***CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION***

***THREE HUNDRED AND SEVENTH MEETING***

HELD AT CAPE COD NATIONAL SEASHORE, Marconi Station Area, Park Headquarters, South Wellfleet, Massachusetts, on Monday, June 18, 2018, commencing at 1:02 p.m.

SITTING:

Richard Delaney, Chairman

Larry Spaulding

Don Nuendel

Lilli Green

Joseph Craig

Mary-Jo Avellar

Mark Robinson

Maureen Burgess

Kathleen Bacon, alternate

Nat Goddard, alternate

Lise King, alternate

Melissa Phillips, alternate

Bob Summersgill, alternate

Also present:

Brian Carlstrom, Superintendent

Kathy Tevyaw, Deputy Superintendent

Lauren McKean, Park Planner

Courtney Butler, Assistant to the Superintendent

Nita Tallent, Chief of Natural Resources & Science

Dr. Stephen Smith, Plant Ecologist (partial)

Andrew Nelson, Congressman Keating's representative

Audience members

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**I N D E X**

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**P R O C E E D I N G S**

MR. DELANEY: Needless to say, I am thrilled and we are all relieved, extremely pleased that we are, once again, together to call to order the 307th meeting of the Cape Cod National Seashore Advisory Commission, a big number. Yeah, I think so.

(Applause.)

MR. DELANEY: Andrew Nelson, representing Congressman Keating, is back here, and they had a lot to do with helping us make this a reality. So we are back in business, and we hope and will work to continue to be in business. We have a couple of things coming up that we'll talk about down the road.

I'm also pleased that this is the meeting where we get to meet and greet our new superintendent, Superintendent Brian Carlstrom, who is here. And I think Brian -- I know Brian has been out around on the road almost nonstop since he arrived in Cape Cod. Kathy has dragged him around to probably every single meeting. He's met all of us probably three times over.

MS. TEVYAW: Almost.

MR. DELANEY: But nevertheless, we should do some formal introductions of the committee to you. And for the record, for those of you who are new here, I'm Rich Delaney. I'm serving as chair of the Commission.

And to my left is?

MS. BURGESS: Maureen Burgess, representing Truro.

MS. GREEN: Lilli Green, representing Wellfleet.

MS. AVELLAR: Mary-Jo Avellar, representing Provincetown, and my alternate, Lise King, the new member of the board of selectmen in Provincetown.

MS. GREEN: Oh, and I should introduce my -- the alternate in Wellfleet is Kathleen Bacon, who's also a member of the board of selectmen.

MR. CRAIG: I'm Joe Craig, representing Chatham.

MR. NUENDEL: Don Nuendel, representing Eastham.

And the alternate, you can introduce yourself.

MR. GODDARD: Nat Goddard, the alternate for Eastham.

MR. SPAULDING: Larry Spaulding from Orleans, and my alternate is Bob Summersgill.

MR. SUMMERSGILL: Hi.

MR. DELANEY: Great. Well, welcome, all.

MS. TEVYAW: We have a couple other members back here.

MR. DELANEY: Oh, sure.

MS. TEVYAW: Have you introduced yourself?

MS. KING: We already were introduced.

MS. TEVYAW: Oh, okay.

MS. GREEN: There's one more over here.

MS. TEVYAW: Melissa? Melissa Phillips?

MS. PHILLIPS: Melissa Phillips. I'm the Governor's representative.

MR. DELANEY: Oh, welcome. We haven't met you yet.

MS. PHILLIPS: Thank you. Tentative.

MR. DELANEY: Well, right, you're where you should be. We haven't got all those confirmed yet, so when the new appointments are finally confirmed in Washington, you'll all be at the table. Thank you. And nice to meet you.

While we're pleased and happy to be here, we also should take note right at the outset the loss of one of our colleagues recently, Don Palladino, who you know worked very, very hard for one of the projects that has been on our agenda for a long time, the Herring River restoration project. And we lost Don just recently. You know he was a gentleman and an absolute fair arbitrator, listened to all the facts, listened to all the sides, tried to get to *yes* on all accounts, and he did a great deal of work to move that project along. So we recognize that. We miss Don and wish his family well.

So thank you, Don, for all you've done for us.

**ADOPTION OF AGENDA**

MR. DELANEY: So now let's move to *Adoption of the Agenda*, and that has been forwarded to you in advance. I will entertain a motion to adopt the agenda as printed unless someone would like to make an amendment at this point.

MS. AVELLAR: So moved.

MR. DELANEY: There's a movement. Is there a possible amendment?

MS. BURGESS: Just one correction on page 19 under shorebird issues.

MR. DELANEY: You're headed --

MS. BURGESS: Oh, the agenda?

MR. DELANEY: Just the agenda, yeah.

MS. BURGESS: I apologize. I'm out of practice here.

MR. DELANEY: Well, we haven't had -- we went 15 months without practice, so I understand that, Maureen. That's okay.

MS. GREEN: I'll second.

MS. BURGESS: Sorry.

MR. DELANEY: So the agenda is moved and seconded. All those in favor, signify by saying aye.

BOARD MEMBERS: Aye.

MR. DELANEY: Good, we'll proceed ahead.

**APPROVAL OF MINUTES OF PREVIOUS MEETING (MARCH 13, 2017)**

MR. DELANEY: Now we have *Approval of the Minutes of the Previous Meeting*, and Maureen has a correction or a comment on page 19.

MS. BURGESS: Just a minor. So under page 19 under Shorebird, the person's name is Holly, not Heidi.

MR. DELANEY: Okay.

And Lilli?

MS. GREEN: Yes, and those questions come closer to my testimony -- my comments as well, but also it's come to my attention that Kathleen Bacon was also present at the last meeting (sic), and she's not listed. If we could add Kathleen to the list.

MR. DELANEY: Is that what you were going to point out, Kathy?

MS. BACON: Yes, thank you.

MR. DELANEY: Okay, Kathy, thank you.

Any other edits? Corrections?

(No response.)

MR. DELANEY: Then there's a motion to accept the minutes as just amended. It's been seconded.

All those in favor, signify by saying aye.

BOARD MEMBERS: Aye.

MR. DELANEY: Those opposed?

(No response.)

MR. DELANEY: Okay, great.

**REPORTS OF OFFICERS**

MR. DELANEY: *Reports of Officers*.

I have no particular report myself right now, but I will go to our report from our subcommittees and turn to Maureen for the update on the Pilgrim Nuclear Plant Emergency Planning Subcommittee.

MS. BURGESS: Thank you, Mr. Chairman.

**REPORTS OF SUBCOMMITTEES**

PILGRIM NUCLEAR PLANT EMERGENCY PLANNING SUBCOMMITTEE UPDATE

MS. BURGESS: So for the benefit of Mr. Carlstrom, about a year post Fukushima, this body decided that we would like to pay attention to what was happening at the Pilgrim Nuclear Power Plant, particularly because we became aware that the only evacuation plan for us was to stop us at Exit 2 and we would be told to shelter in place. So of course we became concerned not only for Seashore staff and our citizens but also for the thousands of visitors that might be around any particular day. So we've tried to be informed, and we've tried to share our voice when there's been legislation that we felt we could be helpful in giving our input in.

So I'll just give a brief update. The 45-year-old reactor was offline for 55 days out of 122 days. In January the plant shut down for six days and then again from March 6 to April 18. After going back online for nine days, Pilgrim was forced again to shut down the reactor on April 27 until May 4. So as everybody knows, this has been listed as one of the worst performing plants in the nation. Of the 99 reactors that we have, it is slated for shutdown in 2019, but I don't think we should relax our vigilance because the decommissioning process is extremely important to the citizens of Massachusetts and particularly the Cape.

So over the last year, the legislative session, there's been about ten bills that have been introduced in either the Senate or the House of Representatives at the General Court. The only one that has moved on is Bill -- House Bill 2772, which was put forth by our representative, Sarah Peake. And I will just give you a little summary of the intent of that bill. It originated in the Public Health Committee, moved on, and now is finally at Ways and Means, the Ways and Means Committee. So that's a good sign.

All of the other bills dealt with either increased radiological monitoring, real-time monitoring. Several were proposed that had to do with extending the emergency planning zone or putting money into a decommissioning trust fund. But Representative Peake, her proposal regards emergency plans for unique geographical locations, and that would be us. And I will just read you a little summary of it: (Reading) The plume exposure pathway emergency planning zone as defined in 44 Code of Federal Regulations, Section 350.2 shall be the area located within a ten-mile radius of the nuclear power plant (end reading) -- that's all they had been required to do over the years, just plan for a ten-mile EPZ around the plant -- (reading) and shall also include cities and towns located in distinct geographic locations where an overland evacuation of individuals, either planned or otherwise, from that area would cause those evacuating to traverse highways or bridges, bringing them closer to the power station. Predetermined protective action plans shall be in place for the plume exposure pathway emergency planning zone, which shall include sheltering and evacuation details (end reading). And Section 2: (Reading) The Department shall promulgate rules and regulations to implement the provision of Section 1 within 180 days effective of this Act (end reading).

So as I said, that bill does seem to be moving along. There seems to be some hope for that. So you definitely can support it if you like. It's currently in the Ways and Means Committee of the House, so you can find that information for the correct contact numbers and names on the web.

The other thing that's a concern is what's going on with the decommissioning process, and what's going on there is several of these plants, including the ones owned by Entergy, which owns the Pilgrim Nuclear Power Station, are looking for exemptions, exemptions that have to do with what regulations they need to follow as they decommission. So many are looking, including Pilgrim -- and Entergy Corporation is looking to get waivers on things like cybersecurity, physical security, training requirements for fuel handlers because, remember, that fuel is going to be sitting there. A very small portion of it has been moved into the recommended dry cask, and the hot rods will remain in water sitting there cooling for some time. So the danger is that they're looking for exemptions from the NRC to ensure safety. For example, the owner of the Oyster Creek Nuclear Power Plant, now shut down, is looking to reduce its insurance from one billion to 50 million via an exemption from the Commission. The danger seems to be that the Nuclear Regulatory Commission seems to be granting these exemptions. So it continues to be a concern, and I think citizens should be aware and should be paying attention and talking to your representatives and the Governor about public safety and making sure that there's an adequate decommissioning fund so that we all don't get stuck with the bill of the cleanup of this.

MR. DELANEY: Thank you, Maureen.

Questions from fellow commissioners on that report? Lilli?

MS. GREEN: Yes, thank you very much, Maureen.

In the past, we as a Commission have written letters and also the past superintendent of the Park has written letters, and what I'd like to ask if we are interested in doing something of that nature again today, lending our voice to support the bill that Representative Peake has put forth that is in Ways and Means and also to support the other issues that Maureen has just discussed.

MR. DELANEY: Is that a motion to continue our previously stated support for this bill and other actions related to it?

MS. GREEN: Yes.

MS. AVELLAR: Second.

MR. DELANEY: Is there a second? Okay.

Any discussion among Commission members?

(No response.)

MR. DELANEY: We've done this in the past. We have actually quite a track record of correspondence.

MS. GREEN: And it actually has been helpful according to the feedback I received.

MS. BURGESS: And, Mr. Chairman, excuse me. Those letters are listed on the Cape Cod National Seashore Advisory Commission section of the web page for the Cape Cod National Seashore under Advisory Commission.

MR. DELANEY: So this probably would be -- this is our letter.

MR. CARLSTROM: Correct.

MR. DELANEY: In the past, you or George would have taken the initiative to do an official letter from the Park.

MR. CARLSTROM: You could forward it. The Park's not going to take an official position right now.

MR. DELANEY: Okay, so that's fine, but we can proceed.

Maureen, is that enough of a motion to give you the kind of direction you need to fashion a letter? I imagine part of it's going to be in direct support of Sarah's bill.

MS. BURGESS: Exactly.

MR. DELANEY: That's the major piece.

MS. BURGESS: Major piece, yeah.

MR. DELANEY: You've already given a lot of us other updates and other actions we could take as individuals --

MS. BURGESS: Yes.

MR. DELANEY: -- with regard to contacting committees.

So I think if that's the gist of the motion and we have a second, let's have further discussion.

Larry?

MR. SPAULDING: I just think we should because -- thank you for your efforts, Maureen, but it's very open-ended, the different things you discussed. I'm more inclined to limit our support to the bill itself rather than get into a lot of other issues, which may be important individually and something we would want to, but we kind of go beyond it.

MS. GREEN: Larry, I'm thinking that maybe it could be two separate letters; one to the legislature in support of the bill and then another following our history to the NRC, the Governor, et cetera as we have done in the past regarding these other issues.

MR. DELANEY: Well, the first one is clear, and I think that we all support that one. The second one just seems a little kind of -- maybe if you can figure out a way to -- it's repetitive. We said that two or three times, Lilli. I mean, how many times can we say it?

MS. GREEN: Well, I don't think it hurts to repeat it.

MR. DELANEY: Unless we just resend our latest --

MS. BURGESS: Yeah, yeah.

MR. DELANEY: -- missile to --

MR. SPAULDING: My issue, with all due respect to Maureen, is I'd like to see that letter if it's generally open-ended before it becomes a letter that the Commission would support.

MS. BURGESS: Oh, yeah, definitely.

MR. SPAULDING: And that would be something that we could do in a next meeting, but to just say go ahead and send a letter as opposed to a letter that we could approve that would support the bill, that would be different.

MR. DELANEY: Okay. How about that? That's a good two-step process. We'll vote to send a letter now because it's timely with Sarah's legislation, and then there'll be a draft circulated that maybe you could help, Lilli -- help Maureen draft that we will review at our next meeting.

MS. GREEN: I would be glad to.

Is that okay with you, Maureen?

MS. BURGESS: Fine.

Larry, would you want to see that letter. I usually give it to the chairman to review.

MR. SPAULDING: Sure.

MS. BURGESS: He'll forward it before we send it out.

MR. DELANEY: Okay, we can circulate it to everyone.

MS. BURGESS: The draft, okay.

MS. AVELLAR: But it may take another 15 months before we have another meeting.

MR. DELANEY: I know.

MS. AVELLAR: So I kind of agree with Lilli, that it never hurts to be the greasy -- you know, to be the squeaky wheel. You know?

MR. DELANEY: Well, we can be flexible. We can draft the second letter. It can be circulated to everybody, and if everyone responds to me that they are happy with it or want to edit it, we'll have it in reserve ready to go even if we don't have a meeting.

