

**CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION
TWO HUNDRED AND EIGHTIETH MEETING**

HELD AT CAPE COD NATIONAL SEASHORE, Marconi Station
Area, Park Headquarters, South Wellfleet, Massachusetts, on
Monday, September 12, 2011, commencing at 1:06 p.m.

SITTING:

Richard F. Delaney, Chairman
Richard Philbrick
Ed Sabin
Peter Watts
William Hammatt
Mary-Jo Avellar
Sheila Lyons
Judith Stephenson
Edgar W. Francis
Sharon Lynn, alternate
Maureen Burgess, alternate
Larry Spaulding, alternate (partial)
Tom Reinhart, alternate
Don Nuendel, alternate

Also present:

George Price, Superintendent
Kathy Tevyaw, Deputy Superintendent
Lauren McKean, Management Assistant
Susan Moynihan, Chief of Interpretation & Cultural Resources
Shelley Hall, Chief of Natural Resources
Erin Der-McLeod, Planning Assistant
Molly Williams, Event Ranger
Mark Adams, GIS specialist
Charleen Greenhalgh, Truro Acting Town Administrator
Stefanie Coxe, Rep. for Congressman William Keating
Kim Nitschke, ARM Mobile Facility Oversight
Larry Berg, ARM Mobile Facility Oversight
Lynne Roedor, ARM Mobile Facility Oversight
Audience members

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I N D E X

	<u>Page</u>
Adoption of Agenda	3
Approval of Minutes of Previous Meeting (May 23, 2011)	3
Reports of Officers	5
Reports of Subcommittees	5
Superintendent's Report	5
Department of Energy Atmospheric Radiation Measurement Climate Research Facility	7
North Beach Cottages/Chatham	35
Update on Dune Shacks	122
Herring River Wetland Restoration	122
Flexible Shorebird Management	123
Herring Cove Bathhouse Project	123
Land Protection	123
Old Harbor Update	124
Advisory Commission Appointments	125
Old Business	128
New Business	128
Date and Agenda for Next Meeting	129
Public Comment	130
Adjournment	134
Reporter's Certificate	136

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
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P R O C E E D I N G S

MR. DELANEY: I, as chairman of the Commission, am happy to call the 280th meeting of the Cape Cod National Seashore Advisory Commission to order.

ADOPTION OF AGENDA

MR. DELANEY: We have an agenda that has been distributed to the members beforehand, and if there are no changes to it, I'll ask for a motion to adopt it as printed now.

MR. SABIN: So moved.

MR. DELANEY: Seconded?

MS. LYONS: Second.

MR. DELANEY: All those in favor?

BOARD MEMBERS: Aye.

APPROVAL OF MINUTES OF PREVIOUS MEETING (MAY 23, 2011)

MR. DELANEY: You also should have received the minutes from our previous meeting, which was May 23.

Are there any comments, questions, or changes to those minutes? Ed?

MR. SABIN: Only -- normally I read the minutes thoroughly and am the one who normally suggests that they're okay or not. They came on Saturday, and we had Windmill Weekend Friday, Saturday, and Sunday, so I just didn't get a chance to get all the way through them. I

1 got partway through, so I'm not responsible for whether
2 they're okay or not.

3 (Laughter.)

4 MR. SABIN: So I'll pass on that.

5 MR. DELANEY: We count on you to be our expert
6 editor.

7 Yes, sir?

8 MR. SABIN: While I have the floor because I may
9 never get it again -- there are so many people here --
10 we had a wonderful Windmill Weekend, and that's the
11 reason I didn't get through all the minutes.

12 I thank George Price for being there on Friday
13 night to present our parade marshal her ribbon, Liz
14 Simmons, and we are devoted to your Ranger Molly
15 Williams for heading up the float that was in our
16 parade, which was a grand, grand parade. So we thank
17 the Seashore.

18 The theme for our day was *Eastham: Gateway Through*
19 *the Cape Cod National Seashore Years*. So we had a
20 wonderful weekend.

21 Thanks.

22 MR. DELANEY: I heard good reports. Thank you very
23 much.

24 Any other thoughts or comments on the minutes?

1 (No response.)

