BURGESS: Very nice.

12 MS. WILLIAMS: Lauren, did you want to say
13 anything?

14 MS. McKEAN: Do you have any pictures of the
15 awards?

16 MS. WILLIAMS: Yes.

17 We might know that one.

18 (Laughter.)

19 MS. WILLIAMS: George, do you want to say anything?

20 MR. PRICE: Lauren, do you?

21 MS. McKEAN: Well, as part of the Highlands Fest,
22 each year we try to have a theme. This year we decided
23 we really wanted to showcase volunteerism. So there
24 were awards in four categories.

1 The arts award went to Joyce Johnson here in the
2 audience, the science award went to Dr. Graham Giese,
3 and the community award went to the Friends of the Cape
4 Cod National Seashore, and the educational award went to
5 long-term Visitors Center volunteers, including Ed and
6 Shirley Sabin pictured here, and 15 others who have
7 served for 15 or more years at the Visitors Center
8 alongside the interpretive staff.

9 MS. WILLIAMS: We also did a presentation at the
10 Cape Cod Mall. We set up -- myself and some members
11 from the Friends set up an exhibit at the mall. We had
12 different things for the kids to do. Stamping with
13 different animal prints. We had obviously the map, some
14 animal pelts, and some other information about the 50th
15 and some events and things going on.

16 We participated in the Wellfleet Fourth of July
17 parade. We had two vehicles, and these are all the
18 participants in the parade. It was a good day.

19 We also had a Firebirds -- a *Night at the*
20 *Firebirds*, and it was July 31. We had families and
21 friends of Park employees help out, and these are some
22 kids holding the 50th banner. We had MJ, one of our
23 water techs, throw out the first pitch. And we also had
24 Tim Morrison play his trumpet to the national anthem.

1 This year we also had moving exhibits that were at
2 local libraries and also at the Pilgrim Monument in
3 Provincetown Museum. Those were unique and changed.
4 Those were two of the ones that we did.

5 And obviously the big celebration on August 7. We
6 had the postal cancellations at both visitor centers.
7 We had cake and musicians. A good turnout. This is the
8 Province Lands Visitors Center, and this is the Salt
9 Pond.

10 George, did you want to say anything about that
11 one?

12 MR. PRICE: We appreciate the fact that Congressman
13 Keating came out to represent the day. It was really
14 interesting. First of all, it was a little bit drizzly,
15 but there were still a lot of -- a lot of people came
16 out to both visitor centers, and I was really taken by a
17 couple of comments on this. First of all, I was really
18 impressed how many people stayed. I mean, frankly, we
19 didn't have that many activities, but they were there.
20 I talked to some people late in the day, and they felt
21 like they just wanted to be there, that this was a
22 touchstone of such importance of the establishment of
23 the Seashore, and they felt they wanted to be there
24 participating. The second item that they told me as

1 well, several people in different venues, was that they
2 feel that the National Seashore in some cases has been
3 taken advantage of or taken for -- just for granted, if
4 you will, and that the highlighting of the significance
5 and what has happened with the Seashore protecting these
6 properties over time really brought it to the forefront
7 of their mind about what an amazing opportunity this was
8 to set aside the Seashore. And of course, coming from
9 New Jersey where the New Jersey Shore has not had this
10 kind of protection, with few exceptions -- there's Sandy
11 Hook, which is the gateway; there's Long Island Beach
12 State Park; there are a couple of individual spots --
13 the area has been extensively overdeveloped, and it's
14 really unfortunate that it's taken that turn in my own
15 state. Here in Massachusetts the folks that were here
16 on the Cape decided at least these 44,000 acres deserved
17 to be set aside.

18 MS. WILLIAMS: We served a lot of cake that day.
19 George, did you want to talk about this?

20 MR. PRICE: Oh, is that the science?

21 MS. WILLIAMS: No, that's the --

22 MS. LYONS: No, that was the poetry.

23 MR. PRICE: Oh, the poetry. Oh, that's right. We
24 did partner with the Kennedy Library, and they had a

1 number of local poets come in and do some readings. And
2 frankly, this was originally scheduled to be outside,
3 but because of the weather, we didn't do so.

4 MS. WILLIAMS: There were a lot of activities for
5 kids to do. There was painting. It was a dreary, rainy
6 day, but I think a good time was had by all.

7 We also had the Highlands Light.

8 Maureen, did you want to add anything?

9 MS. BURGESS: Yes, yes. We did not fare as well
10 with the weather. We had great plans and a good
11 turnout, and we started out dry. We thought that the
12 front was going to pass us by, but a monsoon ensued, and
13 we all were drowned. And the poor visitors were trying
14 to listen. My husband and I constructed actually an
15 additional structure for them to sit under, and it
16 turned into a wind tunnel for them. So it was really
17 awful.

18 (Laughter.)

19 MS. BURGESS: These folks are the Highland Light
20 Scottish Bagpipe Band. It's a contingent of them that
21 the Highland Museum and Lighthouse Corporation paid for,
22 and they were troupers. They put on their capes, their
23 rain capes, and they played away. And we also invited
24 -- the Highland Corporation invited reps from the Truro

1 Historical Society, from the golf course. My husband,
2 who has also served as a volunteer, dressed up as a
3 lighthouse lifesaver -- a lifesaver. We had great
4 plans.

5 (Laughter.)

6 MS. BURGESS: And it turned out as well as it
7 could, but we were drenched.

8 MS. WILLIAMS: We also did a presentation on "*50*
9 *Years of Science*" on September 10. We had our
10 scientists here put up booths and different exhibits for
11 the visitors.

12 Shelley, did you want to talk about that one?

13 MS. HALL: I think that it was a great event. It
14 was a lot of work pulling it together, but it turned out
15 really well. We had all of our different staff and with
16 equipment and critters for the public to learn more
17 about what we do, and then we also had a "*50 Years of*
18 *Science*" forum where we had invited researchers that
19 have done work here over the last 50 years, which I
20 think was a really fascinating discussion. I really
21 enjoyed it and learned a lot about 50 years of science
22 here.

23 MR. PRICE: Just very quickly to give you an idea.
24 Mary Foley is our regional chief scientist. She's been

1 in that position for a long time, very familiar with the
2 Cape. This is Freddie (inaudible). She's our
3 archaeologist.

4 MS. HALL: No, that's Hilary.

5 MR. PRICE: Oh, that's Hilary. It looks like
6 Freddie.

7 Charlie Roman actually heads up the Park Service
8 Cooperative Education Unit out at University of Rhode
9 Island and was able to participate.

10 This is Dr. Mike Soukup. He's actually the former
11 long-term chief scientist for the National Park Service.
12 He had also been the -- he's since retired. He's
13 working up in Maine now at their science program. He
14 actually had been the regional chief scientist, and he
15 actually worked on the National Seashore at the Herring
16 River in the early years. So he's very familiar.

17 Graham Giese and John Portnoy, who retired several
18 years ago. John was a long-term scientist here, and we
19 really appreciate the fact that he still stays engaged.

20 MS. WILLIAMS: We also participated in the Eastham
21 Windmill Weekend parade. And our very well-decorated
22 float that I had lots of help with took third place in
23 the organization category, and it was a lot of fun.

24 MR. SABIN: Eastham Windmill Weekend really

1 appreciated the Park doing that.

2 MS. WILLIAMS: It was a lot of fun. I think
3 everyone that participated had a good time.

4 An events company, oral history and the new history
5 chapter, and there are some other events in the book
6 that didn't make it into my PowerPoint. The employee
7 alumni reunion, Old Harbor rededication, and the Biddle
8 property dedication are in the book as well.

9 MR. PRICE: What this is specifically is we're
10 going to be meeting with some of the folks who were
11 around in the early years of the establishment of the
12 Seashore just doing a quick oral history discussion with
13 them.

14 And then some of you remember -- may remember Dr.
15 Hank Foster, who's the long-term chair of this group,
16 actually wrote a history of the Seashore and the
17 Advisory Commission that basically went up to 1985. So
18 in speaking with Hank and others, one of the comments
19 that was made to me was that wouldn't it be great if we
20 could actually update that book and reprint it. So we
21 do have the funds in order to do that, and that's
22 something that we'll be working on in the future.

23 Great.

24 MR. DELANEY: Thanks, Molly.

1 MR. PRICE: Molly, thank you.

2 MR. DELANEY: Clearly a wide range of wonderful,
3 exciting events that marked a very, very significant
4 milestone for the Park and all of us who are part of it.
5 So congratulations to all of you for including -- being
6 so inclusive and so creative, and we hope there will be
7 another 100-year anniversary at some point before it
8 gets all eroded away.

9 MS. LYONS: Well, I'll be interested in seeing the
10 traffic next year. I actually thought that there was a
11 big increase in traffic on the Outer Cape last year. I
12 mean, it was really -- I mean, it's bad in the summer,
13 people going to the beaches, but it just seemed really
14 astronomical, and I kept thinking I'll bet you this is
15 because of the Seashore, which is -- well, this is what
16 we want, but it will be interesting to see if that's
17 just how people are vacationing, or I think that there
18 was a significant -- I think it really did increase
19 traffic here, so it will be --

20 MR. PRICE: We're talking about maybe celebrating
21 the 51st year.

22 MS. LYONS: I think it should have something.

23 MR. DELANEY: Do you have the energy and the
24 resources to do that? It's a lot of work putting that

1 together.