MS. AVELLAR: Okay.

MR. DELANEY: Okay, all those in favor, signify by saying aye.

BOARD MEMBERS: Aye.

MR. DELANEY: Those opposed?

(No response.)

MR. DELANEY: Good, thank you.

And I will echo Larry's comments. That's a lot of work you've been doing on behalf of that committee.

MS. BURGESS: It's important.

MR. DELANEY: Appreciate it. A lot going on.

And you have another smaller subcommittee that I'd like you also to report on too, the Nickerson Fellowship.

MS. BURGESS: Thank you.

NICKERSON FELLOWSHIP

MS. BURGESS: And we do have Dr. Nita Tallent here somewhere --

MS. TALLENT: Behind you, Maureen.

MS. BURGESS: Very good.

-- who's also a member of that committee and who we couldn't do without.

MS. TALLENT: Thank you.

MS. BURGESS: So we did pursue meeting on the Nickerson Conservation Fellowship, which, as you recall, was created as a memoriam to Joshua Nickerson, former chair of the Cape Cod National Seashore Advisory Commission.

And we have -- I didn't get to report last year because we had not finalized our awards. So you have in your packets a summary of the awards for 2017 and 2018. So I'll just briefly go over those awards.

And, Nita, please jump in if you'd like to.

So in 2017 three Nickerson fellows were awarded. To ensure completion of research, approximately 80 percent of the funds were presented to each fellow in May of '17 with the remaining 20 percent awarded upon completion of the terms listed in their contracts. And those students were: PhD student Alia Al-Haj from Boston University. She received $3,000.

And I should just back up a little bit. I don't know if Sue is here, but the funding for this comes from both the Friends of the Cape Cod National Seashore, who manage this fund for us, and from the Park, from our friends and partners, Eastern National folks.

So Alia Al-Haj received $3,000. Her proposal was a very important one, *Quantifying Greenhouse Gas Emissions from Seagrass Meadows over a Nutrient Gradient in the Cape Cod National Seashore*.

Another award went to PhD candidate Owen Nichols, who's director of Marine Fisheries and Research for the Center for Coastal Studies in Provincetown. His proposal -- he received $1,500, and his proposal was *A* *Novel Low Volume Portable Pump System for Zooplankton Sampling in Shallow, Turbulent, Dirty Environments*. And that was actually what folks in Truro continue to call Pilgrim Lake, but which we actually know is a back barrier lagoon. So he's been doing sampling in there because they are following shellfish life as well as horseshoe crabs in that environment.

MS. AVELLAR: Excuse me, Maureen. Where is Pilgrim Lake? Is that East Harbor?

MS. BURGESS: East Harbor.

MS. AVELLAR: Thank you. I thought we agreed it was East Harbor.

MS. BURGESS: They're still calling it Pilgrim Lake to trick them.

MR. DELANEY: Thank you for the reminder, though.

MS. BURGESS: Yes, East Harbor.

And the other award went to Faming Wang, a post-doc at Marine Biological Laboratory in Woods Hole for 1,500, and the research was the *Potential Carbon Gains* -- another important one -- *Potential Carbon Gains and Losses from the Herring River Basin Restoration*.

Thanks to Dr. Tallent we got proposals more widely distributed this year, and we had eight very exciting submissions. And I did make you a list of those eight for your information, but they ran the gamut from migratory patterns of bats, which I understand is a very important issue for the Park Service; forecasting shark movements; assessing population of diamondback terrapins; determining seal diet from their scat; exploring the microbiota of cranberry bogs; conducting a survey of the invertebrates that live on the floor of the East Harbor lagoon to documenting overwash at Ballston Beach, which, as you know, had some major erosion as a result of the Nor'easters this year.

And I will just quickly summarize to say that those fellows were Ms. Sarah-Jane Collins from the State University of New York College of Environmental Sciences and Forestry. She was funded $3,752.83 for *Spatial ecology, fall migration, and overwintering of bats in Cape Cod, Massachusetts*. Dr. Wang was awarded an award -- received an award again. He's with the Marine Biological Laboratory, and his research involves *Phragmites australis brackish greenhouse gas emissions and its temporal patterns at the Herring River Basin*. And I believe he's focusing on methane emissions. And then Dr. Chris Sutherland, assistant professor, University of Mass.-Amherst, $1,800. His title was *Population Assessment of Diamondback Terrapins in Wellfleet Bay*, and this is going to serve as a baseline study, so another important contribution. And then Ms. Megan Winton, PhD student, University of Mass. at Dartmouth, $1,280, *Developing and testing a near real-time white shark forecast system*.

And I believe as I recall, Nita, it's based on temporal --

MS. TALLENT: Temperature and salinity.

MS. BURGESS: Temperature and salinity.

Then Ms. Winton did request that her funds be deferred until she secures additional funding to cover other parts of her research, and that was approved by the committee.

And what happens with these fellows is that at the end of the summer they -- in the first year, they present a synopsis of their work to the committee, and the public is welcome to attend that. It's at the Atlantic Coastal Research classroom up at the Highlands. And then in September of the following year -- so the 2017 recipients this September will be presenting at a science symposium at the Salt Pond Visitors Center, and again, it's open to the public and very interesting.

MR. DELANEY: Terrific. Well, that's great.

Well, I'll ask for comments and questions of any of the projects that Maureen reported on.

Lilli?

MS. GREEN: The applicants are interesting, diverse, and this is just a very fascinating project. Thank you for your hard work.

And your hard work too, Nita.

MS. BURGESS: And thanks to the committee. It was very -- the proposals were very interesting.

MS. GREEN: I was curious. You didn't mention the amount that Dr. Wang received.

MS. BURGESS: Did I not? Do you know off the top -- oh, he received 3,520.

MS. GREEN: But that was for 2017?

MS. BURGESS: No, that was for '18.

MS. GREEN: For '18?

MS. BURGESS: He was our recipient again because the committee felt his work was so valuable --

MS. GREEN: Thank you.

MS. BURGESS: -- that it was essential.

MS. GREEN: Okay, thank you very much.

MR. DELANEY: I will just add -- yes, Mark?

MR. ROBINSON: I just think this is a great opportunity to point out how your committee has done a great job in rejuvenating the interest in the fellowships. And I know a couple years ago when we looked into this it was a little hard to figure out where the studies were collected and archived and presented. So I just wondered if more of that is being put up on the web now.

MS. BURGESS: Nita, would you like to address that?

MS. TALLENT: Yes, we're requiring -- as one of the conditions of the contracts that they have to sign, we require that they have a biography -- a bio as well as a synopsis of the research that we post on the Nickerson Fellowship page on our Park Service website. And then we are requiring them to provide us with a report one year after they receive the funds. And to clarify, that's not a completion report because some of them are working on PhDs or postdoc reports that may happen in the future, but it's a report of what they use the funds specifically for that came from. And then we also -- as Maureen brought up, they're required to now present at the symposium. So we built in some of these requirements in a contract, and they don't get their last 20 percent until they deliver. So we've already had success this year with one of the 2016 recipients. Derrick Alcott provided us with his reports. We're seeing the success of having these extra efforts thrown in.

MR. ROBINSON: I recognize that it's a small amount of money, but I know scientists are used to filing reports on how the money was spent, so it's part of the process.

MS. TALLENT: We agreed that we want to show that productivity and success, and we'd be doing them a disservice if we didn't because some of them are new students that haven't done this before. And the expectation that you have to show results and to -- for instance, one of our individuals submitted a proposal this year, very strong -- very strong science but didn't follow any of the requirements that we had clearly outlined, so he got -- they got a letter back saying, "Thanks. And in the future you might want to."

MR. ROBINSON: Just for the record to thank the Friends of the Cape Cod National Seashore for helping on this.

MS. BURGESS: Yes.

MR. DELANEY: Thank you, Mark.

And I will reiterate what we said before. This is a committee that welcomes other members, so if any of you have an interest in sitting in with Maureen and the committee and Nita to have a chance to do the first reading and evaluate and comment.

And I'll echo Mark's congratulations. You have breathed new life and interest back into this program. It seemed moribund for a little bit, but this is great to have this many applicants, which leads to another comment that Mark made two or three meetings ago. Maybe some one of us would like to take on the entrepreneurial task and figure out a way to increase the pot of funds, which would be -- because I think you probably had many applications that could have been funded should you have had more money. So I just want to put it out there, creative thinking about how to get some matching dollars or add to it would be really terrific. Good.

Any other comments on the Nickerson Fellowship report?

(No response.)

MR. DELANEY: Good. Thank you, again, and congratulations to the winners last year and this year. I should say Mark Robinson has joined us. He didn't have a chance to be here during the introductions, but he's the current Governor's representative.

Thank you, Mark, for joining us.

Now, I believe we've come to the point in the agenda where I can turn it over to the superintendent to continue the introductions and give us an update on what's going on and what you've learned in your short tenure so far.

**SUPERINTENDENT'S REPORT**

MR. CARLSTROM: Thank you, Rich.

I'm Superintendent Brian Carlstrom. It's an honor to be here before you as superintendent for the Cape Cod National Seashore for the Advisory Commission meeting. I'm the new federally designated officer serving in the capacity with all of you.

And we've got a lot to cover, but I did want to give a little bit of background to all of you on my previous interactions with advisory commissions in the past. This is the third one I've worked with. I had previously worked with advisory commissions at Delaware Water Gap and also at the C&O Canal National Historical Park where I served as the deputy superintendent.

THE COURT REPORTER: Excuse me. I can't hear you.

MR. CARLSTROM: Okay, I will speak up.

THE COURT REPORTER: Thank you.

MR. CARLSTROM: I'll start over from the top. I'm Brian Carlstrom, superintendent of the Cape Cod National Seashore. It's an honor to be here before you at the federal Advisory Commission. I'm the new federally designated officer. And this is the third federal advisory commission I've had the pleasure of working with. I previously worked with federally as a -- at Delaware Water Gap -- Delaware Water Gap National River and Recreation Area down in western -- or eastern Pennsylvania and at C&O Canal National Historical Park.

The federal advisory commissions provide an excellent way for the local communities and the state governments to engage with the Park Service. We welcome that. I cannot speak much to where things are heading with the Advisory Commission from this point forward. The department's aware of your desire to want to continue, and legislation has been introduced, and we'll see where that goes. Currently the federal Advisory Commission's current authorization expires in September of this year, so we'll see where things go beyond that.

I do have a rather lengthy report to go through. Before I launch into that, I do want to say a couple things about my experience thus far here. It's been all of a little over two months. I first got here on April 1, and I've had the pleasure of getting around, interacting with many of you out in the communities and most importantly had a chance to witness and see all the hard work being done by the Park staff and our partners to get the Seashore ready for the high season, which is just before us here.

A tremendous amount of damage was inflicted upon the Park from the three Nor'easters in March and the big storm in January prior to that. And a lot of recovery work has been going on ever since, and our staff has been doing a stellar job in preparing the Seashore for the visitation we're expecting over the next ten weeks or so. So a big shout-out to them for all that.

We're going to walk through the three presentations today. If Courtney can start to get those ready to go, it would be great. The first one, since the federal Advisory Commission is slated for sunset currently in September, I'm going to go over what the federal Advisory Commission Act is about. It might be a refresher for some of you. For some of those in the audience, this might be the first time you're hearing it, but this is the presentation that the Department shares with new federal advisory commissions, and we thought it would be a good idea to share with that so everybody's on the same page. I'm going to be giving an overview of projects that have been going on and events that have been happening in the Park since the Advisory Commission last met a year ago last March, March of 2017.

And we're also going to have a presentation by Dr. Stephen Smith to talk about the use of herbicides within the Park. I know that was on the agenda and part of the minutes from the last Advisory Commission meeting. And several other things along the way.

The first thing is going to be the federal Advisory Commission. Courtney will be getting that ready for us here momentarily.

Picking me up okay over there in the corner?

THE COURT REPORTER: (Nods.)

MR. CARLSTROM: Good, okay.

ADVISORY COMMISSION REAUTHORIZATION

MR. CARLSTROM: So the Federal Advisory Commission Act in seven slides or less -- and I'm going to keep this to about ten minutes -- was passed back in 1972, and that was to regulate numerous groups and provide some structure for how they should interact in giving advice to the federal government. Its procedural statute allows congressional oversight and provides for public participation, and that's a big part of what we do as a federal advisory commission. And that's the specific codification within the USC, United States Code, that authorizes the federal advisory commissions.

Now, the applicability is for groups established, utilized by executive branch for obtaining advice or recommendations. And you have a stellar track record of doing that. This is the 307th meeting. You've been in existence since the Park was created back in 1961, and it's been a very strong track record for providing meaningful advice to the superintendent. And utilized simply means actual management control, and with the suspensions for certificates of condemnation, that is a very real role that the Advisory Commission has. Now, this doesn't apply to any individual advice, and this is very, very pertinent going forward relative to the potential sunset of the Advisory Commission. Operational committees like what we have going on with the white sharks in the area, now that's been going on for several years. Intergov-- -- inter- and intragovernmental committees, in which we're engaged in a number, especially when it comes to emergency operation and any exchange of facts or information. So there's still a lot that we can do in terms of interacting with communities, and we absolutely will continue regardless of what happens with the Advisory Commission.

But the flip side of that is very real. Any FACA violation -- you know, the good news is there are no criminal penalties and no fines to the best of our knowledge. Nobody's ever gone to jail over these things, but the bad news is it can really get wrapped up -- wrapped in a whole lot of litigation, can be overly time-consuming, can prevent any future meetings that a group that's outside of FACA may have met, and the use of any other groups past recommendations and supporting documents could be prohibited as a result of litigation. So I'm going to be really careful that we're not crossing the line with any interaction or anything that looks like Federal Advisory Commission Act.

So the requirement. The Advisory functions only as established by law, Presidential authority, or discretionary. The Cape Cod National Seashore is (inaudible) by law. File a charter containing authority, mission, goals, objectives, and logistics. You're very diligent in doing that. Maintain a balanced membership. That ties back into the establishment of this advisory commission by law. It's a very prescribed membership. And maintain all committee documents for public inspection. And you've done a very good job of that. You have all the minutes published online.