2 MR. DELANEY: May I have a motion to accept them as
3 printed?

4 MR. PHILBRICK: So moved.

5 MR. DELANEY: Second?

6 MS. STEPHENSON: Second.

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

9 BOARD MEMBERS: Aye.

10 MR. DELANEY: Those opposed?

11 (No response.)

12 MR. DELANEY: It carries. Thank you.

13 **REPORTS OF OFFICERS**

14 MR. DELANEY: Now, Reports of Officers.

15 I don't have one myself and don't think any of the
16 other officers have told me about reports, so let's move
17 to Reports of Subcommittees.

18 **REPORTS OF SUBCOMMITTEES**

19 MR. DELANEY: And I believe there has been no
20 subcommittee activity since our last meeting, so I don't
21 anticipate anything there.

22 **SUPERINTENDENT'S REPORT**

23 MR. DELANEY: I will now move to the
24 Superintendent's Report.

1 We do have -- let me just say in advance of that,
2 we have a lot of interest on a couple of major topics,
3 the first one on the Department of Energy's Atmospheric
4 Radiation and Measurement Climate Research Facility.
5 Then we also have an equal amount of attention on
6 another item that will be reported in the
7 Superintendent's Report, which is the North Beach
8 cottages in Chatham. And we have a limited amount of
9 room. There's a standing room only crowd outside, so at
10 some point we anticipate some of the people that have a
11 particular interest in the first climate activity will
12 probably be moving out, and we'll bring in the second
13 group. So hopefully we've managed the room accordingly,
14 and everyone will be satisfied.

15 The other change that I will make right now is
16 generally we wait as a practice till the end of the
17 agenda to invite public comments, but seeing and knowing
18 the amount of interest in both these first two topics
19 that will be in the Superintendent's Report, I will open
20 up the floor to comments from the public at the end of
21 each of those items for a limited amount of time. I
22 want to keep -- we have a big agenda, and in fairness to
23 that agenda and all the other issues the Park has to
24 deal with and to the commissioners themselves, we want

1 to get through that today. So that's how I'll manage
2 all of that.

3 Is that all right with my fellow commissioners?

4 MS. LYONS: Yes.

5 MR. DELANEY: So Superintendent, please.

6 MR. PRICE: We welcome everybody back to our first
7 official meeting of the season. I hope you all had a
8 good summer. We had a heck of a one. And I hope we do
9 get through the agenda because I actually saved some
10 real exciting report outs for the very end having to do
11 with the 50th anniversary and all the celebration
12 activities.

13 We're also beginning the agenda with a very
14 exciting activity as well, and Rich already gave you the
15 title, but I'm going to ask Lauren McKean to introduce
16 the topic and the participants.

17 Lauren?

18 MS. McKEAN: Sure.

19 DEPARTMENT OF ENERGY ATMOSPHERIC RADIATION MEASUREMENT

20 CLIMATE RESEARCH FACILITY

21 MS. McKEAN: We've been working for just a couple
22 of months with some folks from both the DOE Los Alamos
23 National Laboratory and Pacific Northwest National
24 Laboratory. They have a whole cadre of researchers they

1 work with. We gave you all a one-paragraph summary so
2 far, but since there's the public, we might as well wait
3 on the presentation. We have a PowerPoint presentation.
4 We have three people with us today from the group, from
5 the large team, Kim Nitschke, who is the project manager
6 and working on the site setup or site selection, and
7 Larry --

8 MS. STEPHENSON: Can you tell us where he's from?

9 MS. McKEAN: He's from Los Alamos.

10 Larry Berg next to him. He's from Pacific
11 Northwest National Laboratory, and then next -- and he's
12 one of the principal investigators on the science side.
13 And then Lynne Roedor, and she's public information
14 officer, and they'll be able to tell you all the facets
15 through this PowerPoint presentation.

16 So I'll turn it over to Kim.

17 MR. NITSCHKE: Thank you, Lauren.

18 Is there something I need to do here to get this
19 working?

20 (Pause.)

21 MR. NITSCHKE: Can everybody see that?

22 Good afternoon, everybody. It's a pleasure to be
23 here at the National Seashore at Cape Cod, particularly
24 with the beautiful weather we're having at the moment.