2 MR. PRICE: If the Chamber of Commerce wants to
3 knock themselves out.

4 MR. DELANEY: If I could emphasize the point you
5 made before. I did hear a number of people, year-round
6 people say, "I'm really glad that someone focused our
7 attention on the Park" because they had taken it for
8 granted. They had forgotten about all the wonderful
9 benefits we enjoy on a day-to-day basis. So that
10 renewing of our awareness for the value of the Cape Cod
11 National Seashore was one indirect but very important
12 impact of all these activities.

13 MS. LYONS: I also just want to add that I thought
14 it made a great political statement at a time we needed
15 it because it did show that only 50 years ago two
16 parties could come together in common partnership in the
17 conversation of our country, of our land. And that
18 would have been unheard of today in this atmosphere, so
19 I think it was a very good reminder that we do better
20 when we work together. And I think it was a message
21 needed.

22 MR. DELANEY: Good, excellent.

23 Okay, George, do you want to continue with your --

24 MR. PRICE: Yes. Really just two more topics.

1 One is I do want to just note you'll see our Park
2 rangers are wearing a black band around their badges.
3 Our law enforcement colleague, Margaret Anderson, was
4 shot in the line of duty recently out in Mount Rainier.
5 You may have heard about that. As it turns out, our law
6 enforcement ranger, Tim Morrison, worked with her and
7 her husband, knew them very well, and I found out my own
8 son had worked with them. Margaret's husband actually
9 went to the Montgomery County Fire Academy. So I just
10 wanted to recognize that. When you think of park
11 rangers, you don't usually think of that kind of
12 experience, but obviously in this day and age anything
13 like that can actually happen. So she left two
14 children, and her services are actually tomorrow. And
15 she was actually raised in Scotch Plains, New Jersey. I
16 was with some of my family over the course of this past
17 weekend, so there was a lot of press about it down
18 there.

19 NORTH BEACH COTTAGES, CHATHAM

20 MR. PRICE: The last topic that we wanted to talk
21 about -- and we put this on the agenda at the end
22 because Larry Spaulding is usually attending our
23 meetings and needs to recuse himself, but I don't think
24 Larry is actually in attendance today -- but obviously

1 the North Beach cottages continues to be a major
2 concern.

3 We obviously had a very robust and active
4 discussion at the November meeting. You all voted
5 unanimously to put forward some recommendations for us
6 to consider. As you know, we considered those
7 recommendations with counsel, with our regional office,
8 and the various specialists, and I distributed a letter
9 to you explaining why we believe that we had to proceed
10 on the condition that we did. That basically, as far as
11 we're concerned, there were no changes on the ground
12 that warranted any changes in the activity. I reported
13 that originally. We thought in August that we had two
14 of the properties that were in jeopardy. After a
15 September visit, we believed we had now three. As of
16 some mapping that was done in November, according to the
17 scientists, which is who we take a lot of counsel from,
18 there just was continuing demonstration of degradation
19 of the property.

20 At that time we know that there are people in
21 Chatham that actually forwarded our proposals to
22 actually have the named -- the property listed on the
23 National Register. It has been our position all along
24 that they were not eligible, and that was as a result of

1 our discussions with the Historic Preservation people of
2 Section 110 and 106. After the November meeting, we
3 heard from the Keeper of the National Register that they
4 did not consider that they would be eligible either
5 individually or collectively as a district. We have
6 since heard from the State Historic Preservation Officer
7 to some Chatham residents that they agreed with that
8 position.

9 We're still in the process with the various
10 objections that have been raised by the town to ensure
11 that we have our -- what we call compliance pieces in
12 place. As a result of the findings from the Keeper of
13 the National Register, then I did send out a written
14 notification to the folks that actually held the special
15 use permits that there was obviously going to be no
16 additional holdup on our end, so we wanted to just
17 reinforce that the special use permit was, in fact,
18 going to go to the end of the calendar year, which was
19 the original term, and that we were not going to be
20 renewing them.

21 I certainly regret the fact that we've come to such
22 a disagreement with the Advisory Commission, but after a
23 lot of discussion and soul-searching, it basically still
24 comes down to the fact that we fundamentally believe

1 that that particular piece of geography is being eroded,
2 and that's basically what the facts have shown over the
3 last number of years and continue to show. So as the
4 property owners of the five cottages, we believe it's,
5 in fact, our responsibility to try to be proactive, to
6 actually have them removed before there's additional
7 impact to the island.

8 So a lot of people have talked about the use of tax
9 money, et cetera, et cetera. We're very cognizant of
10 the fact that we're using the public's money, and we
11 believe that this is, in fact, the best and most prudent
12 use of those funds to be proactive, to actually have the
13 cottages removed. So that continues to be our process.

14 We're currently still, besides finalizing any
15 questions that might be still out there relative to
16 compliance, also working on what our process would be
17 with a contractor and what we said to the Town of
18 Chatham, that as these -- as a contractor is brought on
19 and as our plans are solidified, trying to maintain the
20 best way to actually go after our properties and not
21 affect the other properties that are out there, but
22 those plans would be shared with the town. Those are
23 meetings that go all the way back to August when the
24 town was looking for our protocol as to how we would

1 actually do that. So once those are developed, that
2 would be the very next step. So that's our definition
3 of keeping the town apprised of exactly what our
4 specific plans are when we actually have our specific
5 plans.

6 MR. DELANEY: Okay, thank you.

7 Any questions on any of the Superintendent's Report
8 up to this point or other issues that he has not
9 addressed that you would like to talk about? Yes, Tom?

10 MR. REINHART: Well, yeah, I would like to talk
11 about the North Beach cottages issue. We were an
12 advisory board for the National Seashore, and I think we
13 -- I think we unanimously said we thought that there
14 should be more time on this. And one of our -- probably
15 to me our main function is as a liaison between the
16 towns that we represent and the National Seashore and to
17 have a smooth sort of dialogue between the towns and the
18 Seashore, which there hasn't been in the past a lot of
19 times, and I though we were doing pretty well with this.

20 And I was kind of unhappy that our recommendations
21 were seemingly ignored. And to some degree I felt that
22 this decision was kind of decided a while ago and the
23 hearings were somewhat irrelevant to the fact that the
24 Park Service wanted to go ahead and do this. And I

1 don't know what the behind the scenes stuff was going
2 on, but I just felt that you were getting a lot of
3 pressure from somewhere else besides here, maybe a
4 stronger constituency than the local people, and that
5 sort of drove your decision. I'm just wondering, you
6 know, why weren't we listened to more and just in the
7 interest of getting along with the people that you're
8 living with better and not having some of us feel like
9 we got sort of tossed back in the dark ages a little
10 bit. And I know you're very interested in getting along
11 with everybody. That's part of your job. So what kind
12 of happened here in your mind? It just seemed like
13 science isn't everything, you know, when you're making
14 decisions that affect communities.

15 MR. PRICE: Should I --

16 MR. DELANEY: Yeah, there was a question there. I
17 think Tom's saying, is there a little more background
18 explanation that would be part of the rationale for
19 making the decision?

20 MR. PRICE: Sure. Actually, Tom, with me I don't
21 think I'm that complicated a person. Basically what you
22 see is what you get. So I've heard this that people
23 thought there was some sort of outside pressure, and
24 that's not the case. Basically the people that are

1 responsible for the unit of the National Park Service
2 are the ones that are on site, so certainly as the
3 superintendent and using our staff and working with the
4 scientists, that's how we arrive at these different
5 determinations, and we do our best in order to
6 prioritize and figure out an approach.

7 Let me tell you. The people in the regional and
8 Washington office would be glad if this never came up
9 because this wasn't something they were looking to get
10 involved in, but when the facts were laid out and we say
11 we have these structures -- and originally there were
12 six that actually belonged to the federal government
13 through the unit of the Cape Cod National Seashore --
14 then how do we actually manage them? And what's our
15 assessment of the value of these properties as far as
16 what the impact will be? So going back to '07 when the
17 breach first happened and it started to erode north, if
18 you recall, we owned two of those cottages, and we went
19 through the same process we did with these, and that is
20 we made an assessment if they were going to be
21 considered historic. We talked to the town staff people
22 as to how we would actually go through the removal.

23 The first cottage, the Scott cottage, we actually
24 did the burn. That was a cheaper way to go. It was

1 more efficient. The Achilles cottage we waited too
2 late, frankly, and the environment around the Achilles
3 cottage changed substantially with all the sand dunes,
4 so we no longer had the ability to take that down in
5 place. We actually had to hire a contractor to come in
6 and actually do the work. The other residents on that
7 parcel of land either then removed theirs or they were
8 washed away in the water. That piece of geography
9 doesn't exist. If you take a look at the most recent
10 maps or if you recall what Mark Adams had walked through
11 at our last time, it was a fact that that all eroded
12 away. It's a fact that it was eroding 80 feet per year
13 approximately on the ocean side with the parcel that we
14 have today. And when we saw the approaches and we saw
15 what was happening and we talked to the scientists and
16 the people that are (inaudible) that work on barrier
17 beaches, that to us was the best way to go. We heard in
18 this room, we heard in other rooms that there were a lot
19 of people that felt it would be a lot more poetic, I
20 think I heard was the term --

21 MR. REINHART: That was Rich's term. It wasn't
22 mine.

23 MR. PRICE: Others that felt that, again, to let
24 nature take its course.

1 MR. REINHART: That was mine.

2 MS. LYONS: That was you.

3 MR. PRICE: To allow them to be washed away, it was
4 going to be a lot --

5 MR. REINHART: Or let it get closer.

6 MR. PRICE: Well, first it was let them wash away.
7 That's what I heard. So the washing away business is
8 something that is an environmental agency. So washing
9 away means there are then remains in the water
10 somewhere. And in Chatham we have the Chatham Harbor,
11 which has a fishing fleet, a recreation fleet, and we
12 have Pleasant Bay, which has been a focus of
13 environmental concern for a long time, or it would just
14 be debris. I heard at a meeting in Chatham actually
15 they were talking about when they were washed away in
16 the '91 storm that most of the debris didn't show up
17 anywhere. Well, it's somewhere out there. So as the
18 responsible property owner, we believe that this was the
19 responsible action.