More requirements. All the meetings are public and that the public has an opportunity to speak, which will occur in the last 30 minutes today. We've announced the meetings in the Federal Register 15 days in advance. Create detailed public meetings. And myself, as the designated federal employee, approves and calls the meetings -- meeting, approves the agenda, attends the meeting, and adjourns in the public interest. And terminate according to statute, which is what we're facing in September or when the purpose is completed or after two years. And subcommittees can be formed. They may include non-committee members, but they don't directly advise the President or any federal agency. Act under my direction as the designated federal officer. And the FACA notice and open meeting permits don't apply to subcommittees and are permissible only so long as the subcommittee is reporting to the full committee for its consideration and deliberation, which is exactly what Maureen did a little bit earlier today. And they're all -- all FACA records are publicly available, and conflict of interest considerations are taken into account. That's what can sometimes be the very protracted approval process for recommended members.

So that's really it. I just wanted to make sure everybody had a baseline for understanding what the Federal Advisory Commission Act is about and what we're all operating under and how things could work should the Advisory Commission have the sunset in September. And those are the specifics to us, and it expires September 26, 2018.

MR. DELANEY: Any questions on that part of the report from the superintendent? Mark?

MR. ROBINSON: I don't know what the nature of the objection to an advisory commission is.

MR. CARLSTROM: I wish I could more fully explain that myself, quite honestly. And this is not unprecedented. Typically during administrative transitions they will put a pause on federal advisory commissions to reevaluate and determine if they're still highly functional, and that's occurred regularly. This isn't the first time there's been a pause in the frequency of meetings for this advisory commission. It's not a fully unprecedented event. As to where things are going to head into the future, we're not sure.

MR. DELANEY: Larry?

MR. SPAULDING: Does that September date relate to just this commission or is it all federal commissions?

MR. CARLSTROM: Each commission has its own -- its own charter.

MR. DELANEY: Lilli?

MS. GREEN: May we receive a copy of the slides?

MR. CARLSTROM: Absolutely.

MS. GREEN: Thank you.

MR. DELANEY: And I think maybe -- I know we have -- if it's all right with you, Superintendent, we have another item to talk about reauthorization a little further later in the agenda.

MR. CARLSTROM: Yes.

MR. DELANEY: But I do want to recognize again Andrew Nelson, who's representing Congressman Keating.

Andrew, is there anything to add in terms of time? I know the Congressman's worked hard to help us get this meeting. Very, very hard, as have you. But also he has filed legislation.

MR. NELSON: Yeah, so it's -- it's House Resolution 5585. We filed it in April. And essentially just would strike the phrase 2018 in the current public law and replace it with 2028. It's happened in the past. It looks like, when we were doing a little legislative research, that the Advisory Commission had lapsed at times in the past. It looks like one of those times nobody noticed for 15 years, and then they just backdated everything really early on in the Advisory Commission. So what our legislation would do is just -- regardless of when it passed, it would backdate to the day that the current authorization runs out, you know, the authorization for the Advisory Commission. You know, there would be a lapse there, but again, you know, there are a number of other (inaudible).

MR. DELANEY: As I understand it, the bill was filed with the House Natural Resources Committee.

MR. NELSON: It is with the House Natural Resources Committee.

MR. DELANEY: And then referred to the Subcommittee on Parks and Public Space?

MR. NELSON: On Public Lands.

MR. DELANEY: Public Lands?

MR. NELSON: Yeah.

MR. DELANEY: So that's where it resides right now. Hopefully there'll be some action taken soon in that subcommittee at least.

MR. NELSON: You know, we're looking at any and all options. You know, if there would be something that comes up, we're not sure what the schedule of legislation that's going to be brought up for a floor vote. If there would be an opportunity for an amendment, we would look at something like that too. It's just really hard to predict that (inaudible).

MR. DELANEY: Well, thank you for the report and your efforts, and keep us posted as how the Commission itself or the general public might be able to assist the Congressman.

MR. NELSON: Yeah.

MR. DELANEY: Lilli?

MS. GREEN: Would it be a benefit or appropriate for this body to write a letter in support of this legislation?

MR. NELSON: I don't know. I don't know. I mean, I honestly don't know if you guys as a commission could write one to Congress. I'm not that familiar with that aspect of FACA, but if anybody individually would like to write to Chairman Bishop, chairman of the Natural Resources Committee, you know, supporting the authorization, that would be encouraged.

MR. DELANEY: Lilli, do you want to follow up on that?

MS. GREEN: Is there anything prohibiting us from doing that as a commission?

MR. CARLSTROM: I would actually confer with the Washington office to determine that. You know, it wouldn't be coming from the Park. It would be coming from the Commission, and much like with the Nuclear Regulatory Commission letters being forwarded by the superintendent in some way, I see it going forward. As a Park, we don't make recommendations to the legislative branch.

MR. NELSON: Which is nice.

MS. GREEN: Well, I'd like to make a motion for us to write such a letter and authorize Rich to write the letter and to send it in support of this legislation.

MR. CARLSTROM: It needs to be verified through our Federal Advisory Commission Act management group for the Park Service in Washington, DC, before we could send it and verify that that is permissible.

MS. GREEN: I mean, but could we send it? Could Rich send it on behalf of us?

MR. CARLSTROM: I'm not --

MR. DELANEY: I think this is clearly a gray area. I support your enthusiasm, but having been on other national advisory commissions, the FACA law has a whole bunch of regulations below it, as you just saw in those seven slides. And it really is geared to making sure that everything's transparent and people don't stay in place (inaudible). So there's a lot of -- a lot of nuances.

MR. CARLSTROM: Yes.

MR. DELANEY: I think clearly what we should do, as Andrew just suggested, each one of us as an individual or -- and/or each of us representing our town elected officials should get our elected officials to write the letter. There's no -- I do not see any question of conflict or unethical action there. Actually, six or seven or eight letters from other elected officials rather than just us among ourselves would probably be more powerful, I think, Lilli. So I would think there's no question -- it doesn't even require a vote. I'd just say everyone should -- and I would ask each of us, should you feel like it, as representing your boards of selectmen, go back and see if you can get that kind of a letter from the board.

Larry? I'm going to ask our lawyer to weigh in a little bit on this too.

MR. SPAULDING: Could we be supplied with the summary of the letter with the particular reference of the bill and who it should go to so that we could communicate with our own selectmen? It's going to be easier for them if we have "This is what we need to do." I think all the selectmen are going to be in favor -- I would guess all the towns are going to be in favor of continuing the Advisory Commission. So if we could send something out to us, we could do it through our own selectmen.

MR. DELANEY: So, Lilli, if you will amend your motion to say we are to provide to each of the individual town representatives a template for them to approve and send.

MS. GREEN: I would.

MS. AVELLAR: I second that.

MR. DELANEY: We moved that and seconded it. Let's discuss that option.

Mark?

MR. ROBINSON: I was just going to suggest that Congressman Keating's staff could provide us with the proper committee chairs, addresses, and things like that.

MR. NELSON: Yes, of course.

MR. CARLSTROM: Andrew, you and I could communicate on that.

MR. NELSON: Yeah, I will.

MR. DELANEY: Thank you.

Okay, any further discussion on that?

(No response.)

MR. DELANEY: All those in favor of approving Lilli's motion as amended, please signify by saying aye.

BOARD MEMBERS: Aye.

MR. DELANEY: Those opposed?

(No response.)

MR. DELANEY: Thank you. Unanimous.

All right, thank you, Superintendent. Back to your agenda now.

MR. CARLSTROM: I'm going to combine several of the next items, storm damage and the Seashore Trail Program, the Seashore projects into one presentation that we're going to give now.

MR. DELANEY: Great.

MR. CARLSTROM: If you have questions regarding any of those, I would entertain them. Then we're going to go over to Steve's presentation on herbicides.

SEASHORE PROJECTS AND EVENTS

STORM DAMAGE/EROSION UPDATE

MR. CARLSTROM: So Seashore projects and events from March of last year until today.

Does anybody remember what happened in August of last year? We were all eclipsed. It was an overwhelmingly successful day here at the Park with a much larger crowd than we had anticipated, and even some of our canine friends partook in the (inaudible).

Next. So for our interpretive and educational programs, classroom, school programs continue; beach camp fires; reenactments; guided hikes; author and art program; guided canoe and kayak tours all taking place on a regular basis. And we've got an example for each of you of our June activities guide that's part of your materials, and you can see a further sampling of what's going on each and every day for the month of June. We'll be doing those again for July and August.

Cultural resource protection. Condition assessment at the Penniman House. It was covered in the press. The whalebone jaw gate has been taken down prior to it falling down because it was in really rough shape, and we are currently curating it and determining options for how we could replicate it. So we may be able to have the jawbone gate back in place sometime in the future. The current one we thought we were going to be able to stabilize and put back in the same location. However, it has deteriorated so far that that's just not going to be possible. So we're evaluating some different options at this time. And then also a lot of other assessments, especially with the paint in the Penniman House itself. A better form of treatment's going on in the future, and the barn is slated for some rehab work as well. It looks great with what's been restored. Recently the paint scheme is back to what it was historically and looks fabulous.

And the Highlands Light is going to be getting quite a facelift. Those plans are being finalized. If you haven't been up there in a while, I encourage you to go this summer because it's going to be closed for a bit while this rehabilitation is taking place.

We also have administrative history going on, a lot of archaeological work taking place out of Great Island this summer and a number of historic building work happening by the partners, Nauset Light, Highland House, Modern Houses, assessment work we've just done out at Race Point Lighthouse as well. So a tremendous amount of work going on through cultural resources.

Special Events. A performance by the Cape Symphony last summer. We've got another one planned for this coming August. The slide in the upper left gives you indication of the crowds that showed up for the eclipse. It eclipsed all of our expectations. That's the way it looked. It's a once in a lifetime activity, although guess what? In about another seven years, if the weather cooperates, you'll be able to experience a full eclipse again. It will be at near totality here at that time. I think that happens in April 2024. So mark your calendars now.

Wampanoag Spring Cultural Festival just took place yesterday at the Salt Pond Visitors Center. A great time was had by all (inaudible) Saturday. A mini fest with Family Equality Council.

A lot of special events happening. Again, you can see examples of some of those in the June calendar, and we'll be participating in the Portuguese Festival with the life-saving reenactors again coming up this Saturday.

Now on to some of the projects. For those of you that partook in the tour this morning at the Red Maple Swamp Trail repairs, they got to see this firsthand. That is well underway. They're making great progress on the repairs, currently have about 300 feet left on the cul-de-sac portion of it. If you haven't had a chance to get out there and see it yourself there, I'd encourage you to do so. The level of craftsmanship and ingenuity that's been put forward by our trails crew is really impressive, and the public is, once again, enjoying it. Again, the trail was closed for about four years. It's now been reopened, and the public is accessing it once again. It's a great spot for contemplation year-round and especially for bird watching. Link that together with the Penniman and Fort Hill Trail, and you get to walk through quite a bit of ecological diversity and a lot of different (inaudible) for many different bird species.

And that's what the completion looks like, so it gives you an idea. The bends are each done through a prototype piece of equipment that we developed here at the Park, and we actually bend those rails to match the curves of the trail. That's a little bit down in the weeds in the detail on you, but it's really exceptional work up there.

MS. BURGESS: It's amazing.

MR. CARLSTROM: Nauset Light Beach. There will never be stairs there again. We've gotten rid of that recurring expense, and we now have a trail to access the beach. And it is being used. I was out there Saturday, and the public has discovered it. And it's I think a great addition and a much more sustainable solution than replacing the stairs every couple of years. The facilities at Nauset Light Beach have been removed as well because they were very precariously close to the edge of the cliff, and temporary structures are in the process of being put in place, and then we plan to replace more permanently with structures similar to what we have up at Herring Cove.

Marconi Beach stairs, they were washed out in March, and they are being reconstructed as we speak quite literally. We expect them to be open early next week. And they shifted from the location they were at last year to the place they had been at more traditionally.

And this is an update that we provided to the Provincetown Selectmen. The top image is from April of last year. The bottom image shows very clearly what's happened. It's gone. That's from February of this year. Now, the tides are a little bit different, but just notice the jersey barriers.

MS. AVELLAR: Wow.

MR. CARLSTROM: A lot of material has washed away. So we've had to close a larger portion of the parking lot this year simply because it's not there. We've removed the (inaudible) from the north end and had to reroute the bicycle path which had gone along the remnant of the parking lot. It's all going to have to be routed out onto the road for this season. So there's the bad news.

Here's the good news. The funding for the project is in place, and we expect construction to start for the entire reconstruction this fall. It's going to move the parking lot back 200 feet. It's going to be five feet higher in elevation. We're relocating the road. The parking lot is going to end up essentially on the road bed of the existing road. And we hope that that's going to be sustainable for at least 20 years into the future, and it's a little bit more adaptable than what we currently have in place. We're removing as a part of this all the remnants of the revetment that had been in place. As much of the asphalt as we can get out of there, we're going to make an effort to do that.

This is the entrance reconfiguration to give you a little bit better idea. So this is where the parking lot is going to be. It's going to be all 208 spaces that were originally there. It will be back behind the dune line. It's going to be a low profile dune line that you will be able to see over in most of the spaces in the parking lot so you can still have that bay side sunset experience that is important to so many and really spectacular. And we hope to have this done by late spring of next year. I know this one has been in development for over a decade, so a significant step forward.

Then we have a lot of new outdoor exhibits that have been put into place. You can see the differences of what we've been -- how we've been updating things. Just some of the worn-out, old fiberglass panels, and these are the brand-new ones that we're putting in. These are some happy maintenance workers that helped do that for us, and they've been going in a number of different locations throughout the Park. So look for those, read them, and let us know us what you think. And those were funded in part through the Friends of the Cape Cod National Seashore, as was the Red Maple Swamp Trail. I forgot to mention that earlier. The Friends are very important to us in getting a lot of work done here, and we welcome all the contributions they can provide and all the volunteer hours they can provide.

Then we have a new Park movie. We previewed that. Back on June 1 was its premiere. And we also shared that as part of the field trip this morning. Ask some of your fellow Commission members what they thought of it. I think it's an outstanding new film strip that is done with the intent of trying to capture the whole spectrum of Park visitors. And we're still operating the other Park standards, so you can still go and see the *Sands of Time* and the Thoreau movie and the other ones that we have. And the Marconi movie. And they're -- the schedule's at both visitor centers.

And very importantly, we've revitalized the entire Province Lands Visitor Center. It's gotten new exhibits and a new space for our bookstore partner, Eastern National. We feel it's really a much better integration and more efficient use of the space. If you haven't seen it yet, go check it out.