1 And I'm glad to hear that the recent hurricane didn't
2 impact everybody here greatly. Thank goodness for that.

3 My name is Kim Nitschke. I'm the project manager
4 for the Department of Energy's Atmospheric Radiation
5 Measurement program, and in particular I head up a
6 component of that program, which happens to be the
7 largest funded climate change research project in the
8 United States where we deploy instrumentation around the
9 world and also within the continental United States to
10 measure climate change and also to look more accurately
11 at microphysical properties and the detailed analysis of
12 the atmosphere so we can be better at predicting future
13 climate events, in particular through the use of
14 modeling.

15 So whilst we set up instrumentation to measure
16 climate change, we really in effect are looking at the
17 detailed processes and in particular the radiation from
18 the sun to derive the atmospheric budget so we can
19 understand what's happening with cloud systems,
20 aerosols, and how that affects the climate as we know it
21 now and what it's going to be doing in the future.

22 MR. PRICE: Excuse me, Kim. Do you want to put
23 that on? The slideshow?

24 MR. NITSCHKE: I just tried to.

1 (Pause.)

2 MR. NITSCHKE: So as I was saying, we're looking --
3 when we say radiation -- and coming from Los Alamos
4 National Laboratory, it is not atomic radiation. I can
5 guarantee you that. We're talking about radiation from
6 the sun, quite harmless. And not a lot is known about
7 cloud systems and the way it affects the climate, so
8 that's what we're here to study. So the ARM Department
9 of Energy set up a user facility, which we call the ARM
10 Mobile Facility that we deploy around the world, and
11 this is what we're proposing to bring to Cape Cod.

12 We basically looked at the vertical profile or the
13 atmosphere above the site. So we're looking at, again
14 -- looking at all the properties and the effect the
15 column of air above our site and try to analyze that
16 and, from a modeling point of view, replicate what we're
17 seeing in the worldwide environment in our models so we
18 can put in different factors and see what's going to
19 happen in the future.

20 We're currently located all the way around the
21 world. It might not be clear for those at the very
22 back, but the orange dots, which we currently have in
23 Oklahoma; North Slope of Alaska; Darwin, Australia;
24 Papua, New Guinea; and the Republic of Nauru on the

1 equator there are permanent fixed sites, and they've
2 been in operation for in excess of ten years. The other
3 sites, the red dots, are a mobile facility that we've
4 deployed around the world.

5 The ARM system, the ARM Climate Research Facility
6 isn't just instruments, of course. It's a collaboration
7 of in-country scientists. We have in excess of 350
8 scientists that are registered to use the ARM data that
9 we collect. It's free, publicly available to everybody.
10 So as soon as we collect it, we put it through a QA
11 system, and then anybody can get access to that data.
12 We produce data products, and of course, we feed that
13 into the research community who fine-tune the modeling
14 so we've got a better idea of what's happening.

15 We started off at Point Reyes, a very similar
16 project to what we're proposing here at Cape Cod. We
17 were basing the National Seashore there looking at
18 marine stratus and the cloud that was developing over
19 the National Seashore there.

20 We went across to Africa. We're looking at the
21 Sahara sand and the impact of the aerosol, the natural
22 occurring aerosol in the Sahara dust. We're looking at
23 plumes that cross the -- come from Africa all the way
24 across the continental United States and what effect

1 that the Sahara sands have on the atmosphere and how
2 that impacts climate.

3 In Germany we're looking at the rainfall that was
4 accumulated because of a tropospheric -- sorry --
5 topographic effects; in other words, cloud systems over
6 mountainous areas creates clouds, creates rains. Again,
7 not a lot is known about this, so we're trying to --
8 we're at the leading edge of the science for determining
9 how that process happens.

10 We went to China, and we're looking at the aerosol
11 effects there, and as you probably can guess, mainly to
12 do with the pollutants and the black carbon that are
13 produced in China.

14 In the Azores, similar sort of project. We're in
15 the middle of the Atlantic Ocean where we're looking at
16 the plumes from North America coming right across Cape
17 Cod as that happens and the European plumes, and we can
18 assess by the chemistry where those plumes are coming
19 from and, of course, wind directions and seeing what
20 effect that has on the atmosphere, what type of clouds
21 are generated.