20 And the recommendations that came from the advisory
21 council there were many. One was to let it get closer.
22 Well, in our world we don't have the ability to act that
23 fast. Ask Mary-Jo having to do with the Herring Cove
24 macadam and how long it's taken us to get the bathhouse

1 in place. We also were looking at August at how long it
2 would take us to do anything, and we're in the winter
3 now. Now, fortunately, it's been a very mild winter,
4 but we still have to see how we're going to be able to
5 -- will we have a window of time when contractors and
6 staff can get out there safely? And then once we hit
7 April and May, then we have the returning shorebirds.
8 So those are all the pieces that are in our world.

9 As far as did we take any deliberations seriously,
10 we certainly did. Relative to things like -- people
11 asked us right off the bat, "Do you have to take all
12 five off at the same time?" And originally it was
13 definitely two. Then it was three. Well, then from the
14 best use of government money, we're going out there, and
15 we might as well do all five at the same time. It did
16 not make sense to restage additionally in the future.

17 When you talk about, you know, what does emergency
18 mean, you know, maybe one wall's gone or more of the
19 pilings exposed, in our world it just doesn't -- it
20 doesn't seem like a competent management way to go. You
21 talked about money in escrow. I personally thought that
22 was an interesting thing to consider. I spoke with the
23 chair of the board of selectmen. I believe she's here
24 today. That was something that I thought was

1 interesting because I hadn't had experience with that
2 before. So at the time we talked with our regional
3 solicitors, we talked with our regional managers, and
4 for a whole host of reasons, dealing with a federal
5 agency, it was not realistic to consider that we can
6 have private citizens come up with escrow money,
7 especially considering it was a year-to-year special use
8 permit that they had been on, that had been extended for
9 eight to thirteen years. And there was no guarantee
10 that anybody would be continuing those agreements into
11 the future.

12 So without going into a point-by-point debate, two
13 things I wanted to leave you with, I guess. One is,
14 yes, the items had been seriously considered, and I
15 personally spoke with a variety of people, including the
16 solicitors, including our regional managers, and really
17 believe that those responses that I gave were our honest
18 response. And the second is, is there another cloud of
19 people out there telling us exactly what to do? And the
20 answer is no. We're sharing our observations. We're
21 sharing our assessment of the points on the ground, the
22 maps, the photographs, the comments with the other
23 professionals that we're dealing with. There's a
24 facility manager that we work very closely with in the

1 regional office who has worked at three other barrier
2 beach parks, has the exact same situation that they've
3 had to deal with there, including their removal of
4 structures similar to what we're talking about here. So
5 the list goes on and on.

6 On the historic compliant side, we have people in
7 our regional and Washington offices who are the experts
8 when it comes to historical compliance. And everybody
9 says, "Well, you're just dealing with federal
10 bureaucrats." Well, before there were federal
11 bureaucrats, the key people that we've talked to were
12 all state historic preservation officers either in Maine
13 or in Connecticut or in Florida on previous decisions.
14 So these are people that are professionals in their
15 world of historic preservation and now or then happened
16 to work for the Keeper of the National Register's
17 Office. So we believe we're getting the best
18 information that we possibly can.

19 Anyway, I apologize for speaking so much about
20 this.

21 MR. DELANEY: No, I think that's very helpful
22 because this was a long, complicated decision, and there
23 was a lot behind it as when our subcommittee wrestled
24 with this on only one short meeting. I wish we had more

1 time, but we didn't. But we realized there were a lot
2 of different moving pieces to this, so I think that
3 explanation is helpful.

4 All right, go ahead.

5 MR. SABIN: I would make the point that we are an
6 advisory group, not a management group. We give our
7 advice to the manager, and he has to do with it what he
8 will, but he still has to manage. He's got to make the
9 final decision. And I have no problem in going where
10 he's going. I support him.

11 MR. DELANEY: Good, thank you.

12 Sheila?

13 MS. LYONS: Well -- did you want to go first,
14 Mary-Jo?

15 MS. AVELLAR: No, go ahead.

16 MR. DELANEY: Oh, Mary-Jo's hand. We'll just go
17 around the table.

18 MS. LYONS: I agree with you. We are only an
19 advisory group. I deal with advisory groups in my
20 position. And they're there for you to think about
21 other options or are you seeing all of the points. And
22 I think that we all went over all those very carefully,
23 and I think that you listened.

24 But being on an advisory committee and not

1 listening on that end of the table, I do take that
2 seriously. And I did have an opportunity -- and I spoke
3 to Rich about this at one point, and I was going to send
4 it out. I don't like sending out things like this
5 because then I can start -- you know, God knows I don't
6 want to start an argument. But I did have an
7 opportunity to -- you know, my travels bring me from one
8 end of the Cape to the other. And with the holidays
9 there were many events, many functions, and this was the
10 hot topic at the time. It was in the paper quite a bit.
11 So I would ask people what was their opinion, you know,
12 reading about this. Because I am on the advisory group,
13 is there something we're not thinking? And I have to
14 say after many conversations -- I would say over 25 --
15 and a percentage of those, at least 20 percent of those
16 were people from Chatham on a given occasion, had much
17 sympathy for the situation, as do we all. I mean,
18 everybody could appreciate people having shared lives
19 there, shared memories, and we all sort of face maybe
20 our inevitable outcome living here anyway, and none of
21 us want it. However, but once the story became known,
22 what I heard back from most people is, you know, it's
23 very sad. However, how did they get that for 20 years?
24 You know, if this was going to go forward, I would think

1 this would have to be a lottery. People weren't as kind
2 once -- they sympathized. They felt bad, but if it was
3 going to continue, I really felt that if those leases
4 were going to go forward, we would be grappling right
5 now do we have to have this as an open lottery process
6 because that is what seemed interested in most people's
7 minds of everyone I spoke to.

8 And then there were other things. You know, and it
9 might be even everybody's angry about somebody who has
10 than they do, it seems these days. However, you know,
11 other people were like, "They can go out and rent their
12 home and live there." I mean, there were all these
13 different scenarios put forward where people were more
14 angry to feel that this has been going on and nobody
15 else had a chance to have that same experience. And I
16 really felt -- I'm just telling you how -- I'm just
17 giving a report.

18 MR. HAMMATT: Go right ahead.

19 MS. LYONS: I'm not feeling one way or the other,
20 but it did make me feel that this was going to have to
21 be a different process going forward if it was -- you
22 know, a lot of people didn't -- you know, it's done and
23 over with. That's how people felt, but it was just, how
24 did that happen in the first place?

1 MR. DELANEY: Okay, thanks.

2 Mary-Jo?

3 MS. AVELLAR: Well, I had just the opposite
4 experience. I was talking this morning to someone from
5 Chatham when I was up meeting in Hyannis. And this
6 person was shaking his head and said to me, "Doesn't the
7 superintendent listen to his Advisory Commission?" And
8 I said, "Well, apparently in this case he doesn't."

9 And I'm sorry that Judy isn't here today because I
10 think that her letter really I think stated what's
11 basically in my heart. I think that there's been a
12 total lack of transparency on this issue, that it was
13 sprung upon us in the fall. I had no -- I don't think
14 anybody else did either, had any knowledge that this was
15 going to happen, and I think that we don't know what's
16 going on, how the money is going to be spent. We don't
17 know what the NEPA process is. I made a lot of notes.
18 I'm just learning how to use this thing. That we were
19 ignored. I'm not sure whether the Northeast regional
20 director was notified of our unanimous decision, and I
21 personally think that the subcommittee that I was on --
22 I think Bill was on. You were on -- we need to
23 reconvene and ask the superintendent to reconsider his
24 decision. I think that it's precipitous.

1 I have a lot of stuff that came to me this weekend
2 that indicates -- it may be on the Park Service end --
3 not all of the paperwork has been submitted, or there's
4 more paperwork that needs to be done. Somebody from the
5 Park Service, Katry Harris, said that: (Reading)
6 They've received inquiries from parties. We cannot tell
7 them that the Section 106 is complete until they receive
8 the documentation (end reading). So I mean, this isn't
9 something that I think has to happen overnight, that we
10 still have time to deal with this, and I think that we
11 have to make sure that there is some kind of a process
12 in place so that we aren't caught by surprise and that
13 the people whom we represent aren't caught by surprise
14 as well. And the time and effort, energy, and blood,
15 sweat, and tears that the people in these camps have put
16 into these camps with the approval of the National Park
17 Service and the Seashore I think needs to be taken into
18 consideration, and I think that ignoring the wishes of
19 the public and especially the Town of Chatham is -- if I
20 were a selectman in Chatham, I know how I would feel,
21 and I probably wouldn't be as tactful as I'm being right
22 now.

23 So I don't think it's going to go anywhere, but I
24 would like to move that the subcommittee reconvene to

1 discuss this to make sure that the wishes of the
2 Commission have been forwarded to the appropriate people
3 in the Northeast region and elsewhere. That's my
4 motion.