Any questions?

MR. DELANEY: Terrific progress. You guys have been busy since we last met.

MR. CARLSTROM: Yes.

MR. DELANEY: Lilli?

MS. GREEN: Thank you very much for a very comprehensive overview. Yes, we've really missed these meetings even more. I'm sorry we've been away for so long. A lot has been going on, and you've really come up to speed pretty quickly, haven't you?

MR. CARLSTROM: Yes.

MS. GREEN: I'm wondering if you've had a chance to assess the staircase at Nauset Light Beach and to see if there's applicability to Marconi or anyplace else.

MR. CARLSTROM: In terms of a trail? The geography and the topography at Marconi are so different from Nauset Light. There really isn't the coincidence of a nearby channel going down to the beach level that we can utilize. The bluff's just too large. And we have done an extensive amount of study to see what could work, and unfortunately, the most cost-effective method is what we're currently doing with the wooden staircase.

MS. GREEN: Thank you.

MR. CARLSTROM: But that's a very good question and one we get quite often.

MS. GREEN: And we've asked that question a number of times at these meetings, but thank you for all of the hard work to everybody at the Seashore. It's impressive.

MR. CARLSTROM: Thank you, Lilli. We'll keep doing it.

MR. DELANEY: If there are no other questions so far, I'd ask the superintendent to continue.

MR. CARLSTROM: All right. And I'm going to turn it over to Dr. Stephen Smith for a moment, and he's going to help bring the group up to speed.

(Pause.)

MR. CARLSTROM: And Stephen Smith is our plant ecologist here at Cape Cod National Seashore, has been for a number of years, and he's going to bring everybody up to speed on what we do as basic plant management and when we do have the need to use herbicides within the Seashore.

DR. SMITH: Thank you.

AUTHORIZED NPS HERBICIDE PROGRAM

DR. SMITH: So let's get right into it here.

Apart from that, I just want to make the distinction between exotic and invasive plants. So what are they? So a native plant is a species that was naturally existing in an area for an extended period of time. It's considered native generally if it was present before European contact. An exotic plant is nonindigenous to a given location but instead has been accidentally or deliberately -- and there have been lots of plantings here in the past -- introduced by humans. What we're concerned about mostly is the invasive exotic plants, so a lot of alien species. And normally exotic plants that we're worried about are ones that have traveled in an east-west direction, like those coming from Europe and Asia. We're going to see the extrication of some of our native species and the introduction of more southern species to climate change, and we're less concerned at this point with that than the east-west direction.

So not all alien species or exotic species are invasive. You know, nobody's worried about -- daffodils are non-native, and nobody's worried about daffodils taking over the Seashore. That might be nice actually.

So what makes them so successful? They have a number of different traits or combinations of different traits. We'll go through all these, but you can just kind of peruse these. A lot of them have no natural herbivores, so they don't get eaten. They're very prolific seed producers. Often they produce fruit that birds love and disperse all over the place. So there's a number of these factors and different tests that can have one, two, three, or all of these characteristics that allow them to proliferate at the expense of native communities.

Why are they bad? Okay, so they change species composition. You know, they're displacing native vegetation. And with some invasive species, you end up with monospecific stands of bad exotic vegetation and nothing else, thereby reducing species diversity from many to essentially one in many cases. They can also alter soil properties. Some -- some tests that have nitrogen-fixing abilities; that is, bacteria in the roots that allow these plants to fix nitrogen from the atmosphere and not just take it from the soils. It's like an extra boost of fertilizer that they can utilize. And then your allelopathics. So they exude substances from their roots. Eggplants do this too, but exotics seem to be particularly good at it. Some species at least. And these chemicals essentially exclude the growth of native plants around them. They can greatly alter habitat structure of wildlife. Especially, you know, big, tall structured plants like Phragmites or Japanese knotweed, you know, can take -- can greatly alter that kind of physical structure of that habitat. So an emergent pond shore community of grasses and sedges and rushes when it's displaced by Phragmites, it's a very different scenario for wildlife. And often they don't have very much, if any, wildlife value. They alter fuel structure, fire regime, especially vines when they cover trees. That's Kudzu in the background. They can carry fire right up into the canopy and effectively torch large areas of forest. I mention that. They frequently have lower or no value as food for wildlife, and we're just losing our natural heritage. The landscape that has been so -- is so special here was, you know, a motivating factor to make this place the National Seashore in 1961. Invasive species can greatly change those aesthetics, the ecology, and, you know, the history of not only how certain areas looked and the vista and so forth and aesthetic qualities but, as I mentioned, all those biological and chemical processes as well.

So NPS management policy actually prohibits parks from permitting non-native species to displace native species. So essentially what this is saying is that we have a directive to manage native species wherever we can and to try to control them.

Executive Order 13112 issued in February of 1999 established the National Invasive Species Council with these tasks to provide leadership and oversight on invasive species issues, promote action at many different levels of management, recommend measures to enhance international cooperation, development of a web-based information network, develop NEPA guidance related to invasive species, and draft and update a national invasive species management plan for two years. And then an amendment to 13112, Executive Order 13751, just it directs actions to continue and coordinate the federal prevention and control and incorporates more information on human and environmental health, climate change, technological innovations and so forth.

Okay, so here in the Seashore an exotics environmental assessment was done in 2003, I believe, and basically it stated that we will under the NPS directive manage invasive species, recognizing that they can pose a significant ecological threat to our ecosystems, and in many cases, it's better than the alternative of doing nothing. In some cases, we can't do anything. They're beyond managing. But in many cases, particularly with small, incipient stands, they're in a condition where we can effectively manage them.

So we do prioritize our targets. You know, which species are we after? What habitats? What poses the greatest threat? What's the degree of infestation? As I said before, if there's a massive stand of invasive species, then that may -- the area occupied by those species may be too much to really handle for us. We do this at Fort Hill. So Fort Hill is managed very well by our trail maintenance crews for structure. So we want to keep that as a grassland with -- interspersed with shrub islands and some tree islands. Most of the grasses -- in fact, most of the herbaceous vegetation there is exotic, and we just can't do anything about it. We attempted some subplots within that area back in 2005, I think it was -- I'll show a slide on that later -- to see what we could do. And essentially when we got rid of one invasive species, the whole area was actually covered with Oriental bittersweet at one point. Then it was like the layers of an onion. The seed bank is so full of exotic species. New ones just came up in its place, so we just abandoned that essentially. We determined that it's too large an area, there were too many invasive species, and the seed bank was so compromised that we couldn't really do it. And then we looked at what -- what methods we can use to best suit the circumstances. So every individual site where there has been an exotic species infestation is its own particular animal. There are specific conditions, degree of infestation and so forth. So we looked through these various methods here.

Where's the laser pointed?

MS. BUTLER: It's to the right.

MR. CARLSTROM: It's to the right there.

DR. SMITH: Okay, there we go.

Yeah, so I'll go through some of the -- some examples of these methods that we've used to manage invasive species: Mechanical; hydrologic when you have structures that you can control the hydrology in such as behind a dike or like my previous experiences in South Florida where the entire system was plumbed by the Army Corps of Engineers originally and then managed by the South Florida Water Management District. You can control water levels in all these different basins. Biological control, using insects usually that eat only that specific invasive species and don't do any other ecological damage. Tidal restoration happens to be an opportunistic way that we can control a lot of invasive species that have colonized our timely restricted floodplains. And the last resort, as Brian said, is chemical herbicide application.

So here's an example of Higgins Pond in Wellfleet where we did some manual control. This is purple loosestrife, named by the National Park Service as one of the dirty dozen invasive species. It really -- it produces millions of seeds per plant. They're all over the place. They're really highly prolific at displacing all the native vegetation. In this case, this was on the front of the Libby property in Higgins Pond. They planted it there because it looked nice. And we had a discussion with them, told them what the deal was with that species, and they were very amenable to us going in. And we used some volunteers to essentially just -- there were about 20 to 30 meters of shoreline infested, and we just dug those plants up, and to my knowledge, they have not returned, which is a good thing.

Another kind of opportunistic manual control method that I personally used in 2004-2005 -- that was a period where we had extremely high water levels in our ponds, and so taking advantage of those conditions, I was able to go out and essentially cut these Phragmites stands right at the bottom of the -- right at the sediment surface underwater. And by using repeated cutting over the following year, we were able to really, really knock back some of those stands of Phragmites in our kettle ponds, our freshwater kettle ponds. This species I'll mention can grow very well in everything from freshwater environments right up to almost full-strength seawater, so a really high -- a really wide range of environmental tolerance there. So essentially what I was doing was prohibiting these stems which over winter, and even during the summer, provide oxygen to the roots so the plant can grow. They're essentially drowning them out.

There's a picture of a stand at Ryder. Now, some of this has come back since because of really -- when you're doing -- especially with manual control, you really have to take stewardship of a particular area and stay on it, on it, on it. And we just didn't have the resources to do that, but we'll certainly try to treat that again. If, again, it was -- this particular method was dependent on a certain set of environmental conditions, really high water levels. But there are some of the drowned dead stems that were -- that were once part of this Phragmites stand.

We also undertook a project in Great Pond in the Province Lands area, the beach forest area, which was infested with purple loosestrife, and we used these guys, Galerucella beetles, two species. They are naturalized throughout the Northeast and other areas of the country now, so they've been used so extensively to compare purple loosestrife. They have natural populations going right now. They've been used for a long time. It became a USDA-approved method for exotics control in 1992. And these guys don't -- they only eat purple loosestrife. They're tied to that species. They don't eat any other vegetation. They don't eat any other insects or anything else. They are themselves consumed by other insects, I believe, as well as birds.

It was an interesting experiment because these beetles were mailed to me from USDA in New Jersey, and they just came in a FedEx box. And I went out to the pond and opened it up, and then they flew all over the place. And they did quite a lot of damage. This was the height of purple loosestrife prior to releasing these beetles. All this stuff is top dead, and it just left a little -- the sprouting shoots just from the root base. Now, these guys don't completely eliminate purple loosestrife. They basically eat it down to a level and then kind of manage it. If they ate everything, they'd eat themselves out of house and home essentially. But now purple loosestrife, each plant produces millions and millions of seeds, and we have prevented them from flowering. And it would be a real shame if purple loosestrife got into all those other beautiful ponds in the beach forest area. And we had crews out there last year, and essentially the same situation has persisted. So a lot of top growth dead, really no flowering to speak of, and just a low level of loosestrife around the fringe of that.

Phragmites control through tidal restoration is probably the easiest method of control that we have. Again, here's one of my seasonal technicians back in 2007 in the Herring River. You know, you guys know Phragmites can grow 12 feet tall. It's almost impenetrable. This is East Harbor.

So again, Phragmites can tolerate pretty high salinities, but when you get close to full-strength seawater, it succumbs to salt. So Phragmites loves restricted salt marsh floodplains because often the salinities are above freshwater, in and around -- in around the range of 5-10 parts per thousand or even more in some cases, and that eliminates all its freshwater competition. Freshwater wetland plants cannot deal with it, but it's not high enough to discourage Phragmites from growing. So it's this perfect little niche where it has no competition and the salt levels are not high enough to really discourage it. When we do tidal restoration, we get the salinity levels up, particularly in really peaty marshes. You get a lot of production of hydrogen sulfide's toxicity in the plant. They succumb, and in their wake -- this is from Hatches Harbor. You know, we've gotten about 80 acres of salt marsh restoration out of that project, and a lot of Phragmites has disappeared. You can see that old stubble there. And the native salt marsh grasses, Spartina alterniflora in this case, has moved in, and it's a big really lush carpet of native salt marsh vegetation there now.

And then the last resort is herbicide. We go through an extensive evaluation process. Going through these steps, Division and Park approval, regional approval, we used -- I think our first year was 2003. We used the Northeast Exotic Plant Management Team, a team of experts. There are many teams of experts actually around the country. This one was based in Delaware Water Gap. So they have extensive expertise in herbicide application and how to handle certain species, and we used them every year except the last two years. So we consult with them. We notify homeowners if we're in close proximity to where they are, press releases, lots of signage. These herbicides are only applied during very specific weather windows, calm winds. You know, if it's raining like crazy, we obviously wouldn't apply it and so forth. So the weather conditions have to be suitable to apply it.

We've -- they've used a number of different methods depending on the density and size of the exotic species stand and how many natives, if any, are underneath them. So we've used clip and drip method with glyphosate. It's essentially a syringe. We cut the stem, squirt the herbicide into the stem. Then it gets translocated down to the roots and kills the plant. In really thick, large stems, they use backpack sprayers or, in a couple of cases, the truck-mounted sprayer that they used in Fort Hill. They can actually drive around in certain areas and hit stands of monospecific exotic vegetation.

And with a couple of exceptions, we've really focused a lot on Phragmites, but it's mostly been conducted in mid-September. That's when the plants are starting to undergo senescence and are sucking all the goodies, the nutrients, the carbohydrates down from the above-ground growth into the roots, and so that process actually pulls the herbicide down into the roots at that point. And they usually don't emerge in the winter -- or the next spring. Sorry.

Just a little blurb about the exotic plant management team strike forces. They're doing this all over the country in many, many different parks for free for us.

This is an example of treating Phragmites in the Pamet Bog. There are about four stands there. They use the -- EPMT uses the clip and drip method, again, cutting each individual stem and squirting herbicide into it. And that was -- I haven't been there recently, so there may be some resprouts. You've got to stay on these things all the time, but it has been very successful. We've really knocked that stuff back, and there was no visible damage that we could see to any of the native vegetation underneath it.

We also did in 2006 -- there were three large stands of Phragmites in Herring Pond in Wellfleet. In 2001 in our plant survey of that pond, no Phragmites was recorded, so we knew they were a fairly new invasion. And we got the EPMT to hit them with herbicide and got really good results for a number of years. Recently in my travels around -- in and around that pond, I've noticed that there have been some resprouts of those stands. So again, they're -- these were really vigorous, well-established stands. And sometimes herbicide is not even effective. If it's a really hot and sunny day, the plants close their stomata, the openings on the underside of leaves that permit gas exchange. Well, the herbicide's got to get into that, and when those are closed on hot, dry days, it's really kind of ineffective. So again, weather conditions play a role. That actually, if we ever decide to do it, could use some retreatment.