22 We're currently in India doing similar sort of work
23 with the black carbon issues there in the Himalayas.
24 Heading up to Brazil, but before we go to Brazil, we're

1 going to go to Cape Cod.

2 I'd like to quickly throw it across to Larry Berg.
3 He's going to give you a synopsis of what the science is
4 in particular that we're trying to study here.

5 MR. BERG: Thanks, Kim. It's great to be here.
6 Just a few short weeks ago I was at the other end of
7 I-90 watching the Red Sox beat the Mariners, so it's
8 good to be here.

9 And I'm going to tell you a little bit about the
10 science. I'm a scientist at the Pacific Northwest
11 National Laboratory. It's a Department of Energy-
12 sponsored laboratory, and I'm part of a team that
13 actually wrote a competitive proposal to do this
14 project.

15 So the overarching goal is to reduce the modeling
16 uncertainty associated with the treatment of aerosol --
17 and I'll talk about aerosol in just a minute --
18 transformation and cloud aerosol interactions. And
19 here's a picture of the Northeast, and you can see that
20 brown haze coming off the continent. And that's really
21 what we want to be able to measure and how the
22 properties of this brown haze change as the air moves
23 out to sea.

24 We're interested in atmospheric aerosol. This is

1 not aerosol like that comes out of your spray can.
2 These are tiny particles suspended in the atmosphere.
3 They range in size from nanometers to microns. And
4 we're interested in the process as related to aerosol
5 aging. So how do these particles change as they go from
6 their emissions source to somewhere in the Northeast and
7 move out over the ocean? These are issues that aren't
8 very well represented in models that are currently used
9 to better understand the climate.

10 So why do we want to come to Cape Cod? We want to
11 measure these aerosol properties at two distances from
12 the coast. Cape Cod has a nice feature that you're kind
13 of out on the middle -- not really in the middle of the
14 ocean, but you're kind of jutting out into the ocean.
15 So we get a maritime site without the cost and
16 complexity of actually being on a ship for something
17 like that. We need to have a site that's conducted to
18 regular site visits and maintenance, so it's handy to be
19 on land. Our second site will only include aircraft
20 measurements, and that will be several hundred
21 kilometers off the coast.

22 Another reason to come to Cape Cod is there's been
23 a number of complementary studies. In the early '90s,
24 there were studies looking at outflow out over the Gulf

1 of Maine, so the data we get will be complementary to
2 that. And there also are some advantages to the
3 residents and visitors of Cape Cod, and primarily
4 because these aerosols affect optical properties. How
5 clear is it? So what we can gain in understanding there
6 is related to the properties, the visibility. And, in
7 fact, some of the work we did at Point Reyes was very
8 interesting to the Park Service there in terms of the
9 impact on visibility.

10 Some of the deployment details, we're looking at a
11 one-year deployment of the ARM Mobile Facility and
12 Mobile Aerosol Observing System that Kim will talk about
13 in just a minute starting in the summer of 2012. We're
14 planning on two aircraft intensive campaigns, and
15 there's a reason for that. And this block here shows
16 the aerosol optical depth, and that's just a measure of
17 the number of particles in the air as a function of
18 (inaudible). Clearly, it's much larger in the summer
19 than in the winter, so we want to fly missions in the
20 summertime when we have all sorts of particles and can
21 be able to compare that to conditions in the middle of
22 winter. So we'll be doing some flights in February
23 around this minimum. And here I just show for
24 reference. These circles aren't necessarily precise. I

1 just kind of did it by eye because, as you can imagine,
2 if we're doing some flights here, then the other flights
3 would be well off the coast.

4 Each of these aircraft -- these I should mention
5 would be three weeks' long, so they're actually
6 relatively condensed.