5 MR. HAMMATT: I'll second the motion.

6 MR. DELANEY: Okay, we now have a motion and a
7 second that --

8 MR. REINHART: Question?

9 MR. DELANEY: Excuse me?

10 MR. REINHART: Question?

11 MR. DELANEY: Go ahead. Question of process?

12 MR. REINHART: Well, question on the motion. Is
13 there room for that?

14 MR. DELANEY: Well, we'll discuss the motion.
15 There is a motion, and I have to respect it. So there's
16 a motion on the table. There's a second. Now, let's
17 discuss it.

18 MR. REINHART: Have the people been notified?
19 Mary-Jo, did you ask the superintendent if they --

20 MS. AVELLAR: I believe they have been notified,
21 that letters went out telling them that they have to get
22 out.

23 MR. REINHART: So they already know this? Is there
24 a need to do this if they already know?

1 MS. AVELLAR: Well, I just don't think, Tom, that
2 this needs to be done, and I'm concerned that the
3 transparency that we were promised hasn't occurred. We
4 don't --

5 MR. SABIN: What lack of transparency? What didn't
6 we know?

7 MS. LYONS: Yeah, I'm not sure --

8 MS. AVELLAR: We don't know -- I don't know whether
9 this money has to be spent because it's in the budget or
10 if it can be deferred. I know sometimes with money when
11 it gets appropriated at town meetings it doesn't get
12 spent. It goes back into the general fund. I'm not
13 sure how that works at this end of the government,
14 whether he has to spend the money because he's got it.

15 This money obviously has been in the budget, so
16 this has been in the works. This has been in the works
17 obviously because the money is there. So somewhere
18 along the line before August of 2011 there's been a plan
19 afoot to deal with these cottages, these camps. First I
20 heard about it was when we had our meeting here. So
21 money had to have been budgeted to do this work, and so
22 we didn't know about that, number one.

23 I don't know where we stand in the NEPA process.
24 I'm concerned about the damage that might occur to the

1 remaining private properties that are out there once
2 these Park Service properties come down. I'm concerned
3 about what's going to happen to the habitat when the
4 heavy equipment gets out there. I don't think this is
5 something that has to happen immediately, and given the
6 fact that we've had this wonderful winter, I don't think
7 we have to worry about anything now. These properties
8 were built, reconstructed under Park Service criteria to
9 be above the surging tide with the pilings driven down
10 deep enough so that they would withstand it. We had a
11 hurricane this year. Nothing happened. We had a
12 horrible winter last year. Hardly anything happened.

13 I know eventually things are probably going to go
14 out there, but I don't think we need -- I'd rather see
15 the money that's set aside to knock down these camps put
16 to better use, quite frankly, in other areas of the Park
17 Service that maybe need it more, like the revetment out
18 at New Beach.

19 MR. DELANEY: Okay, can I suggest something? It
20 sounds like you have a number of questions. You just
21 articulated a number of them, and I'm assuming that's
22 why you made a motion that the subcommittee reconvene to
23 deal with some of those questions.

24 MS. AVELLAR: Yes.

1 MR. DELANEY: Before we decide whether or not the
2 subcommittee needs to meet, perhaps we could ask the
3 superintendent to respond to some of those questions,
4 and that may obviate the need or meet -- at least might
5 satisfy some of your issues.

6 Would you like to do that, George?

7 MR. PRICE: Sure.

8 Several things. The business about does it have to
9 happen, on the ground it has been clearly shown by the
10 mapping that we've had the 80-feet-a-year erosion on the
11 ocean side. The storm the last week in October took
12 away the shed, which was the structure that belonged to
13 the Park Service. Some of the local residents pulled
14 that up on the beach further down from the beach.

15 We've heard statements about how there's been
16 accretion on the ocean side, and we're not paying
17 attention to that. When I talked to the scientists,
18 they say that sort of shoaling between storms would be
19 expected, and that shoaling had been happening, as we
20 have documented in our photos that we showed you at the
21 last meeting. The high tide line has continued to move
22 forward. So if we have a couple of these storm events
23 -- and the story always was we may lose something this
24 winter. It wasn't a definite we could, but we may.

1 You're right. We've had an incredibly mild winter so
2 far. The hurricane actually hit west, so we got some of
3 the residual storm. We didn't get a full-blown storm
4 here. We've had some wave action but not like two years
5 ago when we had a million dollars' worth of damage here
6 at the Seashore. So I think the issue of the storm,
7 it's just kind of when they arrive, not if, and we
8 haven't had that kind of effect yet. What we have had
9 already demonstrated that it's gone.

10 Our point is that the best way to remove these
11 things before the environment is too difficult to deal
12 with because either the cost will go up or it will just
13 make it more difficult. I personally had that
14 experience here when we delayed the demolition of the
15 Achilles cottage because we -- again, we were in denial
16 like everybody else, hoping that the environment would
17 change and maybe it would stabilize and we'd be able to
18 keep it there. It wasn't our goal to take these down.

19 The idea that the money somehow was already
20 appropriated prior to August 1, Mary-Jo -- I mean,
21 August 1 was when there was a field trip out there with
22 the scientists, with other staff. That was the
23 determination that said, "Listen, Mr. Superintendent, we
24 may lose some of these this winter, and it's going to be

1 an environmental problem, and it's your responsibility."
2 I then went to our regional office and requested
3 emergency funds to have the money taken, to have these
4 taken. That's where the money came from. It wasn't
5 obligated for this previously, unlike the bathhouses,
6 some of these other projects where we go through the
7 process to obligate it. There was certainly no
8 intention of us moving this quickly until we learned
9 they were in jeopardy.

10 The folks in the region absolutely knew. I put
11 together material to send down both to the regional
12 Washington people letting them know that they -- I
13 wanted them to clearly understand that if we proceeded
14 and if I proceeded, that this was in opposition to the
15 Advisory Commission. Bill stated at a previous meeting
16 this is the only time in his experience, and it could be
17 the only time since the Advisory Commission, that
18 there's been this kind of a separation between the
19 superintendent and the Advisory Commission on a decision
20 like this. It's true that you're advisory, and
21 generally the Advisory Commission is at the policy
22 level. You're not an operating committee, but we
23 certainly appreciated the advice of council on
24 operations. You all were intimately involved with the

1 Dune Shack Subcommittee. You've been involved with the
2 hunting. You've been involved with the personal
3 watercraft. A whole number of things are in the history
4 of the Advisory Commission working on very specific
5 practices. So it's unfortunate for a variety of reasons
6 that this came upon all of us all of a sudden because in
7 August when I was informed that we could lose some this
8 winter, I laid out all the reasons why we had to move
9 quickly. And that was notified to you, I believe, in
10 writing before the first meeting in the fall that
11 obviously this decision had happened. So we didn't have
12 the ability to do a consultation ahead of time.
13 Basically we were all on a real-time timeline.

14 As far as -- two more things. I'll say them
15 quickly. The NEPA process, as I mentioned with the 106,
16 with the 110, and with the environmental concerns, we're
17 certainly working through the NEPA process with all of
18 our professionals, mostly in the regional office on
19 every step of the way. We believe that we have done
20 everything that we have been required to do. I said
21 there are a couple of outstanding issues that have to be
22 actually tied up in a bow, if you will, before we could
23 actually proceed.

24 Katry Harris is actually with the Advisory

1 Commission on Historic Preservation, so she's not
2 actually --

3 MS. MOYNIHAN: Advisory Council of Historic
4 Preservation.

5 MR. PRICE: Advisory Council?

6 MS. MOYNIHAN: Yes.

7 MR. PRICE: Is she a Park Service employee?

8 MS. MOYNIHAN: No, it's a government agency.

9 MR. PRICE: It's a government agency, but it's not
10 the National Park Service.

11 MS. AVELLAR: No, I understood that.

12 MR. PRICE: But we believe the NEPA process has
13 been completed. A number of people have written us
14 claiming other questions or that it might not be, and
15 basically we rely on the people that do the reviews and
16 actually tell us if they've been done or not.

17 The impact on the private property we agree is
18 certainly something that we are going to have to take a
19 look at very carefully. Again, we're in a catch-22
20 because if we don't remove the cottages and we have bad
21 storms, then we have material that potentially could
22 damage that property as well, much less other personal
23 property or other personal safety-type things. So we
24 believe that there is a way that we can kind of very

1 delicately make our way around the island in order to
2 remove the five structures we're responsible for.

3 We've had some success with some contracting
4 people. I know at a previous meeting some island folks
5 were talking about some bad examples in the past where
6 they had seen a contractor come in and just raise havoc
7 with the site. We've actually had some experiences
8 specifically in Moors Road in two phases of the bike
9 trail which have gone through wetlands and sensitive
10 environments where we think that they've done an
11 extraordinary job. So we have a certain amount of
12 confidence that we think we can do it the best way
13 possible. And our position would be that we would
14 obviously minimize the environmental impact as much as
15 we can on a piece of property that's in the process of
16 basically eroding away.

17 MR. DELANEY: Okay.

18 MR. REINHART: Just one thing. I've got a doctor's
19 appointment that I couldn't change, so I have to excuse
20 myself.