I'll just say one more thing about -- our kettle ponds are really special and unique systems. If you go off Cape and look around at wetlands throughout the state and throughout the Northeast, there are a large proportion of them that are occupied by either Phragmites or purple loosestrife. And we have a really unique situation here in that the vast majority of our kettle ponds are really exotics-free. I mean, all the native vegetation is there and hasn't been compromised by some of these invasions, with a few exceptions. There are some small stands in and around maybe five or six ponds somewhat, you know, the size of this table, so very, very manageable stage. Phragmites is a species that could potentially displace everything and ring with enough time every single pond. That is within the realm of possibilities. So that would be a real shame to lose, you know, those communities which are rather unique in terms of lack of vegetation throughout the Northeast.

This is an example of what I was discussing earlier at Fort Hill in Eastham. This is all Oriental bittersweet. The entire field everywhere is covered with this carpet of it, and we -- oops, sorry. We hit it with herbicide and really effectively knocked it back in many different areas, but I don't have a slide on this. Over the next couple of years, just new exotics emerged. So this is a case where, you know, we did a few test spots. We abandoned that because it's beyond really our ability to manage it. At some point you'd have to completely remove all the soil and seed bank with it.

And then so there has been a lot of concern from the public about us using herbicides. We mostly have used glyphosate. It's a good, effective herbicide for many different species, particularly Phragmites. It binds really, really tightly to the soil. Over the course of a few months, it breaks down into innocuous compounds, but once it's in the soil, it just stays there and breaks down thereafter.

You know, this is from the National Pesticide Information Center, and this is well cited by many other sources. It's not likely to get into the groundwater because it binds so tightly into the soil to really go anywhere. Half the glyphosate and dead leaves break down within eight or nine days and so forth. Can glyphosate affect fish, birds, or other wildlife? Well, I mean, if you spray -- if you have a lot of non-target species hits of herbicides -- in other words, if you're hitting the bare water or other vegetation by mistake, then yeah, it might kill it, but these guys -- this team is very, very careful and judicious in just targeting those plants.

Problems in the past have mainly arisen from the surfactant in products like Rodeo and Roundup. So surfactant is something they add to herbicide to make leaves -- to reduce the surface tension of the mixture, and it helps the herbicide penetrate leaf material a lot better. It gets through that last layer. Even dish soap is a kind of surfactant actually. And so the surfactant that they had put in Rodeo and Roundup has caused some problems to wildlife in the past really at high doses and in an experimental situation. They -- the EPMT doesn't use that surfactant. So they use another -- another one. I could get that information to Brian, but it's something that does not have those adverse effects.

That's hard to see on this. There's been a lot of discussion in the media and in the science world about glyphosate toxicity, and essentially the vast majority of published information suggests that if applied correctly there's very little to no problems with either human exposure or wildlife or other plants. And even their pesticide applicators which use this stuff every single day, there's no statistically elevated incidence of disease, cancer and so forth in those -- in that cohort.

Sites where herbicide has been used. Some of these examples like a) Fort Hill, a little stand of Phragmites just above High Toss Road in the Herring River. The one thing we're worried about with the Herring River is with restoration you can create a vast area of salinities which would really greatly favor Phragmites. Again, too high to allow any other vegetation -- freshwater vegetation to grow but not high enough to discourage Phragmites. Pamet Bog, as I gave an example of. A couple of dune slack wetlands along Hatches Harbor Road. That actually we should probably abandon because in recent years you've got sea level rise is dumping salt water down that road, and Phragmites is just going to grow there no matter what we do.

These are some of the target species we looked at in the past and tried to eliminate. I would just say, you know, again, Park-wide we -- you know, besides the kettle ponds, a lot of our area is exotics-free. We don't have huge problems like many other parks do. And a lot of these exotic occurrences are at a stage right now where they're very manageable. If we let them go, they may not be.

That's it. Questions?

MR. DELANEY: Thank you. Very comprehensive, informative. Thank you, Steve.

I know there'll be a couple questions, I'm sure. So I'll open up the floor to our commissioners.

Lilli?

MS. GREEN: Thank you.

Thank you very much. I mean, I really appreciate it. I'm the person who asked for this presentation. And I've been on field trips with you in the past and always learned a tremendous amount, and you really educated me today, and I really sincerely appreciate it. I do have a couple of questions just so that I can understand this issue as fully as I possibly can today.

Just when you talked about homeowners are notified in close proximity, does that mean abutters or does that mean beyond abutters?

DR. SMITH: It sort of depends on the size of the stand in relation to surrounding structures. So definitely abutters. And often it's been another layer, kind of a buffer layer around them as well. We've done press releases as well.

MS. GREEN: And from your presentation, it looks like there are two areas in Wellfleet that you're treating now.

MR. SMITH: We're not --

MS. GREEN: Herring (inaudible) or --

MR. SMITH: Okay, yeah, so this is a part I probably should have told you about. I omitted it. So a few years ago a lot of homeowners with good reason and the general public became concerned about herbicide, herbicide toxicity and exposure to the general public. So we essentially just stopped doing what we were doing. We haven't done any herbiciding in the last two years so that we could discuss this issue rationally and come to some decision as to which direction we want to go with all this. So right now we're kind of on a hold with this program. And during that time we've actually noticed a couple more Phragmites stands that have appeared, one in Great Pond in Truro and another one in -- another one in Herring Pond by the west kind of entrance to that pond.

MS. GREEN: And the other question I had for you too is, you know, people have talked to me in Wellfleet, and Wellfleet is Wellfleet. I'm always going to hear everything. And as a public servant, I feel it's my duty to be open-minded and listen to anybody who wants to talk with me. So I'm curious why it -- or is it possible to use some resource such as AmeriCorps and for three years cut -- continue to go in and cut and clear? Is that something that would be a feasible method to stop it?

DR. SMITH: That method depends on having really high water levels for an extended period of time. I don't know when that's going to happen again. Those methods -- even with herbicide you have to go back a year later, a year later often to treat root sprouts because sometimes not all the herbicide gets down there or, you know, you get partial kill. But with manual methods you really -- once you start doing those, they can be effective in the short term, but often the root materials, say Phragmites and roots and rhizomes, can kind of remain essentially sort of dormant and resprout as well as from the seed bank in subsequent years.

And there have been lots of instances of people using manual control for Phragmites, and it's pretty rare that it's effective for any long period of time. If you had AmeriCorps hitting a site or taking ownership of a site for, you know, a decade, then you can probably do something there.

MS. GREEN: Well, I mean, I would be as a long-term, year-round resident of Wellfleet concerned about our sole source aquifer, concerned if there were any issues that would impact the people or wildlife and we could control it with a method like that. I mean, we have a lot of people that are volunteers and would be willing to work on something like that.

DR. SMITH: Yeah, I mean, herbicide to us is, again, a last resort. We don't want to go spraying herbicide everywhere like it's -- but it's a balance between protecting a very pristine and unique ecosystem and using that versus not. In general, they have treated very small stands with a very limited amount of herbicide. Don't forget glyphosate is incredibly sticky. It sticks to the soil, and it breaks down there. It's very, very difficult to get into groundwater. You know, another factor is where the site is relative to the hydrology -- the subsurface hydrology. So if you have a hydraulic head here and you're treating a stand here and here's where all your people live (indicates), water flows this way, you know, often or in even -- in certain cases (indicates), and there's no -- you know, a glyphosate molecule that somehow miraculously has not decomposed has to unstick itself from the soil and swim upstream to get there. So in many instances it's just not logically possible for exposure to happen.

MR. DELANEY: Okay.

DR. SMITH: In other cases --

MS. GREEN: Just one last question.

DR. SMITH: -- you know, herbicides has its own individual, unique set of circumstances, and they are evaluated as such.

MS. GREEN: And, Steve, if we're talking about something the size of this table, you know, it seems really small, and I really appreciate all the hard work that you're doing in the Park and have done over so many years. And I do understand the nature of this situation, that it is a problem and we can get on top of it and have the benefits, but if there were a team of people in Wellfleet that were interested in working with you and were interested in manual labor, could they get in touch with you?

DR. SMITH: Absolutely. We'd be absolutely amenable to that, yeah.

MS. GREEN: Thank you very much.

MR. DELANEY: Good.

MS. AVELLAR: I've been asked to ask you -- it would be helpful to hear information on where you're getting your data on herbicide impact on soil and water.

DR. SMITH: Well, there's bucketloads of data everywhere. That slide happened to be from the National Pesticide Information Center. So this is just a well-known property of glyphosate, that it sticks to its -- applies to the soil very tightly, but you can -- if you yourself -- I mean, I can provide each person a lot of links to scientific papers on that, if you would like, or you can simply go to Google Scholar, which there's a database of all the academic publications and Google glyphosate and soil binding. There's a ton of stuff that you can peruse at your leisure. I'd be happy to send you some very recent, you know, 2017-'18 links on this stuff.

MS. AVELLAR: Thank you.

MR. DELANEY: Mark?

MR. ROBINSON: Steve, the Phragmites is typically rooted in the edge of the pond, the water, not the soil, so if the glyphosate is getting down through the plant, isn't it hitting the water as opposed to the soil?

DR. SMITH: So with -- with the clip and drip, no, because you're specifically targeting individual stems and it's metabolized within the plant. So we've used that mostly for Phragmites in the kettle ponds where Phragmites is incredibly thick and dense, but then they would go around and hit the tops of the -- the canopy, but yeah, I mean, it's conceivable that a few molecules of glyphosate either hit a non-target species or water, but it's -- compared to the volume of a pond, it's, you know -- if somebody even applied glyphosate on their own property, it would probably contribute to groundwater contamination a lot more than the golf course or something.

MR. ROBINSON: I don't have a pond on my property.

DR. SMITH: Right. So I also want to get -- you know, I don't want to be so focused --

MR. ROBINSON: Not that I'm missing it.

(Laughter.)

DR. SMITH: -- so focused on Phragmites. We have a lot of other exotics problems besides Phragmites which glyphosate is good for or other -- other herbicides.

MS. AVELLAR: Is that like Roundup?

DR. SMITH: It is, except not the surfactant that has -- it's not been the actual herbicide, the glyphosate, that's caused -- that is deemed to be toxic to a -- a very high dose is to aquatic organisms. It's the surfactant that they've used in that product. And our EPMT does not use that surfactant.

MS. AVELLAR: Is there any kind of organic product that people are able to purchase for their own homes?

DR. SMITH: In my experience, organic products are really ineffective so far. That doesn't mean something could be developed, but in terms of the managed -- kind of management we're doing on this scale, it's -- to my knowledge, I don't have -- I don't have any knowledge of something that -- there's no biological control or other types of control for some of these species. They only respond to herbicide.

MR. DELANEY: I know we have to get back to the superintendent's report, but I think it's worth maybe very briefly giving us an update on the status between Park regulations and protocols and Eversource and what they're doing under the high-tension lines within Park property.

DR. SMITH: Yeah, I don't think I can answer that question properly. I don't have enough information about that specific -- that specific activity.

MR. DELANEY: Okay.

DR. SMITH: I just will say that maintenance of those power lines actually is very beneficial to the persistence of a number of rare plant species that can only survive in open environments, and if that was let go, we wouldn't have them anymore.

MR. DELANEY: Larry?

MR. SPAULDING: When Eversource is doing that in the power lines that are in the Seashore, do they communicate with you exactly what they're doing and where they're putting it?

DR. SMITH: Me personally, no.

MR. SPAULDING: I mean --

MR. CARLSTROM: Lauren?

MS. McKEAN: We had a group of us that reviewed Eversource's program three or so years ago several years in a row. And we take it through the integrated pest management program that Steve talked about, take a list of the pesticides they want to use, and it goes through the screening for human and natural health safety. And then we issued a letter. The letter could be only for that calendar year. So if they want to come back in the Seashore and do the pesticide application, they'll have to come back to us again. And we had specific conditions like do it in humidity levels that are less than X. I think the good thing about what they're doing is it's by licensed applicators, and that's the same thing with Steve, that --

DR. SMITH: And this is also passed by Casey Reese, who's the invasive plant management coordinator for the Northeast Region, and he's got unbelievable expertise and knowledge about every herbicide under the sun.

MS. McKEAN: So he's helped us come up with those conditions for Eversource. They do come to us, and they also go to the local conservation commissions. But I think that what Steve said about, you know, people in their backyard with a bottle of Roundup are more -- it's more problematic than people that are targeting specific species with specific ways on the foliage, on the cuts. You know, it's not just a broadcast method like it was back in the '60s and '70s.

MR. DELANEY: Lauren, just to follow up that, did your letter to Eversource inform them about the protocols that you use that the priority is mechanical --

MS. McKEAN: Yes.

MR. DELANEY: -- and biological, and last resort would be this and then analyze it?

MS. McKEAN: Yes.

MR. DELANEY: Because that would be important.

MS. McKEAN: Yeah, I don't know if it had all five, but it had -- because some of them were in a wetlands restoration and it wasn't applicable, but yes, it said mechanical is always first for us.

MR. DELANEY: All right.

MS. BURGESS: Mr. Chairman?

MR. DELANEY: Yes, Maureen?

MS. BURGESS: Question for Lauren. Did you say that you shared your protocol with town conservation commissions?

MS. McKEAN: We may have copied them. You know, they're --

MS. BURGESS: That would be good.

MS. McKEAN: We may have copied them back in the day. It's probably been three or four years since they've come around for Wellfleet or Truro.

DR. SMITH: The towns are always notified, with the exception of the last two years we hadn't done it.

MR. DELANEY: Okay, all right. Steve, again, thank you.

Lauren, thank you. Terrific.

MS. McKEAN: Sure.

MR. DELANEY: Superintendent, back to you.

MR. CARLSTROM: Thank you.

I want to touch on a number of other things in

general.

SHOREBIRD MANAGEMENT PLAN/ENVIRONMENTAL ASSESSMENT - UPDATE

MR. CARLSTROM: The Shorebird Management Plan and Environmental Assessment has been in process for a number of years. We're getting ready to have a briefing on it to resurrect it, if you will, to determine an appropriate course of action. And after that is determined, there'll be information shared with the public (inaudible).

THE COURT REPORTER: Can you speak up a bit?

MR. CARLSTROM: Yeah, I'll speak up some more.

So the Shorebird Management Plan, we're having a briefing with our internal regional office tomorrow. That's been languishing for about two years now, and we're going to determine what is the appropriate course of action, and we'll put information out to the public once we determine what that is.