7 And we'll go back to Kim.

8 Do you want me to say anything more about the
9 flight plan, or you have that?

10 MR. NITSCHKE: I think we can get to that in a
11 minute. Thank you.

12 So I'm going to talk a little bit now what are we
13 actually proposing to deploy, like what, when, and
14 where. The Mobile Facility consists of a number of
15 instruments, passive instruments where we collect
16 information about the aerosol content, the chemistry,
17 also some meteorological instruments. We do have a
18 couple of instruments that are not passive. We have a
19 number of high-frequency radars high -- well above
20 what's in your microwave at home and not very powerful,
21 but we use that to analyze what the common air is doing
22 above the site. So we have meteorological instruments.
23 We have radiometers, which just measure the solar
24 radiation from the sun in different wavelengths.

1 Basically all passive.

2 One thing that we do do is that we are proposing to
3 launch four radiosondes, which are packages which hang
4 below balloons. I've brought one in to show you, a bit
5 of show and tell. It's always nice to see something.
6 The National Weather Service or NOAA released two of
7 these per state in the order of over 100 of these per
8 day in the United States. We're going to complement
9 that so we can specifically look at the data above Cape
10 Cod and beyond, and we're going to be launching four of
11 these, proposing to launch four of these per day from
12 the site.

13 MR. SABIN: Do they just fly loose?

14 MR. NITSCHKE: They fly loose. This actually gets
15 full of helium. This gets released. It goes up to
16 somewhere around about seventy -- seventy, eighty
17 thousand feet. This balloon becomes the size of a
18 (inaudible) before it bursts. It comes down. It's
19 biodegradable. It basically doesn't cause any --
20 minimal environmental impact.

21 MS. AVELLAR: Does that thing that hangs off the
22 end of it, does that go up too?

23 MR. NITSCHKE: That goes up as well.

24 MS. AVELLAR: How do you recover those?

1 MR. NITSCHKE: That becomes flotsam and jetsam, and
2 they're used all around the world by the World
3 Meteorological Organization. If you find one on the
4 beach, you throw it away, but because of the jet
5 streams, the likelihood of this particular balloon being
6 launched from here landing on National Seashore
7 property, I wish I had a lottery ticket if that was
8 actually going to happen because it gets carried up
9 really high, 80,000 feet. It's the outer atmosphere,
10 and then sent along out of its way. As I said, the rest
11 of the continental United States launched these
12 approximately two a day per state.

13 I think that was it for instruments.

14 The other piece of equipment that we have is the G1
15 aircraft that we're hoping to operate above the site.
16 Inside the aircraft are a number of instruments. In
17 other words, we suck in the air from the outside of the
18 aircraft and do analysis of the type of air that we're
19 flying through.

20 What we're planning on doing is having two aircraft
21 over Cape Cod and, as Larry said, at approximately 240
22 kilometers distance a second flight plan. And the
23 aircraft would be doing spirals through the atmosphere
24 coming down over Cape Cod above the deck that's allowed

1 by FAA. We are looking at probably one flight that
2 lasts 15 to 20 minutes every two or three days for every
3 two or three days when we have those slots for two-week
4 periods. So it's not like the aircraft is going to be
5 flying overhead all the time. It's very sporadic.
6 Hopefully, we -- it depends on weather, depends on --
7 well, primarily weather, but the airflow conditions
8 coming over from the continental United States.

9 What we're looking at as far as the operations is
10 from July 2012 to 2013 with the AAF operations, as Larry
11 pointed out, in July for a two-week period and in
12 January for a two-week period. We're hoping to get site
13 preparation sorted out next March, and we'll be wrapped
14 up and on our way to Brazil in 2013.

15 Where are we going to go? After a number of site
16 visits and with the great assistance that we received
17 from Superintendent Price and the National Seashore
18 folk, we identified a site that's already been
19 disturbed, and keeping the environmental impact in mind,
20 it's south of where the FAA radar is at the moment at
21 the Highlands Center. Some of you may or may not know
22 this particular area here. It's a raised ground, grassy
23 area.

24 MR. SABIN: Can you show us on this map here where

1 you're talking about?

2 MR. NITSCHKE: Yes, sure. Here, Highlands Center,
3 the Highlands Center (indicates). There's the Cape, so
4 it's south of that Dewline Road, and it's 600 meters --
5 600 yards south of the Dewline Road.

6 MR. PRICE: If I could add, this is approximately
7 where the Payomet Tent is, and that's the existing FAA
8 dome. So we're talking about over here where the old
9 helipad was and Graham Giese's little study -- wave
10 shack.