21 MR. DELANEY: Just before you do, if I could
22 propose two more minutes.

23 MR. REINHART: Yeah.

24 MR. DELANEY: I had not intended to reconvene the

1 subcommittee, but we have a motion on the floor based on
2 some questions that Mary-Jo had asked. I think I'm
3 personally satisfied with the superintendent's answer to
4 one of those, but I would like to either discuss whether
5 or not we need a subcommittee to meet because there are
6 other issues or not.

7 If there's no more discussion, I really have to ask
8 for the motion to be withdrawn if you're satisfied,
9 Mary-Jo, or we'll have a vote.

10 MS. AVELLAR: Well, I'm not satisfied because
11 obviously this has been studied. You know, if Mark
12 Adams and Graham Giese have been going out to that
13 island for months at a time -- it sounds like for a long
14 time -- studying this, we have ocean stewardship
15 shoreline change on the agenda just about every meeting
16 and it's never come up before. So we've never had any
17 previous notice that studies were being done out there
18 because there was the possibility that we might have to
19 entertain -- we might have to entertain the elimination
20 or removal of some of these shacks.

21 So I think that it's not a transparent process,
22 that it was sprung upon us, that it's not a good way to
23 interact with the community, although I have to say it's
24 not as bad as it used to be when it was happening down

1 in Provincetown. So I am not going to --

2 MR. DELANEY: I think timing is -- you've used that
3 example, but I want to be mindful. I said two minutes
4 before, and Tom has to leave.

5 MS. LYONS: I know that Tom has to get out of here,
6 but I just wanted to say that it's -- to call the
7 process that it lacked transparency, I disagree with. I
8 think that everything was as transparent. We've seen
9 every document, every letter, every statement that
10 everyone has made, and everyone had a chance to speak.
11 So I cannot agree with that statement.

12 The other thing is when you talk about not having
13 warning, well, we didn't know that the revetments were
14 going to come up today either because there was no
15 warning on that.

16 MS. AVELLAR: We've talked about the revetment in
17 the past, Sheila.

18 MS. LYONS: Yes, but we didn't know that that was
19 going to be all crumpled in and that was going to be as
20 an emergency situation.

21 MS. AVELLAR: It was crumpled in the fall. We had
22 pictures in the fall.

23 MS. LYONS: But to the extent that it is, Mary-Jo.
24 So it's Mother Nature, and it's something that was

1 presented. It was more critical than thought to be. I
2 don't think anybody wanted to deal with this. I think
3 everybody wanted to have the people to be able to enjoy
4 these the way they have for a very long time.

5 Given that, I have one question. Is this the only
6 campsite -- because this was one of the statements that
7 was said to me -- in the entire National Seashore Park
8 Service that doesn't go on lottery if it's open camps?

9 MR. HAMMATT: What does that have to do with --

10 MS. LYONS: I'm just saying.

11 MR. HAMMATT: Really, Sheila --

12 MS. LYONS: No, I'm just saying that these are --

13 MR. HAMMATT: Completely (inaudible).

14 MS. LYONS: I'm just saying if there's going to be
15 a subcommittee, I think that there has to be other
16 processes put into it.

17 MR. DELANEY: Thank you. That may come back, but
18 other discussion on the motion to reconvene the
19 subcommittee? Bill?

20 MR. HAMMATT: Okay, we met one time and for a
21 limited period of time because some of us were in a
22 hurry to get other places. We had a short time between
23 the time we tried to convene and could all find a date
24 in common. We gave what time we had when we were able

1 to, but I think that we could all give another afternoon
2 to a subcommittee and among ourselves decide whether we
3 need to go any further than that. I'm certainly willing
4 to. Mary-Jo is certainly willing to. Judy, although
5 she is not here, has indicated to me that she is
6 certainly willing to.

7 MR. DELANEY: And what would the topic be? To try
8 to reverse the superintendent's decision?

9 MR. HAMMATT: Not necessarily, but Mary-Jo has
10 raised a lot of issues, and I think those issues should
11 be discussed.

12 MS. LYONS: I have no problem with that. I don't
13 mind reconvening.

14 MR. DELANEY: Okay. All right. You can see I'm
15 not enthusiastic about it myself, but I will respect my
16 fellow commissioners. And if we think there is some
17 other further understanding of the situation or some
18 other topics that we might want to explore, we'll have
19 one more afternoon meeting at some point soon. That's
20 based on four of the five -- three of the five
21 subcommittee members saying that we would meet. I will
22 be the fourth. And by the way, since these membership
23 in these subcommittee are open, I would welcome others
24 from the Commission to join. Those five of us just sort

1 of came up quickly at the meeting two meetings ago when
2 this became an issue and the selectmen said we need to
3 have something happen and five of us just happened to
4 raise our hands. But there are only three more of you
5 at the table, so we could have another subcommittee
6 meeting if you feel like you'd like to.

7 So I guess we stand now that we will -- I don't
8 know if we need to vote a motion officially. I think I
9 get a sense of the committee, the full committee, that
10 they would like -- at least those of us who served on
11 the subcommittee to spend a little bit more time with
12 this, and in the spirit of cooperation and full
13 discussion, we will convene such a meeting when it's
14 convenient soon.

15 Can we then withdraw the motion officially?

16 MS. AVELLAR: Okay.

17 MR. DELANEY: Second withdrawn?

18 MR. HAMMATT: (Nods.)

19 MR. DELANEY: Okay.

20 MS. AVELLAR: Thank you.

21 MR. DELANEY: Thank you for listening to us, Tom.

22 MR. REINHART: Thank you.

23 (Mr. Reinhart leaves the room.)

24 MR. DELANEY: Other questions of the superintendent

1 on any other topic? Otherwise we have two more issues
2 to go -- items to go, and then we'll open it up for
3 public comment.

4 **OLD BUSINESS**

5 MR. DELANEY: So Old Business. Any old business
6 that the members of the committee would like to bring
7 up?

8 (No response.)

9 **NEW BUSINESS**

10 MR. DELANEY: Any new business?

11 Yes, Maureen?

12 MS. BURGESS: Actually, I do. And as I begin what
13 I'm about to say, you may think it's not really relevant
14 to the advisory committee, but I think if you allow me
15 to finish, you might see that it could be.

16 I think everybody remembers the nuclear incident at
17 Fukushima Nuclear Power Plant and the four plants that
18 were affected by the tsunami last March and the fact
19 that they're still leaking radiation. The Pilgrim
20 Nuclear Plant that we have here is built on the same
21 design as those four nuclear facilities. It's a Mark 1.
22 It is also problematic because the number of fuel rods,
23 spent fuel rods that were originally said could be
24 handled there has now been exceeded three times.

1 Instead of 800, there's more like 2,400 spent fuel rods,
2 which if you made an analogy to your house, they're
3 accommodated in what would be in the attic of your
4 house.

5 Perhaps some of you had heard the three-part series
6 on WCAI by Sean Corcoran, who did a very good coverage
7 of this. And in listening to it, he brought up the fact
8 that, yes, if there was a leak, there would be nothing
9 we could do about a lot of the substances. The only one
10 substance that seems to be amenable to medication that
11 might prevent harm to human beings is the potassium
12 iodide which would stop the absorption of radioactive
13 iodine by the thyroid gland. And then he went on to
14 describe that although the health department on the Cape
15 had a supply of these, that probably most people living
16 on the Cape -- or many, I should say -- and to a large
17 extent, I'm thinking of visitors to the National Park --
18 don't even know that Pilgrim exists or what kind of
19 state it's -- I don't want to say disrepair, but I think
20 you probably heard that they did have a couple of recent
21 shutdowns.

22 So in listening to those comments, I did go to our
23 health agent in Truro to see if there was a stash of
24 potassium iodide, and there is as a result of a movement

1 by a group of citizens who went to the state legislature
2 probably back in '06 and got funding for every town to
3 have potassium iodide. Our health agent said that back
4 in '06 the town did do some education regarding this,
5 but the amount of potassium iodide that they have in my
6 town, Truro, is limited to what they anticipated that
7 our summer population would be, which would be 20,000.
8 My understanding is that there is something like 500,000
9 visitors to the Park in the summer.

10 If there was a leak -- and I realize this
11 statistically is not likely, but it's a possibility --
12 we would all be advised to stay in place because there
13 is no point in attempting to evacuate because if you
14 went towards the bridges, we would be moving into the
15 10-mile zone, and probably you'd never get off the Cape
16 because the people in Plymouth would be leaving and be
17 blocking traffic.

18 So every town does have its potassium iodide, but
19 the towns -- I should just back up for a second. We
20 would be told to stay in place, probably stay in our
21 houses, tape up the windows until this plume of
22 radiation went by. But as I was thinking about it, I
23 was thinking about what about if it were to happen in
24 the summer during the height of tourist season. What

1 about all those folks? Our health agent does not have
2 enough to assist the Park in any way in dealing with
3 this potassium iodide medication in the event of a
4 disaster. So it just got me wondering if, in fact, the
5 National Seashore had given any thought to this
6 potential emergency. This also -- this iodide, the
7 expiration date is up in 2013, and there is no plan or
8 funding to my knowledge to have a new stash of this
9 iodide given out to the towns.

10 So it may seem like beyond the scope of our
11 committee, but it certainly would be an issue and I
12 wondered if, you know, the visitor centers or anything
13 had ever given any plan to what they would do in that
14 situation because the towns are not equipped to assist
15 with the tourist questions on this. So I just raise it.

16 MR. DELANEY: No, thank you. That's obviously a
17 serious issue, and I thank you for raising it. I think
18 it warrants some talk, some thought by the
19 superintendent. Maybe now if you want a quick response,
20 but I think that may be an issue for a further briefing.