COMPREHENSIVE BIKE PLAN FOR THE OUTER CAPE

MR. CARLSTROM: A couple of other things related to projects. Head of the Meadow bike resurfacing project is slated to take place this fall that will resurface two miles and also widen out that path. That's relative to the comprehensive bike path or bike plan for the Outer Cape.

HERRING RIVER WETLAND RESTORATION

MR. CARLSTROM: *Herring River Wetland Restoration*. The executive board meeting was recently held, that stakeholder's group that started up. It's continuing to work through the permitting process, and we expect to be part of a radio show on the 28th on the Point, NPR coming up next week.

So it's still very active, but Friends of the Herring River are in the midst of the permitting process.

OCEAN STEWARDSHIP TOPICS - SHORELINE CHANGE

MR. CARLSTROM: *Ocean Stewardship Topics*. Touched on that a little bit on the update.

Basically we continue to monitor shoreline change that's an ever-present concern for the Seashore. This past year we had some very active spots, especially near Herring Cove, Wood End. There was a small inlet created there that at low tide still had water flowing through it. The high tide was probably about four feet deep, so it's no longer passable. We're working very closely with the Town of Provincetown to determine an emergency response should any be needed for people that may end up getting stranded out there.

That's something we're going to continue to watch and monitor very closely. Nita's group is engaged in that on nearly a daily basis.

MS. AVELLAR: No sign-- -- is there any signage out there?

MR. CARLSTROM: There will be. We're working with the town to develop that. That's relative to the Wood End area.

HEALTHY PARKS, HEALTHY PEOPLE

MR. CARLSTROM: And *Healthy Parks, Healthy People* has kicked off again. It's their fourth year. The tent is open at the Salt Pond Visitors Center. I know people are signing up about every day. So it's up. It's running. There will be a 5K in September kind of as a wrap-up for that again this fall.

I think I touched on everything on agenda items for -- well, except *Improved Properties and Town Bylaws*.

IMPROVED PROPERTIES/TOWN BYLAWS

MR. CARLSTROM: We've got some update that I believe Maureen was going to provide relative to that.

MS. BURGESS: If I may. Thank you, Mr. Superintendent.

MR. CARLSTROM: Yes, please.

MS. BURGESS: Mr. Chairman, so last time we met, the minutes say that the Town of Truro was looking at some bylaws. And since that time I just wanted to report what had changed.

So there was a citizens petition last year to develop a bylaw that amended our zoning with regard to house size within the Park. And that did pass annual town meeting by a two-thirds vote, and it was approved by the Attorney General. So that is now in effect, and essentially what it did was to use a ratio of lot size to house size. So for example, a typical three-acre residential lot in the Seashore would be allowed to have a 3,600 square foot house. If you had an acre less, it would be minus 200 from that. If you had an acre more, you'd be allowed to add an additional 200 if you wanted to either build or update. So that's done by the planning board, and they have a formula for that.

The additional piece was, though, that a person could go to the zoning board of appeals and ask for a special permit. If that were the case, if it was a three-acre lot, they would be able to upgrade another 1,000 feet, but at no time would anyone -- anyone be allowed to exceed that 4,600 square foot maximum.

So that's the -- I think I gave the superintendent a copy of the bylaw. So we were pleased to have passed something at all in Truro, and interestingly now we're looking at a town-wide bylaw in our residential districts mirroring the plan that was adopted for the Seashore. So again, it's total gross floor area is proportional to lot size. So if you had a six-acre lot, you could go up to 5,200 square foot with a special permit. Most of the houses in the Park are under 2,000 square feet, and that happens to be the same for Truro, except in the last five years we've gotten some with 7,000, 8,000. So there's really an attempt to try to preserve our rural character.

The other thing -- the other bylaw that passed was an accessory dwelling unit bylaw which gave people the right to have an accessory dwelling on your property not to exceed 1,000 square feet. And what happened with that bylaw, although I did protest with the developers of that bylaw, was that that was also permitted within the Park. I cautioned people at town meeting that if they were seeking to do an accessory dwelling where one had not existed prior to this legislation of '61, that they really needed at their own risk to check with the Seashore.

I got pushback from some other members of the selectboard because they said the state law approved it. Indeed the Attorney General did say it was -- she had no objection with regard to state law. However, there was a little caveat in her -- in her statement which said that, as a general proposition, the cases dealing with local regulations and state statutes have -- they've been given a lot of latitude by the Attorney General. But there was a suggestion that the town may wish to discuss the application of this bylaw with town counsel to ensure it's applied consistent with federal law. So there seems to be still that question. To my knowledge, no one has come forward with an accessory dwelling unit within the Park, although they are allowed in Wellfleet.

MR. DELANEY: Good, thank you. Well, sounds like some significant progress.

I know, Lauren, you've sat in on a lot of these meetings over the years. Any additional comments on what has happened so far? Are we feeling like it's more consistent with other towns?

MS. McKEAN: It was great to get some kind of coverage bylaw for the Town of Truro. We've been looking for decades for that, I suppose, and since 2008 with Wellfleet's work. So while it's generous, in fact, overly generous in some cases, it's better than not having anything at all really, except for setbacks.

And then on the accessory dwelling unit bylaw, we do want to get back to the town. We do have a little -- we have concern that a single-family residential district -- zoning district. And if you didn't have a pre-existing accessory unit, you don't want to get tangled up in losing your certificate of suspension from condemnation. So it's a practical matter with the certificates more so than whether or not it met the town -- excuse me -- the state Zoning Enabling Act requirements, and that's where the rub is.

MR. DELANEY: Okay, thanks.

Any other questions or thoughts? Lilli?

MS. GREEN: Thank you, Rich.

I did want to ask -- and I'm not sure if you had an overview yet -- regarding the Seashore Management Plan. But there have been concerns in Wellfleet about the use of avicides, and I was curious how the Park has used avicides since the last time we met as a Commission.

MS. AVELLAR: Use of what?

MS. GREEN: Avicides.

MS. AVELLAR: What are those?

MS. BURGESS: Birds.

MS. GREEN: Birds, bird killing.

MS. AVELLAR: Oh, oh, oh.

MS. TEVYAW: No use.

MR. CARLSTROM: No use, as confirmed by Nita and Kathy.

MS. GREEN: Thank you.

MR. DELANEY: Okay, Joe?

MR. CRAIG: I ask Maureen. On the AD use, is that one -- one per lot only?

MS. BURGESS: Yes. Yes, to a maximum of 1,000 square feet.

MR. DELANEY: Thank you, all. And, Mark?

MR. ROBINSON: It seems like the intersection for that issue would be the building inspector when you go to pull a permit. Would the building inspector be informed about this asterisk to think about calling Lauren to see about your certificate, things like that?

MS. BURGESS: That's a good suggestion, and I'll see what channels I can go through to see if that happens and can ensure -- ensure that that happens.

MR. ROBINSON: Because it would be a shame if people were not cognizant of that additional issue.

MS. BURGESS: Yes. Yeah, that's why I spoke out

at town meeting.

MR. ROBINSON: Right, I understand.

MR. DELANEY: And that's where it slipped in a couple of the other cases that did go by in Truro.

Good, good comment, Mark.

Okay, so I think that concludes everything up until *Old Business*.

**OLD BUSINESS**

MR. DELANEY: I appreciate the staying power of the Commission members. We have a lot to catch up on, but this is good stuff. So we're getting close.

*Old Business*. I guess we'd be back to you, Superintendent, on an update on the Horton's Campground status.

MR. CARLSTROM: Yeah, I'd like to defer to the planning staff, Lauren McKean, on that one specifically.

MS. McKEAN: Sure.

UPDATE ON HORTON'S CAMPGROUND PRIVATE COMMERCIAL PROPERTIES

RELATED TO THEIR CSCs

MS. McKEAN: In your packets you have a recent letter from the superintendent to the town. We had just received a subdivision proposal from Adventure Bound at Horton's property. Their data group submitted two -- two subdivision proposals. We feel one may be applicable under the subdivision regulations for the town. Eleven residential lots could be created under that scenario. Alternately, the applicant or the owner -- excuse me -- is moving forward with its appeal of the zoning board of appeals denial of their application to increase the intensity of the campground with the RV trailers that we spoke to you at length about in 2016, I believe. And so they're just -- they're following a two-pronged path of that appeal in seeing if they can get the subdivision moved forward as well.

MR. DELANEY: Larry?

MR. SPAULDING: Lauren, would it be my understanding that if they went with a subdivision analysis, you're dealing with lots that anything that was built would not have a certificate of suspension?

MS. McKEAN: Right, nothing could -- no lot that was not pre-existing September -- September 1, 1959, can get a certificate of suspension from condemnation, but it's -- you know, they've sort of bet that the federal government won't buy a residence on a three-acre property due to the cost of that acquisition. And that is their only other avenue. They cannot change their commercial use to another commercial use. It's a residential zone now based on the zoning districts ever since the commercial industrial uses were capped when the Seashore was created.

MR. DELANEY: Interesting.

Mark?

MR. ROBINSON: So I'm missing something since March 17 when we last met and we were concerned about perceived violations of the use. And I read in the paper subsequently that, as I recall, the attorney for the campgrounds was threatening a subdivision as an alternative to get what he wanted for the campgrounds.

Is that a proper recollection? Is this the response, the posturing, the threat, to get what they want for the campground, or is this a sincere proposal?

MR. DELANEY: I'll let Maureen offer some Truro advice on that.

MS. BURGESS: So as Lauren said, what happened was that the cease and desist on that portion of the campground was put in place, and the zoning board -- they went to the zoning board of appeals. And the zoning board of appeals agreed with the Seashore that it was a major change in use, and now they have -- now there is litigation. They are challenging the decision of the ZBA.

So I guess what I'm not clear of, have they lost their certificate of suspension from condemnation?

MS. McKEAN: Yes, they -- we did not renew it in December of 2016. You all wrote or voted in favor of that. The superintendent wrote to them and said, "We are not renewing. You may come to us if you are going to straighten out your zoning violations. And you can come to us, and it could -- it could potentially be renewed in the future if you get all those zoning violations taken care of."

MS. BURGESS: So if I might, Mr. Chairman.

MR. DELANEY: Go ahead.

MS. BURGESS: So the loophole allows them to go residential because it's a residential zone, but you're saying --

MR. SPAULDING: Not for a certificate of suspension if they have a campground.

MS. BURGESS: If they have a campground.

So if they were to come up with this subdivision --and they're proposing -- what? -- 56 duplex units?

MS. McKEAN: Right, our letter is really clear on that. There's nothing in the zoning bylaws that would make me think that that was even viable. It's not a -- it's not a two-family residential district, so any duplex proposal should not be -- should not be accepted. And this will be heard on Wednesday night at town hall.

MS. BURGESS: At the planning board?

MS. McKEAN: At the planning board meeting.

MS. BURGESS: So if they do the residential option, it's about 30 acres or 33 acres or 11 --

MS. McKEAN: It's a little more than that. So there are 11 lots, and you need to get your road through there. And there is no road access to Old Dewline Road. They couldn't just develop that upper loop of the campground without coming from the bottom half that's off of South Highland Road. They don't have legal access from Old Dewline Road.

MR. DELANEY: Mark, you've got a question?

MR. ROBINSON: Mary-Jo?

MS. AVELLAR: Yeah, as I look at this, I don't know where South Highland Road is on the map.

MS. McKEAN: Right at the bottom of the map.

MS. AVELLAR: So down here is --

MS. McKEAN: Yeah, that's where the gate is, probably where the subdivision road ends.

MR. DELANEY: Mark?

MR. ROBINSON: So the proposed subdivision on more than 30 acres should trigger a development of regional impact by the Cape Cod Commission.

MS. BURGESS: That's right. So he really doesn't have (inaudible).

MR. ROBINSON: I don't know how many acres this is.

MS. BURGESS: No, I mean, with that.

MR. ROBINSON: But still the overall property is more than 30 acres. That triggers the development of regional impact to the Cape Cod Commission where you're supposed to go first before you go to the planning board. They're going to require a cluster. I assume that that part of Truro is also considered MESA habitat for rare species. They're going to require a cluster.

Is this being submitted under Chapter 40B or 40A?

MS. McKEAN: 40A. And it is three acres --

MR. ROBINSON: So under 40B they could get a duplex.

MR. CRAIG: Whoa.

MR. DELANEY: Mark, are you finished with that? That's an interesting point you raised.

MR. ROBINSON: Rhetorical questions.

MR. DELANEY: Joe?

MR. CRAIG: Whoa, whoa. There are two 40Bs. There's a friendly 40B and an unfriendly 40B, and that depends on the town, whether they're going to accept it or not. And the state is in control of that. So if Truro says, "We don't want a 40B here," then they have to go through the state to get it, and that may be a long, drawn-out process. It may not be worth it.

MR. ROBINSON: My guess is that this is some kind of posturing. They've got an out-of-state engineering firm that honestly doesn't know the regulatory regime of Cape Cod. They've submitted this to scare people and get what they want. I would scare them back and say, "Do not pass go. Go directly to Cape Cod Commission and sort it out there and then come back to us," and then see what they say. That might -- the bluff might fall apart very quickly.

MR. DELANEY: Joe?

MR. CRAIG: That's not their business. Their business is not residential development. Their business is campground development.

MR. ROBINSON: That's what they're trying to get.

MR. CRAIG: And that's what they're trying to get. MR. ROBINSON: We want them to get that, if it's the right way.

MR. DELANEY: Yeah, good point.

MS. McKEAN: And to go back in time, remember that they were going to combine the wastewater facility from the one on Highland Road, which is Adventure Bound Camping at Highland Road or -- I forget. They have two different names -- and Adventure Bound Camping at Horton's. They were going to combine a waste -- centralized wastewater facility on the Horton's property. So this negates that. What are they going to do about the wastewater facility for the other campground? Yeah, so it's very -- it's very complicated.

MR. DELANEY: Larry?

MR. SPAULDING: The other issue that came up was that they leveled everything that was growing on this property, including trees that were in the boundary of the Seashore.

MR. CRAIG: Exactly.

MR. SPAULDING: I was just curious as to whether -- what's been done about any trees that may have been cut that were in the Seashore, if that's the case.

MR. CARLSTROM: The site still exists as it was cleared.