11 MR. NITSCHKE: Wave shack on the edge there.

12 There's the old helipad there. A little more detail.

13 So you saw in the previous photographs what it is.
14 It's usually about six or eight sea containers, 20-foot
15 sea containers, fully instrumented. We have two
16 locations, one down here where the old helipad is where
17 we're putting a Stabler generator only to be used in
18 case of power failure down here and where those balloon
19 launches are going to be taken from. We're hoping to
20 engage six to seven people locally who can help us out
21 during the balloon launches. So that will be our main
22 operational area with some minor traffic for people to
23 go there to work and to launch the balloons.

24 Now, this sign up here is going to be remotely

1 instrumented, and that's where all the instruments are
2 going to be, and we'll have those deployed in an area
3 that's only about -- the containers themselves are about
4 60 foot by 60 foot. This overall area with the
5 instrumentation is about 200 feet by 200 feet. We do
6 not envisage any environmental impact at all. Of
7 course, we'll be going through due process with the
8 assistance of the National Seashore to make sure that
9 we're compliant.

10 MS. STEPHENSON: Due process with whom?

11 MR. NITSCHKE: Lauren and the National Seashore,
12 Superintendent Price.

13 MS. STEPHENSON: You're going to comply with what?
14 Environmental standards --

15 MR. NITSCHKE: Environmental standards.

16 MS. STEPHENSON: The Seashore's?

17 MS. McKEAN: The National Environmental Policy Act,
18 the National Historic Preservation Act, just a lot of
19 various clearances that we do to make sure there are no
20 adverse impacts to sensitive species, archaeology, et
21 cetera, the full gamut.

22 MR. NITSCHKE: One of our main concerns was getting
23 FAA approval, and as of about an hour ago, we received
24 permission from the FAA to operate it. We were clear on

1 that one, concern about the radar and what effect that
2 would have.

3 I think that's about it for me. Questions?

4 MR. DELANEY: Yes, thank you very much.

5 Questions on any of the presentation so far?

6 MR. WATTS: What is producing the aerosols, and
7 what exactly are they?

8 MR. NITSCHKE: That's what we're here to study.

9 Larry?

10 MR. BERG: The aerosols have two different primary
11 sources. There's what we call anthropogenic. Those are
12 particles primarily (inaudible), and there are also
13 particles that are formed due to biogenic emissions of
14 trees and things like that. They emit various gases
15 that once they're in the atmosphere will react with the
16 sunlight and form particles. Some of those particles
17 absorb sunlight, and some of those particles reflect
18 sunlight. That's part of what we're trying to
19 understand and how to better treat those processes in
20 the American models that we've used to date.

21 MR. DELANEY: Any other questions? Dick?

22 MR. PHILBRICK: Would it include the sort of thing
23 that we experienced over Labrador for a couple of years,
24 1941, fires in the tundra west of the Hudson Bay in the

1 deep beds which go down for hundreds of feet and got
2 ignited by strokes of lightning and they burned for
3 months?

4 MR. NITSCHKE: Well, if that happens, then we
5 should be able to detect that, given the prevailing
6 wind, if there is an occurrence such as that.

7 MR. PHILBRICK: Of course, this rises to some
8 altitude like 20,000 feet. In that case, the weather
9 would be a different altitude, but it was land that was
10 2,000 feet thick of smoke so heavy it obliterated the
11 horizon.

12 MR. DELANEY: Interesting.

13 MR. NITSCHKE: Well, let's hope we don't have that.

14 MR. DELANEY: Lauren?

15 MS. McKEAN: Just an item of interest, especially
16 to you maybe, Rich. We'll be having our researchers
17 also meet over the course of this staging period and
18 perhaps in January have a bigger meeting with
19 scientists, including your folks. We're starting that
20 this afternoon in working with our education staff.
21 That's why Lynne came along for this trip. So we're
22 beginning that process of making this information known
23 that we're about to do this study and how people are
24 going to get access to the data and what's being

1 studied.

2 MR. DELANEY: I know a number of agencies and
3 researchers are looking at sentinel sites around the
4 country where we can combine research efforts so that we
5 can reinforce each other's work and get the most
6 comprehensive understanding of climate change. So thank
7 you.