21 MS. LYONS: And one thing I just want to say is
22 that I will be meeting with our health department
23 director of the county, so I will present your questions
24 and your concerns and see if they have given it thought.

1 You know, we do have an emergency response and disaster
2 response team in place that work very well together
3 across the -- it's one of our more successful regional
4 efforts. So you have police, fire, and health
5 departments and Red Cross all working together. So I'll
6 see if this is something that they have actually even
7 considered. As opposed to hurricanes, forest fires,
8 have they thought about this? And I will bring it up.

9 MS. BURGESS: I would appreciate that, Sheila.

10 MS. LYONS: I'd be happy to.

11 MS. BURGESS: I did speak with our agent in Truro
12 and asked if there had been any planning on a regional
13 basis or training of the health agents, and there has
14 not.

15 MS. LYONS: Okay, I will definitely address this
16 and bring back whatever information, and I'll send it
17 ahead of time to the group.

18 MS. BURGESS: Thank you.

19 MR. DELANEY: George, do you want to respond?

20 MR. PRICE: Maureen, just so you know, I do not
21 believe we have thought carefully about this particular
22 issue. As Sheila said, we work closely with the
23 regional emergency management response, but those topics
24 have been, as you say, fire, hurricanes, and, frankly,

1 avian flu. Remember when that was the hot topic?

2 MS. LYONS: Avian flu, right. That is the other
3 one and the different vaccines that have been given out.

4 MR. PRICE: And we do still have SOPs, special
5 operating procedures, that would go in place. And every
6 once in a while I know the regional folks get together.
7 Also marine and spill response off the coast.

8 MS. LYONS: Yes, yeah.

9 MR. PRICE: Which the Coast Guard has the lead for.
10 And they've actually done tabletop planning, for
11 instance, here with all the towns on the Outer Cape
12 thinking in terms of what if there's a spill, you know,
13 a couple of miles away in terms of towards the Cape, et
14 cetera. I don't frankly know if the evacuation for a
15 nuclear incident has ever been put in that same context.

16 MS. BURGESS: There really isn't anywhere to go --

17 MS. LYONS: No, there isn't.

18 MS. BURGESS: -- that is closer unless the Navy
19 were to come in and take us off -- take us up to Maine.

20 MR. PRICE: Right.

21 MS. LYONS: Right, yeah. Get our rowboats out.

22 MS. BURGESS: Exactly.

23 MS. LYONS: But I'll find out what I can, and I
24 think it's a very good -- it's something to consider.

1 MR. SABIN: It's pretty scary when you're riding
2 along Route 6 and you see evacuation signs and know you
3 can't get anywhere.

4 MS. LYONS: Yeah, I know. I mean, it's hard to get
5 from Wellfleet to Orleans.

6 MS. AVELLAR: It's my understanding that we're not
7 supposed to go, that the visitors are the ones that are
8 supposed to go first and not the residents. You have to
9 get on a boat.

10 MR. DELANEY: All right, well, we'll explore this
11 topic further and have that on the agenda.

12 MS. BURGESS: Thank you.

13 MS. LYONS: And I'll find out what I can.

14 MR. DELANEY: Thank you seriously for raising it.

15 Any other new business or items for the future in
16 agendas from the members of the committee?

17 (No response.)

18 **DATE AND AGENDA FOR NEXT MEETING**

19 MR. DELANEY: Okay, let's get our next date set.
20 It's probably two months from now.

21 I'll come back to you.

22 MR. PRICE: It would be in March.

23 MR. DELANEY: March?

24 MR. PRICE: We're wide open at this end, I believe.

1 Chairman.

2 I came here today -- very informative. I'm really
3 glad I came, and I'd like to thank the Seashore advisory
4 committee for reopening and reconvening the North Beach
5 Cottages Subcommittee. I had remarks prepared to
6 encourage you to do that, but thankfully you took care
7 of that yourself.

8 But part of the reason I'm here is because
9 constituents have reached out to me. They've reached
10 out to Senator Wolf. He and I jointly penned a letter
11 to the Seashore superintendent shortly after we all
12 heard about the North Beach cottage determination asking
13 to slow this down, to put a public process in place, to
14 gather all of the information, and although I know, as
15 somebody who serves in the state legislature, sometimes
16 the pace of government at its slow pace can seem unduly
17 slow, what I have learned is where you try to rush to
18 judgment and rush to a decision, that's where bad
19 decisions are made. So thank you for taking this step
20 today of slowing the process down, reconvening, looking
21 at the facts at hand.

22 And let's focus -- you know, not get distracted by
23 who has a lease and who doesn't have a lease -- I mean,
24 we've gone through that with the dune shacks in

1 Provincetown -- but really what the process for
2 determining which of those camps can and will survive,
3 what representations were made to the people who rebuilt
4 them in 1991, the structural integrity of them. You all
5 know the issues better than I do.

6 I think it and Herring Cove Beach are two hot
7 button issues because just as we're seeing erosion of
8 the sand and erosion of the landscape, there are a
9 number of us who live here who fear and see maybe an
10 erosion of our traditional uses in the way that we have
11 lived, and I think certainly the beach camps are not
12 only symbolic of that but a living and actual part of
13 what our traditional use is.

14 So now I'm going to segue over to the Herring Cove
15 parking lot and area there in front of the snack bar.
16 That too is very much a part of our traditional use. In
17 fact, I brought a little show and tell with me today,
18 which could be known is my favorite part of my first and
19 second grade class, show and tell. And it's probably
20 why I got into politics. But anyway, here is a postcard
21 -- and I couldn't peel it out of the frame -- showing
22 the new state road along the beach in Provincetown. And
23 you can see it runs right along the shoreline, and there
24 are parking spaces sort of not on the beach side but on

1 the other side. And judging by the age of these cars,
2 it looks like this postcard must have been penned
3 sometime in the 1920s or '30s.

4 The use of being able to get close to the beach
5 there, to have the beach experience, whether it's from
6 your vehicle or, as I saw yesterday, people setting up
7 their birding scopes right on the hard pavement and
8 looking out to the sea is something that at one of Cape
9 Cod's most popular beaches is something that's treasured
10 by locals and visitors and Cape Codders all alike. So I
11 had a little brief meeting with the superintendent early
12 this morning. I would offer up my services to be your
13 partner in government, whether it's for the North Beach
14 camps or whether it's the Herring Cove parking lot,
15 general access to the beach issues, to help as I can, to
16 be a convener.

17 At the time of the original North Beach break, I
18 assembled a group of experts from the Center for Coastal
19 Studies that came. State permitting officials came.
20 The Seashore came. The congressman's office came. Both
21 senators' offices sent representatives as well so we
22 could figure out where we were and what were the
23 overlapping rules and jurisdictions in order to be able
24 to kind of get off the dime and get things moving. And

1 I offer to the Seashore advisory committee and to the
2 superintendent those services again. But I guess I
3 would caution us, as we are making these management
4 decisions, to think about what John F. Kennedy's purpose
5 was when the Cape Cod National Seashore was formed, and
6 that is to preserve our traditional way of life,
7 preserve traditional uses here, and those traditional
8 ways of life that so many of us cherish, whether it's
9 the folks that go out to North Beach in the summertime
10 or people like me who love to take the newspaper and a
11 cup of coffee on a Sunday morning. I don't have a water
12 view from my home, but anybody who goes out to Herring
13 Cove has a water view to enjoy their cup of coffee and
14 their newspaper, and it's hard to put a monetary value
15 on that.

16 But I guess I spent a lot of time in Boston talking
17 to state regulators and administrators about how one
18 size does not fit all for us here on Cape Cod.
19 Affordable housing funds, transportation funds, whatever
20 it might be, we're unique. We're unique. Well, you
21 know what? We are unique. So my message today is let's
22 think outside the box. One size does not fit all.
23 Let's take the time to craft creative solutions that
24 work for us here as you look at that beautiful seashore,

1 which I love. And I probably wouldn't be living here if
2 it wasn't for the Cape Cod National Seashore. I
3 treasure it. All the way from Chatham to Provincetown
4 it's screaming for creative solutions as we face new
5 challenges and move forward.

6 Thank you.

7 MR. DELANEY: Thank you. I'm sure we will take you
8 up on your offer to assist with the process.

9 AUDIENCE MEMBER (MS. PEAKE): Good, thanks.

10 MR. DELANEY: I'll keep you informed of the
11 subcommittee meetings and so forth.

12 AUDIENCE MEMBER (MS. PEAKE): Great.

13 MR. DELANEY: Other comments? Yes, sir? By the
14 way, name and --

15 AUDIENCE MEMBER (SEAN SUMMERS): My name is Sean
16 Summers. I'm a selectman in Chatham. A couple of
17 comments about the comments that were made today, and I
18 don't mean to -- as you said, I don't want to rehash the
19 debate here now. I don't think that's necessary. I do
20 want to mention a couple of things, however.

21 Many comments have been made about the mild winter
22 we had. I think that's very true. However, we have had
23 some very serious storm events. We had a very powerful
24 nor'easter in Chatham that had (inaudible) and

1 astronomical high tides. And as the superintendent
2 said, that did take away a shed. It did not take away
3 any of the camps. What he did not tell you was that the
4 shed was the only structure that did not have the 24-
5 foot pilings that were approved by the Seashore to
6 withstand such events -- events such as these, and I
7 think that's a very important point to make. And I
8 think that it's very important that not only this group
9 but also the Seashore national gets that information.
10 I think that this is -- it's a concern. I tried to
11 reach Philadelphia and couldn't get a return phone call
12 from the Seashore. For me this is becoming much more of
13 an issue of just beach camps. This is an issue about,
14 as Sarah mentioned, the people's ability to weigh in on
15 how they govern themselves. Sheila mentioned issues
16 about occupancy. Frankly, the board of selectmen was
17 very clear that we weren't weighing in on issues of
18 occupancy. We believe that that's appropriately done
19 right here in this group and how to manage those issues.