MS. McKEAN: We had a GIS analysis -- mapping analysis with taking out the GPS units and mapping what damage there was on Park land, and there wasn't sufficient damage to consider going after them on a tree-by-tree basis. So there was not a pursuit of that angle.

MR. DELANEY: Joe?

MR. CRAIG: Wasn't there a situation having to do with the removal of soil, topsoil, that they were not allowed to do, which they did?

MS. McKEAN: Which they did, and Mass. Natural Heritage is also involved in that because it was box turtle habitat. And they're looking for penalizing I think one and a half times the acreage on that -- on that count. So many, many moving parts and agencies.

MR. NUENDEL: (Inaudible) friends, are they?

MR. DELANEY: No. Yeah, tough one.

MS. AVELLAR: So they haven't had to do any kind of remediation in the meantime while they're pursuing all this crap?

MR. DELANEY: Apparently not.

MS. BURGESS: I think that it -- I think the planning board didn't want to pursue a remediation plan because it was too uncertain as to, you know, where this was going to go. They thought it was premature.

But I did have a question for Mark.

So, Mark -- first to the Commission. And then when you have something of that scale, don't they have to contribute a certain amount to conservation?

MR. ROBINSON: There's all sorts of mitigation.

MS. BURGESS: Conservation?

MR. ROBINSON: I would suggest that somebody at this presubmission review meeting either ahead of time or at the time solicit a jurisdictional question from the Cape Cod Commission regarding development of regional impact for development of more than 30 acres, which is an automatic threshold for any type of subdivision. And then the local committees just stop if the Commission serves jurisdiction. There are discretionary referrals which the town could do if it was less than 30 acres. It's a mandatory referral if it's more than 30 acres. So, you know, I know our towns like to do their own work, but here's a case where the Cape Cod Commission can be your friend and certainly call the bluff of this data group from Rhode Island, which is representing a Florida developer. They just don't understand the regulatory regime here, and I don't think they're getting -- either they're getting good advice and it's a bluff, or they're getting bad advice (inaudible).

MS. BURGESS: Thank you.

MR. DELANEY: Okay, stay tuned. That will be a continuation for us, and thank you for the good advice, Joe, and Mark, Larry, and others.

LIVE LIGHTLY CAMPAIGN PROGRESS REPORT

MR. DELANEY: The other item under *Old Business* is -- back to you, Mark -- your Live Lightly Campaign.

MR. ROBINSON: Well, since a lot of people don't know what this is, but about five years ago the Park and the local Land Conservation Trust of Cape Cod worked together on a proposal to partner on looking at private properties within the Seashore where landowners might voluntarily like to preserve some of their land for conservation purposes. And so we put together this partnership called Live Lightly on the Land, and we've received several donations of land, including a piece out on Coast Guard Beach, conservation restrictions on Nauset Road, and other things.

But in the interest of time, I don't want to update the actual projects. I'd just like to remind people that this is an ongoing effort, and if you know people that own land in the Seashore that they might like to set aside for conservation, there are valuable tax benefits associated with that. And see me.

In the meantime, we have produced a booklet highlighting the work of all of the local land trusts who have been operating now on the Cape for over 50 years, particularly out here on the Lower Cape. And in addition, we have watershed associations such as the Friends of Pleasant Bay, the Friends of Herring River, national and regional organizations like Nature Conservancy and Mass. Audubon, which belong to our regional network of land trusts. And so I'd like to pass these out.

MR. DELANEY: Great, thank you. And I assume if someone had to request a few more of these to give to their --

MR. ROBINSON: I'll leave some with the staff.

MR. DELANEY: Okay. Thank you, Mark. Keep up the good campaign. Appreciate it.

ADVISORY COMMISSION REAUTHORIZATION

MR. DELANEY: The next item is one I believe we've pretty well covered, and that was the *Advisory Commission Reauthorization*. We had the report from Andrew, and Maureen updated us, and we've taken some action. We'll have letters, a template letter for everybody to take back to town boards and hopefully get them to weigh in. Other than that, we should proceed as if we're going to continue to meet, at least until that date in September.

So unless there is more discussion on the reauthorization itself, I'm going to move to setting the date and an agenda item for -- or begin the agenda for the next meeting.

**DATE AND AGENDA FOR NEXT MEETING**

MR. DELANEY: That would be typically -- you know, we've historically given the Park the summer because that's their busiest season, so that would take us till September. The first Monday is obviously Labor Day. The second Monday is September 10. The third one is the 17th. And then the reauthorization --

MS. GREEN: Is the 26th.

MR. ROBINSON: The 26th.

MR. CARLSTROM: The 26th.

MR. DELANEY: -- is the 26th. So I guess we could consider meeting on the 24th, but if you want to meet a little bit in advance of what might be the very last time we could meet, we would choose the 10th or the 17th.

MS. GREEN: The 10th is Rosh Hashanah, the Jewish holiday, and the 17th is not a good day for me. So I would like -- if we could meet on the 24th, it would be the best for my schedule.

MR. DELANEY: Any other individual schedule conflicts that people might have?

MS. BURGESS: It is close to the authorization date.

MR. DELANEY: Cutting it close.

MS. BURGESS: Yeah, cutting it close.

MR. DELANEY: So hypothetically we would do -- I guess if we do get authorized -- theoretically we will. Let's assume we will -- and the Federal Register notice goes out, we'll have it on our agenda -- agenda. I guess if we could forecast what else might we -- what action might we want to take on the 24th that could conceivably influence the 26th. We've already put in motion actions that we want to take in -- that we want to do right now. That's the town letters.

I don't know. Kathy, do you have a thought on this?

MS. TEVYAW: Well, only that don't constrain yourselves too much with the dates because that's why we have alternates for each sitting member; so that if there is a conflict, the alternate can sit in.

MR. DELANEY: Yeah, true.

MR. CRAIG: The 24th is cutting it close.

MS. BURGESS: I think it's cutting it too close.

MR. CRAIG: If you wanted to do something on the 24th, I don't know whether it would have influence on the 26th.

MR. DELANEY: Yeah.

MS. BURGESS: I would go earlier.

MS. AVELLAR: Even if we met on the 17th or the 10th, I don't -- I mean, they're going to do what they're going to do, and we all know what they're going to do, I think. I mean, I'm very, very, very pessimistic about this.

MS. GREEN: I really don't think it matters whether we meet on the 17th or the 24th, and I think that the 24th would be a good date. And I would like to be here at this meeting in September, so I would really request that we meet on the 24th.

MR. DELANEY: Well, as it turns out, looking at my calendar, I will not be available on the 10th or the 17th either. I'll be out of the country. So I was willing to relinquish the gavel to the to-be-announced vice chair. I think last time it was Sheila Lyons. But if between Lilli's schedule and my schedule you don't mind cutting it a little bit close, I'd like to be here too obviously on the 24th and could be. I'm willing not to be, but I honestly, not just because of our schedules -- I'm not sure what we could do at that point. You heard Andrew say there was kind of a gap between reauthorizations historically, and it still may happen. I mean, hopefully it will happen before the 26th, but if it doesn't, who knows?

MR. ROBINSON: I move that we meet on the 24th.

MS. AVELLAR: Second.

MR. DELANEY: All right, thank you, everyone. That's great.

MR. CRAIG: Thank you very much.

MS. TEVYAW: I would say put it on your calendars, but it still, again, as you all have experienced, goes through an approval process. So it's not a done deal to --

MR. DELANEY: That's right. We do need to -- you have good advice, Kathy. Before what we've done is sent down the last two times a couple of different dates.

Does that really matter, or should we try for the 24th right away and, if they say no, we'll go to the 17th?

Okay, Larry?

MR. SPAULDING: I was just going to pose the fact that, as a Commission, we'd like to have a meeting while we still can. So if we can't do the 24th, then try and just pick one as best you can so there'll be at least another meeting.

MS. AVELLAR: So if we can't meet on the 24th, we'll meet on the 17th?

MR. SPAULDING: Whatever.

MS. AVELLAR: Yeah.

MR. DELANEY: Yeah, okay. So that would be -- that's settled.

The agenda will evolve as it always does. We identified a few things in this meeting for the next agenda.

Is there anything in particular that people would like to put on the calendar now?

Lilli?

MS. GREEN: I was alerted -- there was just a small article in the *Cape Cod Times* that Eversource is talking about a battery storage facility on the Lower Cape. And through meeting with my town administrator and being in contact with the Eversource community liaison person, they have met with the Town of Provincetown. In the *Cape Cod Times*, it said it was Wellfleet. That was my first concern. But they -- they have met with the Town of Provincetown, and evidently there is an acre of land that they would like to put a battery facility, storage facility on in Provincetown. I don't know where that's possible, and is that within Park property? Is it within the bounds of the National Seashore, and should we be looking at that and --

MS. AVELLAR: You'd have to find out from the town management and the board of selectmen. Lise is new, so I'm quite sure she doesn't know. But I know that there has been talk about some kind of battery storage facility for the power failures that we get.

MS. GREEN: I mean, is that within the bounds of the Seashore, and should we be talking about it?

MS. AVELLAR: If it's in the Seashore, I would assume the superintendent would know about it right now.

MS. GREEN: He doesn't know.

MS. AVELLAR: Truro was supposed to have -- they wanted to do it in Truro, as I understand it, and Truro said no. That's what I heard. But you'd have to ask Maureen.

MS. GREEN: Should we have that on the agenda --

MR. DELANEY: So let's just flag that, and we'll see if as this evolves we learn more about it. If it becomes a Park issue, we'll certainly put it on the agenda.

MS. AVELLAR: But apparently -- I mean, you have to understand, I find power failures -- and I don't know where the word *outage* ever came from. I find power failures really abhorrent at this critical stage of the 21st Century. We have a lot of elderly people that live in my town particularly, medications that have to be refrigerated, and I hope that whatever they're planning on doing we can do to -- you know, we're 50 miles away from the nearest hospital. So that's all I've heard.

MR. DELANEY: Okay, so let's --

MS. GREEN: I'm not saying if there's anything plus or minus about it. I just would like to be informed about it. And if it's within the bounds of the Seashore, I think the Seashore Advisory Commission should be informed about it as well.

MR. DELANEY: Yeah.

MS. GREEN: Okay, thank you.

**NEW BUSINESS**

MR. DELANEY: Any other new -- well, let's move to new topics that might also become agenda topics.

Any new business for our Commission members to raise?

(No response.)

MR. DELANEY: Okay, then I will now turn to --

MS. McKEAN: We have one.

MR. DELANEY: Oh, okay.

MR. CARLSTROM: We have one, and that is there are eight commercial properties that have CSCs that are due to expire on December 31. So that may be something to put on the agenda for the proposed September 24 meeting.

MR. DELANEY: Oh, good. Okay.

MR. SPAULDING: By statute are we supposed to approve the votes on that?

MR. DELANEY: Yeah.

MR. CARLSTROM: That is correct.

MR. SPAULDING: So I think we better put --

MR. CARLSTROM: Right.

MS. McKEAN: Yes.

MR. DELANEY: So if we're not prohibited to have a meeting, then commerce will slow down on Cape Cod. Potentially.

MR. CRAIG: That's an interesting situation.

MR. ROBINSON: That might be another thing to put in our letters to the Congress.

MR. DELANEY: Yeah.

MR. ROBINSON: Why this group is important. We've got eight commercial entities that need to be renewed and who statutorily are authorized to do that.

MR. DELANEY: Yeah.

MR. ROBINSON: If we don't do it, is there some overlay that can do it? I suppose the superintendent can. I don't know.

MR. DELANEY: I don't think so.

Do you want to elaborate on our authority, Lauren? MS. McKEAN: Brian could probably do so.

MR. CARLSTROM: It's to be determined. It's been a point of discussion that we've been having with Park Service management in Washington involved with the Park, and I don't know how to answer that.

MS. McKEAN: We're supposed to seek your advice on the permitting.

MR. CARLSTROM: Right.

MS. McKEAN: And if you're not there, we can't seek your advice.

MR. DELANEY: But is there a requirement to seek our advice? You don't have to accept it. We don't have the final say, but you must seek --

MR. CARLSTROM: Must seek the advice.

MR. DELANEY: Officially and in a formal setting get our advice. And if we're not meeting, then you can't do that, can't fulfill that obligation.

MR. CARLSTROM: Correct.

MS. BURGESS: Mr. Chairman, I did have one thing.

MR. DELANEY: Maureen?

MS. BURGESS: In the event that we don't continue and because the Advisory Commission cannot handle funds and that's why the Friends of the Cape Cod National Seashore have held the Nickerson account and if we don't meet again, I would love to see those fellowships go forward, and I wonder if we could have some mechanism where that responsibility might be able to be taken over by the Friends just so it continues and it's not lost.

MR. DELANEY: Good, good. Good point, yeah.

Okay, yes, Lise?

MS. KING: Two things. Thank you. First of all, in continuation of the potential sunsetting of the Commission, I would like to ask if it would be appropriate at this time to recommend getting into process now an intergovernmental advisory committee to ask the towns that are represented here to have -- to go out to our individual towns and start that process because it was noted in your notes earlier that without a Commission -- without the Seashore Commission in place, that you can be advised in an official capacity by an intergovernmental advisory committee that could be created amongst all of the towns that are represented here. So I wanted to ask -- you know, I'm new here, so bear with me. What would be the appropriate mechanism to start putting that in place in anticipation of a potential delay or a sunset?

MR. DELANEY: Reaction to that? Larry?

MR. SPAULDING: If it really happens, I think it should be done, but I'm concerned we can -- the argument in Congress is to actually continue the Commission. One could take the position, well, you don't need this now because you're going to have something else. So I would not do that.

MR. DELANEY: Andrew, were you going to add something to that?

MR. NELSON: No, I mean, we'd be supportive of whatever you guys want to do, but we very strongly support the Commission to (inaudible).

MR. DELANEY: And I know the Congressman -- the Congressman is also a little concerned, shared Larry's concern, as I remember, about giving the Washington powers that be another alternative, say, "We don't need this advisory commission. The towns are going to take care of themselves." But it's not the same thing as a factor -- a factor.

MS. KING: I totally understand. I was just asking if that's something that --

MR. DELANEY: But keep that in reserve, I would say.

MS. KING: And then I have a second one, if that's okay.

MR. DELANEY: Second one?