8 My group is the Center for Coastal Studies, and we
9 have a lot of long databases on the ocean side that
10 certainly relate to climate. Thank you. I'd be happy
11 to do that.

12 Anyone else want to comment or suggestions on this
13 topic?

14 (No response.)

15 MR. DELANEY: Okay, George.

16 MR. PRICE: Just I appreciate your time.

17 I wanted this to be put on the agenda when we met
18 with these folks several months ago, and it looked like
19 we'd be a very good post site for this program. We were
20 very excited about it, and we started to learn more and
21 more about it. And when it really came to closure on
22 the location, in thinking about public education and
23 awareness, we wanted really to start with you all,
24 representatives of all the towns and the Advisory

1 Commission for the Seashore, and then talked to Charleen
2 about getting specific with the Town of Chatham. I
3 said, you know --

4 MS. GREENHALGH: Truro.

5 MR. PRICE: Excuse me.

6 MS. GREENHALGH: That's the next one.

7 MR. PRICE: That's the next one.

8 (Laughter.)

9 MR. PRICE: Truro, thinking in terms of obviously
10 citizens in Truro want to know what's going on in their
11 backyard. And I said, you know, the Highlands Center
12 already has the reputation of being our Area 51, so this
13 is probably only going to enhance that. But the
14 opportunity here for education, especially in the local
15 schools, and they're off on a number of things that
16 they've done in other locations, we think really is
17 extraordinary. I think it's really an exciting
18 opportunity, and I wanted to share that with you.
19 Everybody I've talked to so far has given it an exciting
20 green light, and I assume, Mr. Chairman, that you all
21 would do the same thing.

22 MR. DELANEY: Yes, thank you, and let me just
23 confirm that. I'm assuming the consensus of the
24 Commission is that this is something we would endorse

1 and recommend and want to encourage its success.

2 MS. STEPHENSON: I just had a question.

3 MR. DELANEY: Yes, Judy?

4 MS. STEPHENSON: It's a one-year, you come in, you
5 put things in place, then you leave and you take
6 everything with you?

7 MR. NITSCHKE: Correct.

8 MS. STEPHENSON: So the issue is the planes flying
9 that might be disturbing to people briefly? Is that
10 it?

11 MR. NITSCHKE: Sorry. Was that a question?

12 MS. STEPHENSON: My question is, have any
13 objections been raised to this and, if so, what are
14 they?

15 MR. DELANEY: We have heard no -- I have heard no
16 objections. The Park has heard no objections so far.

17 MR. PRICE: Well, frankly, this is the first time
18 we're rolling it out. So other than close partners and
19 -- well, close partners, this really is the first start
20 opportunity for rollout.

21 MR. DELANEY: Let me turn to Truro for a minute.

22 MS. GREENHALGH: Charleen Greenhalgh, the acting
23 town administrator in Truro.

24 When George and I spoke very recently, the only

1 thing I said, because we talked about the Area 51 thing,
2 is that when the airplanes are going up and when the air
3 balloons, if there could be some advance notice because
4 our police department obviously is going to get the "Oh,
5 my God, we're being invaded" phone calls or "There's a
6 plane going up -- you know, going down in the ocean,"
7 that kind of thing. So if we just have that advance
8 notice. I mean, I'm very excited about this program the
9 more I'm hearing about it, so I'm hoping my town mothers
10 and fathers will feel the same way, but this is very
11 exciting.

12 MR. DELANEY: Do we have a sense of the future --
13 George, will Lauren be the point of contact for
14 information back and forth between the project and the
15 town?

16 MR. PRICE: Yes.

17 MR. DELANEY: So as long as we have a known
18 communication link between us and Truro and other
19 citizens, that can go forward.

20 MR. PRICE: Part of what Lauren mentioned,
21 obviously as we move into the setup period, there will
22 be more opportunity for collaboration both with our
23 scientists, with the Center for Coastal Studies, and I
24 understand Woods Hole scientists, so it's really a

1 regional look, which I think is very exciting. And I
2 think what we can do with this particular group is not
3 regular updates, but as there are significant updates,
4 we can do it, but also we do field trips. In fact, this
5 group had a field trip this morning. And once you're
6 all set up, I'm sure we'll make it a field trip that
7 the Advisory Commission can get out and see it
8 firsthand.