20 But I think it is important to remind folks that
21 Chatham was notified that these camps were going to come
22 down. We weren't consulted. This group was not
23 consulted that these camps were going to come down. In
24 fact, we had to file historic documents to slow this

1 process down to attempt to get to your board so we could
2 appeal to you. It's embedded in the mission statement
3 of the Seashore that the Seashore is to work
4 cooperatively with the communities that it encompasses.
5 You folks are representatives of the towns that the
6 Seashore is in. I think it's very clear that the intent
7 was to work with you and to make decisions together, not
8 just to allow you to speak, to actually make sense to
9 adjust to the facts. I think those facts frankly have
10 been clearly outlined to you, and while a great deal of
11 attention has been given to the historic part, which I
12 happen to believe is a good part of this argument, and I
13 think the cultural uses as delineated in the Seashore's
14 legislation are extremely important, it's also important
15 to mention the other things.

16 We heard several different arguments why these
17 camps had to come down, and those arguments changed
18 every time we proved them not to be a problem. We
19 proved that the economics were not a problem. We found
20 out from our senator that the monies could be carried
21 over and held by the Seashore. These issues have been
22 ignored. I know not why, but for me I think about now
23 -- I've learned that we're not in a vacuum here, that
24 these issues have happened before with other towns. And

1 I would ask representatives from Eastham and other
2 communities -- I would hope that in the future you would
3 want a Seashore that is responsive and actually listens
4 to you and listens to factual information when it's
5 presented. And I for one am not going -- I think and I
6 plan to try my best to make sure that folks will listen,
7 that the Seashore listens to the people with whom they
8 are supposed to serve. I think that's been a very
9 flawed part of this process, and I hope you take that
10 into consideration. And in the future when another
11 issue comes up, you know, the parking lot at Herring
12 Cove, the monies from the North Beach camps could pay
13 for that new parking lot.

14 Please demand if legislation says that you should
15 be involved, that you are involved, and I would hope
16 that you make your voices clear that the Seashore both
17 locally and nationally must be responsive to the people
18 whom they serve.

19 Thank you.

20 MR. DELANEY: Thank you.

21 Yes, sir? Name and address.

22 AUDIENCE MEMBER (STEVE BUCKLEY): My name is Steve
23 Buckley, and I'm from Chatham and grew up in Chatham,
24 went off to Washington, D.C., where I worked for

1 environmental offices and five different federal
2 agencies having to do with NEPA. So I know NEPA and
3 particularly categorical exclusion. So I look forward
4 to advising the advisory committee -- subcommittee on
5 how -- my review of what has happened in good faith, I
6 would say, but nonetheless I think the process that the
7 National Park Service has, has some flaws in it, one of
8 which is apparently people don't get consulted in spite
9 of all the good policy and rhetoric that you read on the
10 Web site about civic engagement and so forth and so on.
11 So I'm not saying anybody's trying to do anything --
12 everything's in good faith. I'm just saying this is
13 apparently to me a flaw, and the key is I think the
14 categorical exclusion was stretched in the place of what
15 should have been an environmental assessment. And that
16 is what the difference is. An environmental assessment
17 requires public comment to the extent practical. A
18 categorical exclusion does not. So basically they got
19 caught. This is where somebody tried to do that. And
20 I'm not saying -- Mr. Price said he relies on the
21 experts to tell him whether something has been complied
22 with and so forth.

23 So that's just a matter of opinion about whether or
24 not something's been stretched a little too far, and I

1 think the Department of Interior and the other agencies
2 within the Department of Interior -- we all know about
3 Deepwater Horizon where another agency within the
4 Department of Interior got caught with a categorical
5 exclusion for the Deepwater Horizon drilling fiasco,
6 which was only -- you know, an exclusion was meant for
7 routine maintenance, operations maintenance like a
8 parking lot, mowing a lawn, not Deepwater rigs. And of
9 course, this doesn't approach a Deepwater rig, but still
10 you can see where people felt they'd gotten short
11 shrift. So I look forward to explaining that more in
12 detail.

13 MR. DELANEY: Thank you.

14 Any other comments on any topic from the general
15 public? Yes, sir? Name and address?

16 MR. THOMAS: Ted Thomas. I'm the alternate advisor
17 to the board here.

18 And what I want to say, we have a new road out
19 there on the Moors Road. It's a very nice road, and the
20 bike path along the side is nice. When people see a new
21 macadam, they tend to drive a little faster instead of a
22 little slower even if there's a bike trail. In
23 Wellfleet when you enter either end of the village, you
24 see a sign that says "*Drive gently. Walkers, bikers,*

1 *hikers,*" whatever. I think signage out there would be
2 in order, you know, some type of wording, signage, *Drive*
3 *gently.* You have bikers and hikers, beachgoers. I
4 mean, people are driving -- I just observed faster
5 driving on that road for whatever reason, and I think a
6 word of signage might be real important, especially
7 since you don't have a barrier between the bikers and
8 the drivers. You just have a side road. It's very
9 nice. I mean, what you did there works.

10 I think also --

11 MR. PRICE: Tom, let me just ask.

12 So is all our signage up? Are we done with signage
13 on Moors Road according to our existing plan?

14 MR. HOOGEBOOM: There are a couple signs that are
15 in the recent procurement of signs that we haven't put
16 up yet. However, we're also very cognizant about sign
17 pollution, so we want the signs that we do put up to be
18 effective.

19 MR. PRICE: Do you think any of them were along the
20 line of what Ted's recommended?

21 MR. HOOGEBOOM: They're the regular tourist signs.
22 So the speed limit signs are not up. We wanted to put
23 several more street signs up that are not up yet, but
24 the bicycle path signs are -- they don't spell out in

1 English *bicycle path*, but it's the international symbol.

2 MR. PRICE: I just wanted to clarify that because I
3 knew we weren't finished with the signage, but I'm not
4 sure if they're going to address the point you're
5 bringing up.

6 MR. THOMAS: I think *Drive gently* is better than 30
7 miles an hour or 25 miles an hour. I think that it
8 comes across. It starts to make people think.

9 Also, the ones --

10 MR. SABIN: I've never seen a sign that said that.

11 MR. THOMAS: Well, come to Wellfleet.

12 AUDIENCE MEMBER: Come to Wellfleet.

13 MR. THOMAS: The other thing is the raised bike
14 trail. The raised walkway I think has to be further
15 away from the actual point. I think it's too quick.
16 Raise and then you hit the bump. I think that should be
17 moved back.

18 That's just a couple of things I noticed. I think
19 you really did a nice job. It looks great. It's been
20 needed out there.

21 The other thing is another point, leaving that,
22 going to Nude Beach, a/k/a Herring Cove. Herring Cove
23 used to be Nude Beach when the state made a nude beach
24 out there to the townspeople of Provincetown, so a lot

1 of people out there still call it Nude Beach. It's
2 important that you take care of that beach. And I think
3 if you look at that first slide that you had, you know,
4 in the '50s when they were building, putting that
5 revetment in, there was a lot of beach in front of the
6 revetment. So you can't think that that macadam -- and
7 I know you were thinking that macadam is not the piece
8 that's probably going to get removed or -- I don't know,
9 but you've got to save that area. And I think it should
10 become priority, maybe priority one. I don't know what
11 priority one is, but I know the people in Chatham think
12 that is as a priority, but Mary-Jo's is a priority. And
13 I'm from Wellfleet, so I know.

14 MR. DELANEY: Thanks. I'm sure we can always make
15 a good thing like Moors Road even better, so thank you
16 for those comments. And yes, you're right. There are
17 about 100 number one priorities on the superintendent's
18 list.

19 MR. HOOGEBOOM: (Inaudible).

20 MR. PRICE: Mr. Chair, one of the things I just
21 wanted to mention -- I don't know if this makes sense at
22 all, but I've gotten a lot of -- I get a lot of e-mails
23 and letters from people, especially folks who are not
24 necessarily involved in the North Beach process or other

1 constituents, about other issues. And often what people
2 do is they pick a sentence or a phrase out of either the
3 Park Service Organic Act or the establishment of the
4 National Seashore. I'm sorry Tom isn't here anymore,
5 but when he asked, you know, how do we arrive at
6 decision-making, I'm not saying this as a defensive
7 thing. I just want to put it in context. And the
8 context is absolutely we have the Organic Act of the
9 National Park Service, preserve and protect our nation's
10 cultural and natural wonders in perpetuity and allow for
11 their use. So there's a dichotomy right off the bat,
12 right? But then underneath that you've got the
13 legislation for the Cape Cod National Seashore, which
14 has all the mandates that are required in that. All of
15 this then is in the context of the laws and policies of
16 the United States and the Department of the Interior,
17 and it's all subject to funding. So every time a
18 manager or a staff or a specialist in the region makes a
19 decision, a lot of times it's easy to pull out a thread
20 that says we're unique in the National Seashore, but
21 actually we're part of the National Park Service, and we
22 have all these other laws and policies.