MS. KING: Going back to the Pilgrim -- the decommissioning of the Pilgrim nuclear plant and the evacuation plan, a piece that Sarah Peake has introduced into the Ways and Means Committee of the House now, would it be appropriate, although the Seashore -- National Seashore here it's not appropriate for you to make recommendations to that specifically as through intergovernmental, would it be appropriate to ask the DOI to make an intergovernmental -- an interagency memo of some kind or to make recommendations because of the stewardship responsibility of the Seashore, of the land and the resources here and how that would negatively impact clearly the Seashore? Would it be appropriate to send it up the food chain and have the DOI do some kind of memo? Towards Sarah Peake's? It is done within intergovernmental between federal and state at times where it's appropriate.

MR. CARLSTROM: And the federal -- federal -- typically we would do that when there's a specific proposal being put forward that we're responding to. It is kind of -- to do it without something and being motivated for a specific action is out of the ordinary.

MS. KING: Clearly it's out of the ordinary, but our circumstances are out of the ordinary being downwind and having no proper evacuation plan from the Cape. So that's why I'm asking if it would be appropriate in your opinion to just test it up, send it up the food chain and find out if someone in the Department of Interior would be willing to make an intervention and send a memo. That's all.

MR. CARLSTROM: You know, conversation is the appropriate regional (inaudible).

MS. KING: Thank you.

MR. DELANEY: Two interesting suggestions. Thank you. Appreciate it.

**PUBLIC COMMENT**

MR. DELANEY: All right, so I'm going to continue to move -- I think we've moved into the public comment period, and I open it up to the public.

Yes, sir? Would you please identify yourself?

AUDIENCE MEMBER (PETE LANDON): Yeah, Pete Landon from Wellfleet. And my question is, what's the history of advisory commissions in other regions of the country? Have there been studies that prove their effectiveness in a best practices way that are part of the discussions going on regarding the sunsetting?

MR. DELANEY: I'll let the superintendent take the first shot at that.

MR. CARLSTROM: Yeah, I'd be happy to elaborate on that a little bit.

Cape Cod National Seashore Advisory Commission is the first one established in the National Park Service, and it's been standing for the entire time the Seashore has been in existence. And it's unique in terms of its role of advising certificates for suspension from condemnation.

They are utilized across the system typically to have a set sunset date. They're typically utilized for starting up a park. There are other advisory commissions that are long-standing. One I mentioned earlier was C&O Canal National Park. C&O Canal National Historical Park has been long-standing since its development in the early '70s. Others have been allowed to sunset after they've met their specific purpose. So there are circumstances where they're perpetuated, where they're sunsetted, where they're brought back. It really varies depending on the need of the specific unit of the Park system.

AUDIENCE MEMBER (MR. LANDON): And the assessment of the need here? It seems the discussion is very -- very good and very strategic for what's going on on Cape Cod, and I wondered, is there an argument to say that we have a strategic need to continue? Is that the way the Congressman is approaching it?

MR. CARLSTROM: I'd defer to Andrew to answer that question.

MR. NELSON: Yeah. Yeah, that is. I mean, you guys sitting here today, you can see the good dialogue that's gone on here, and for us, you know, we've listened to the communities out here. We believe this is a unique part of the management of the Park, and we will continue to support the six towns in making sure that there is a formal venue for everyone to come and discuss the management practices here. And we are very thankful to have such a wonderful staff between Kathy and Brian to come and have these discussions with. It's always been a part of this park, and I think it's a good institution. It's just (inaudible), but it's a good institution for all of our parks to be able to have interaction with the local communities. I think it's an important service that the Park Service provides all the towns.

MR. DELANEY: If you go back through our -- I'm not sure how long you've followed our history, but if you go back over my tenure for the last 15 or 20 or more years, this group has tackled some very relatively controversial issues and helped provide the neutral forum to sort those issues out, come to -- get to yes with a lot of different stakeholders and then make a well-reasoned, well-balanced recommendation to the superintendent.

So we've served a pretty good role. Very, very helpful role, I think.

But I saw another hand over here at the last minute. Yes?

AUDIENCE MEMBER (HELEN MIRANDA-WILSON): Yes, I'm Helen Miranda-Wilson, Town of Wellfleet Selectboard but speaking as an individual, not as a member of the board.

The presentation by Mr. Smith was excellent. He left before I could ask a question, and I'm assuming that since he didn't supply this information and supplied a lot of other information -- and I like him a lot. We've had extensive experience with him and learned things from him. This is a very high water year, and he didn't say one thing about there being a program of cutting Phragmites in the ponds this year. It would be an excellent year to start it. I wanted to highlight that. I would have asked him that, but he left.

The second thing is he didn't supply information that was clearly confirmed for me or the panel that was conveyed by the health conservation agents of Wellfleet, Truro, and Provincetown recently and included Michael McClean, who's the head top of the food chain for pesticides. He's the chief inspector for the Pesticide Board bureau of Massachusetts. He mentions surfactant or glyphosate. That is the tip of the iceberg. An active ingredient in any compound produced by Big Pharma are proprietary secrets. They're not on the label. You don't know if they've been tested, and chances are that they haven't been, and you can't find out what they are.

The other thing that he left out -- he talked about wildlife. He talked about groundwater. This is all important. He talked about us and plants. Most of what's alive on the earth lives in the earth. And all these things in every compound in any kind of pesticide -- and the pesticide includes anything that you use to kill things, herbicides, avicides, so on and so forth -- affect everything it comes in relation to. It might even be just through the air. And most of what it affects is not tested for, and that's why, with five extremely robust species that I don't want on my property, they're classified as invasive, which is a negative -- I think it's used for anything, not just animals -- and (inaudible) an adjective as this threat. Plants aren't threats. They might be uninvited, but they're not threats. We are often threats. And I feel that although I really respect Steve, that he is over fond of the use of pesticides, and I had a lot of time to learn that because I've been sitting in on the Herring River restoration project meetings. And that whole issue almost stopped it dead in its tracks. It is an option, but in this place I don't think it's a good one.

Thank you.

MR. DELANEY: Thank you. And I think you have some agreement among this group too. We don't -- it's a last resort, if at all, and there are cumulative impacts from repeated pesticides. And it's a long discussion, but thank you for continuing it, Miranda (sic).

Yes?

AUDIENCE MEMBER: I have a follow-up question on that too. I was wondering --

MR. DELANEY: Would you identify yourself, please?

AUDIENCE MEMBER (ELSPETH HAY): Sorry, my name is Elspeth Hay. I'm here with the *Provincetown Banner*.

THE COURT REPORTER: I didn't get that.

MR. DELANEY: Elspeth Hay.

AUDIENCE MEMBER (MS. HAY): My name is Elspeth. It's E-L-S-P-E-T-H. Last name Hay.

And I'm wondering -- there was a lot mentioned in that presentation about the fact that it doesn't get into groundwater easily. I'm wondering if there have been any tests done to actually find out if it's getting into the groundwater and, if so, how -- if there's also been any signs on how it's interacting with other chemicals that are already present in groundwater. I don't know if anyone here would be able to answer that.

MR. DELANEY: I don't know. I think we will -- I believe Steve's presentation cited some of his sources but maybe not as many as you would need to answer that question.

So we at a minimum can bring Steve back next time, I assume, Superintendent?

MR. CARLSTROM: Yes.

MR. DELANEY: And/or perhaps some of these specific questions could be asked through me to the Commission, and we will then get Steve to sit down with some of us who are interested and/or outside people. I'm not saying we're going to form a special subcommittee. We've done that for other issues, but I think a follow-up -- it sounds like two comments from the public have suggested we might need a follow-up discussion on some more information from Steve.

So if you'd be willing to just send me a note on that to that effect, I'll see if we can arrange a follow-up discussion.

Miranda (sic)?

AUDIENCE MEMBER (MS. MIRANDA-WILSON): No, Helen.

AUDIENCE MEMBER (MS. HAY): Thank you.

MR. DELANEY: I'm sorry, Helen.

AUDIENCE MEMBER (MS. MIRANDA-WILSON): No, it's okay. Call me Bozo. I don't care.

MR. DELANEY: Three names. I get confused.

AUDIENCE MEMBER (MS. MIRANDA-WILSON): Once again, Helen Miranda-Wilson.

I can answer that question. And I've read a lot of science on it, and it came up at the Herring River restoration committee with a lot of people, scientists at it.

The testing that is done on different compounds is done in a limited way. It can never be done -- in other words, yes, any test for, let's say, how far it goes into groundwater and how it reaches that point, but it is impossible -- and this was the answer that finally got gleaned. It's impossible to test for a specific site with specific, you know, hydrology, geology in a specific season at a specific temperature. In other words, the answer is Big Pharma can give us answers for a very limited situation, and we can't ever know everything it does in a specific site here.

So I did a good job. I summarized.

MR. DELANEY: The best information available for that site -- and I know it's sometimes generic. And I've asked this question before when we've talked about this, but those same standards that are developed nationally and regionally when applied here must be -- take into account the sole source aquifer because this is a different kind of environment than probably anyplace else in a national park system.

So the answer to that question in the past has been yes, the Park -- what's the board that advises the Park system nationwide?

MS. TALLENT: I can.

MR. DELANEY: What is it?

MS. TALLENT: Integrated Pest Management.

MR. DELANEY: Integrated Pest Management Board, I assume and have been told I believe in the past, would take into consideration the application in an area such as this as opposed to a generic application for other habitats. But that's worth double-checking.

Am I right on that, Nita?

MS. TALLENT: Yes. Our system requires that when the pesticide is going to be applied it is reviewed in context of the region and the location it's in and the specific location. So where sandy soils are, how high the water table, et cetera, et cetera. It's very specific to the location of application, not broad. So when we get a response about the applicability, the approval to use that product, it's specific to that location.

MR. DELANEY: All right, thank you. That helps.

All right, so other comments from the public? Yes, Lise? Again, identify yourself one more time for the record.

MS. KING: Lise King. I'm the alternate for Provincetown and a selectboard member of Provincetown.

I just wanted to go back and revisit the potential delay or sunsetting of the Advisory Commission and ask what way it would be appropriate for the public to weigh in on or have a voice in some way to add their opinion or their support of a continuation of the Commission to -- I would like to know your feedback or other Commission members' feedback on how can the public get involved, add their voice to support of the continuation of the work -- the critical work that clearly is done with this commission.

MR. DELANEY: Well, it's in the hands of the Subcommittee on Public Lands, which is a subcommittee of the Natural Resources Committee in the House of Representatives. That's where the bill is right now, and it has to move out of there before any other action can happen.

So the letter that we're going to share with -- the template that we'll share with the town boards will be directed at that chairman, Bishop.

MR. NELSON: Chairman Bishop is the chairman of the Natural Resources Committee.

MR. DELANEY: He's the top -- all right.

MR. NELSON: I'm blanking on the subcommittee (inaudible).

MR. DELANEY: So one answer is contact Andrew. He will tell you exactly who and how a citizen can --

MR. NELSON: (Inaudible) in Hyannis.

MR. DELANEY: And also go to your town. Well, you are part of the town, so go to the town and ask for the selectmen to sign this letter when it comes forward. Two issues.

So I think it's a good old-fashioned political campaign.

MS. KING: For the public.

MR. DELANEY: For the public.

MS. KING: For the benefit of the public, the voters here on the Cape and elsewhere who might want to participate and support the critical work that's done here.

MR. SPAULDING: Rich?

MR. DELANEY: Yeah, absolutely.

Larry?

MR. SPAULDING: Well, we shouldn't get involved, but somebody could certainly write a letter to the local papers indicating this is going on and providing them an appropriate address that an interested individual could write to. That would be a way to let the public know that they could be helpful.

MR. DELANEY: Okay, that's good. That's another option. That information, again, will be available through Andrew.

MR. NELSON: Yeah, I can do that.

MR. DELANEY: Okay, thank you, Lise.

Any other new bus-- -- public comments? Yes, sir? Rick?

AUDIENCE MEMBER (RICK FRANCOLINI): Yeah, Rick Francolini from Orleans. Really quickly. I know it's a long meeting.

I'll just say that I learned a lot from that herbicide presentation. I was taken aback and a bit surprised to learn that glyphosate is used here in the Park Service. I'm not an expert on it by any means, but I know the headlines, and I certainly have a few concerns. And I would just echo those and say that for me to learn that today was a bit of an eye-opener. What I'll do with it, TBD, but I'll learn more hopefully.

MR. DELANEY: Good, thank you.

All right, back to -- if no other comments from the public, back to our commissioners.

Maureen?

MS. BURGESS: Mr. Chairman and fellow members, if we don't meet again, it's been a pleasure.

(Laughter.)

MS. BURGESS: And one of the highlights of my career. Thank you.

MR. DELANEY: We will meet again. We can't stop 307 -- at 307 meetings. We have to keep going.

And I'll just add before we -- before I ask for an adjournment, this will be the last time we'll have Nita Tallent with us.

MS. BURGESS: That's right.

MR. DELANEY: We understand Nita has a new job out West.

MS. TALLENT: Yes.

MR. DELANEY: In which park?

MS. TALLENT: I accepted a position with the Department of Interior, but I'm moving over to our sister agency, the Bureau of Land Management. I'll be working with the High Plains District in Casper, Wyoming.

MS. AVELLAR: Oh, wow.

MS. TALLENT: And it's been fantastic being on the Cape, and this past two years has exceeded my expectations. One of the benefits, though, of being a public servant as with the Park Service and the Department of Interior is that we can spread our wings far and wide. And so when the opportunity came up for me to be able to go West, I -- they gave me an offer I couldn't refuse.

So thank you, everyone, and thank you, Maureen. I've enjoyed working on the -- working on the Nickerson fellowship so much with you.

MS. BURGESS: Ditto.

MR. DELANEY: Good. Well, you have a big mission to keep our public lands public out West.

MS. BURGESS: That's right.

MR. DELANEY: Please do.

MS. TALLENT: Yes.

**ADJOURNMENT**

MR. DELANEY: Seeing no other hands, I will entertain a motion to adjourn.

MS. GREEN: So moved.

MR. NUENDEL: Second.

MR. DELANEY: Second. All those in favor, signify by saying aye.

BOARD MEMBERS: Aye.

MR. DELANEY: Those opposed?

(No response.)

MR. DELANEY: Thank you.

(Whereupon, at 3:33 p.m. the proceedings were

adjourned.)

**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 126 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, June 18, 2018, commencing at 1:02 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 27th day of August, 2018.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Linda M. Corcoran - Court Reporter

My commission expires:

August 28, 2020