23 I'm not going to go down the path right now --

24 MS. LYONS: No, no.

1 MR. PRICE: -- about leasing and whatnot. That's
2 another whole topic I'd be glad to talk about. We spent
3 a couple of years talking about it for the dune shacks,
4 but that's where that falls in. There's nothing in the
5 Cape Cod National Seashore legislation that talks about
6 leasing, but that's all part of then the rest of the
7 government and what I bring to the table to you through
8 our position and our collective staff.

9 So as we're talking about things now or in the
10 future, those are the parameters or the pieces where
11 this comes from. So very much 100 percent of the North
12 Beach stuff has to do with our responsibilities towards
13 being environmental stewards. That's it. You don't
14 have to look any further. That's where this all
15 emanated from. So when the emergency call was given to
16 me August 1, that's when it became an emergency. The
17 North Beach thing is different -- excuse me. The
18 Herring Cove is different because we recognize that we
19 were going to be having problems there. That's why we
20 spent money already on patching it. That's why we
21 already spent money on things like the new bathhouse and
22 why Dr. Graham Giese and our staff have been working on
23 studying the beach profile up there because we agree
24 it's important. I call it one of the best places in the

1 world to see a sunset whether you're in the car or not.
2 So it's one of our six designated beaches that public
3 access is there for us, and now the question is, what's
4 the next thing it will look like? We know now what the
5 next bathhouse is going to look like, but where do we go
6 from here?

7 So we take all of these responsibilities very
8 seriously, but we have these other parameters besides
9 our own legislation that we work within. So that's the
10 context. I just felt the need to say that.

11 MR. DELANEY: Thank you. That's helpful context.

12 MS. LYONS: Could I ask one other question?

13 MR. DELANEY: Sheila?

14 MS. LYONS: Because it's the National Seashore and
15 it's your responsibility, there's no way of partnering?
16 Say if this was an emergency and you could only have so
17 many funds, is it possible to partner with the town if
18 they had funds and do matching funds together and repair
19 that would help it go faster? I'm just saying if that
20 happened --

21 MS. AVELLAR: We don't have any money.

22 MS. LYONS: Well, nobody has. That's the problem.
23 We could all do all of these wonderful things if we all
24 had money.

1 MR. PRICE: Sheila, write the check out to George
2 Price.

3 (Laughter.)

4 MS. LYONS: And my name as a subtitle, please.

5 MR. PRICE: We certainly have done cooperative
6 projects before, but the larger government thing gets
7 them the stuff. So, for instance, that's why I
8 mentioned what I mentioned about the escrow business. I
9 was personally just not familiar with that. That's why
10 I had to talk to the solicitors and to the other
11 administrators. How would that work? Is that possible?

12 The other part of this is, very carefully, you all
13 are advisory. So as a Park Service management, I
14 legally cannot abdicate my management responsibilities.
15 You all are not only advisory, you're under the Federal
16 Advisory Commission Act. So that's why you're appointed
17 by the Secretary of the Interior. That's why you have
18 nominating agencies. That's why I have to do regular
19 reports. That's why our meetings have to be every two
20 months so they can be in the National Federal Register.

21 So we seem a lot more casual and a lot more
22 collegial most of the time, but, in fact, there are all
23 these other requirements just below the surface. Not in
24 a conspiratorial way, but in a reality way.

1 MR. DELANEY: Mary-Jo?

2 MS. AVELLAR: But there are -- and I don't mean
3 this to be argumentative, although I know everybody
4 thinks I am.

5 MR. PRICE: Go ahead.

6 MR. SABIN: Whoever said that?

7 (Laughter.)

8 MS. AVELLAR: For example, with the plovers, we've
9 talked about this -- I was talking about this with some
10 folks the other day. There are beaches where people are
11 guarding the plovers and traffic is still allowed to go
12 to the beaches. I understand that we have to protect
13 them, but not necessarily do we have to bar people from
14 the beaches. Because in other areas they found ways to
15 still allow access to the beach by having, you know,
16 private citizen volunteers or whatever fencing off the
17 little nests, guarding people -- you know, guarding them
18 in. So you still can protect them, but you don't
19 necessarily have to ban every ORV from the beach, if you
20 know what I'm saying. So there are ways of exercising
21 your responsibility without violating the law. So in
22 Hatteras or wherever some of these places are -- where,
23 as I even understand it, there are nude beaches within
24 the Seashore. Of course, we're not allowed to have one

1 here. Not that I'm going.

2 (Laughter.)

3 MS. AVELLAR: But, you know, I understand that
4 there are places where things are allowed that aren't
5 allowed here.

6 MR. PRICE: Well, first of all, a couple of things.

7 MS. AVELLAR: Yeah.

8 MR. PRICE: We have to really check our information
9 carefully.

10 MS. AVELLAR: Yeah.

11 MR. PRICE: You all remember Mike Murray or many of
12 you do. He was the previous deputy superintendent under
13 Maria. He's the superintendent at Cape Hatteras. So
14 he's bringing the same body of policies and laws down
15 there as they develop their bird management plan. So
16 that's part of what -- you know, so Shelley, who's our
17 chief of natural resources, has these colleagues in the
18 U.S. Fish and Wildlife Service, and theoretically we're
19 bringing the same level of involvement.

20 We're not going to talk about shorebirds today.

21 MS. AVELLAR: No, no, no.

22 MR. PRICE: But if you want to come to one of our
23 public meetings in the spring, that's where we'll
24 actually do it.

1 MS. AVELLAR: It's the one-size-fits-all thing that
2 I think that we're trying to talk about.

3 MR. PRICE: That's what we're trying to do with the
4 shorebird management plan. We're trying to be very,
5 very prescriptive as much as we can and listen to our
6 public. So on the one hand, we've got people that want
7 to protect all birds at all time, and we have other
8 people that are looking for as much access as they
9 possibly can.

10 Something I've learned with the piping plovers is
11 that if you have a lot of access, especially with off-
12 road vehicles, the plovers lose. So there's not an
13 opportunity for negotiation. You either have them or
14 you don't. On some of these other species, it might be
15 different.

16 When you talk about the nude beach business, you're
17 absolutely right. There are nude beaches in other
18 parks. The Advisory Commission back in the day,
19 specifically Truro representatives, asked the Park
20 Service to proceed with a rule that would make nude
21 sunbathing in the Cape Cod National Seashore
22 prohibitive.

23 MS. AVELLAR: Well, they had to because they were
24 trampling over people's private property to get to the

1 beach.

2 MR. PRICE: So the Park Service was being
3 responsive.

4 MR. DELANEY: And should we reconvene that
5 subcommittee and revisit this?

6 (Laughter.)

7 MR. PRICE: And so make sure you articulate New
8 Beach. We're not talking about Nude Beach. It's New.

9 MS. LYONS: New or Nude.

10 MR. PRICE: That's right.

11 MR. DELANEY: Okay, we're getting close. I do see
12 one more hand from the public.

13 Again, name and address, please?

14 AUDIENCE MEMBER (DONNA LUMPKIN): Donna Lumpkin,
15 Chatham, Mass.

16 When Superintendent Price came out and said there
17 was an emergency situation on North Beach in August, I
18 went to my insurance company. We had to get insurance
19 for the camp, and the National Seashore was included on
20 that policy. We were told because he now expected an
21 event to occur that any liability was canceled out if
22 anything happened in the camps' move. I'm wondering if
23 he's considered all the liability issues that will
24 happen when and if he demolishes the camps. There are

1 definite problems with heavy equipment going on the
2 beach, the damaged barrier beach. It can disrupt the
3 private property which is included, very close and in
4 between the other camps, and it's a large area. If
5 there are a lot of problems in that area, there's going
6 to be more overwashes and there could be problems on the
7 mainland. There are definite liability issues that need
8 to be considered.

9 Thank you.

10 MR. DELANEY: Thank you.

11 Do you want to respond to the insurance questions?

12 MR. PRICE: And you're right. It's a delicate
13 balance at this point because the beach is already in
14 the condition that it is. And it's my understanding
15 that certainly the overwashes and the other erosion
16 continues. So even if we don't remove the camps, we're
17 going to continue to have that issue out there at that
18 place.

19 (Mr. Hammatt leaves the room.)

20 MR. PRICE: So the detriment to the island and to
21 the rest of the private property is going to continue.
22 And as I mentioned, with the Park Service, it's a catch-
23 22. You're darned if you do, darned if you don't
24 because we believe that these structures are not

1 (inaudible), at some point they will become (inaudible)
2 and could possibly damage those camps then or they could
3 damage navigation or anything else, which knowing what
4 we know darn well, there would be lawsuits on that end.
5 So it really is a case of trying to pick the most
6 responsible management, and we're doing exactly the same
7 way we did with the properties we owned north of the
8 breach back in '07.

9 MR. DELANEY: Okay, I'll recognize other public
10 comments.

11 (No response.)

12 **ADJOURNMENT**

13 MR. DELANEY: Seeing none, I'll entertain a motion
14 to adjourn.

15 MS. AVELLAR: So moved.

16 MS. LYONS: Second.

17 MR. DELANEY: Those in favor, signify by saying
18 aye.

19 BOARD MEMBERS: Aye.

20 MR. DELANEY: Those opposed?

21 (No response.)

22 MR. DELANEY: Thank you.

23 (Whereupon, at 3:20 p.m. the proceedings were
24 concluded.)

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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 111 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, January 9, 2012, commencing at 1:03 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 23rd day of February, 2012.

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