9 MR. NITSCHKE: I'm sorry. I didn't really touch on
10 the fact -- if I may just for five seconds.

11 MR. DELANEY: Sure.

12 MR. NITSCHKE: We do have a lot of public outreach
13 activities and (inaudible), and we do welcome local
14 schools and anybody from the public to come in to
15 investigate and have a look at the site, and we try to
16 explain what we're actually doing on site. We're also
17 going to be including some information at the Visitors
18 Center, including a coordinated kiosk with touch screen
19 to provide information for the general public about what
20 it's about.

21 MR. DELANEY: Sounds good.

22 Mary-Jo?

23 MS. AVELLAR: I was just wondering whether or not
24 you've reached out to the individual -- you know, to the

1 actual Town of Truro, met with their selectmen to
2 explain what's been going on and maybe even in
3 Provincetown too. I don't know whether you're using our
4 airport or not.

5 You won't be?

6 MR. NITSCHKE: No.

7 MS. AVELLAR: The planes are too big?

8 MR. NITSCHKE: Their planes are too big.

9 MS. AVELLAR: We're kind of used to a lot of planes
10 flying over us, but you might want to reach out to the
11 actual communities themselves to maybe meet with them
12 and talk with them and tell them exactly what's going
13 on.

14 MS. McKEAN: We're going for that now, at this
15 point, Mary-Jo. I think we'll talk with Sean
16 (inaudible) first about whether we should go to the
17 selectmen. Right now we weren't doing that yet. This
18 FAA approval coming in, that was really probably the
19 biggest (inaudible) vote. So they just got five or six
20 instruments cleared individually to be out there, so
21 that could have upset the apple cart on the site at
22 Highlands Center. So now it looks like Highlands Center
23 will be the site, and it's just, you know,
24 notifications, letting people know about those things

1 like (inaudible) and when those are going to be in
2 three-week periods and go forward.

3 MR. DELANEY: Just one more comment from the
4 commissioners. Dick?

5 MR. PHILBRICK: Insofar as the purpose of this is
6 to get better (inaudible) of the nature of the global
7 warming situation, it seems to me that our priority in
8 this group would be to support it.

9 MS. AVELLAR: I agree.

10 MR. SABIN: Agreed. Do we need a motion to that
11 effect?

12 MR. DELANEY: We did not identify this on the
13 agenda as a voting item, but I would suggest a motion
14 that captured the sense of the committee as supportive
15 as proposed.

16 MR. FRANCIS: I think just a statement that the
17 consensus of the committee was to support it.

18 MR. DELANEY: So if I could get a headshake and
19 head nods from everybody that's in favor, the sense of
20 the committee as very supportive, we'll go forward.

21 Judy?

22 MS. STEPHENSON: No, that's a vote.

23 MR. DELANEY: And then lastly I have announced that
24 this item and the next one we would interrupt the

1 Superintendent's Report to take public comment should
2 there be any, so if there is any further questions or
3 comments from the public on this one.

4 Seeing none -- oh, yes? Okay.

5 AUDIENCE MEMBER: I just had a quick question. Did
6 I miss -- did you say where the planes were going to
7 take off from?

8 MR. NITSCHKE: Probably Hyannis at this stage.
9 Because of the size of the aircraft, we can't use
10 Provincetown. Hyannis. But again, we only anticipate
11 the aircraft will be over the site for approximately
12 10-15 minutes every second or third day for a two-week
13 period. So you're looking at a very (inaudible).

14 AUDIENCE MEMBER: And how big is this local unit
15 going to be?

16 MR. NITSCHKE: It takes a footprint of about 60
17 foot by 60 foot, and there's about eight 20-foot sea
18 containers.

19 MR. BERG: The aircraft is actually going to be
20 twice per day.

21 MR. NITSCHKE: Oh, twice per day. Sorry. So the
22 aircraft is going to be flying over twice per day for
23 10-15 minutes.

24 MR. DELANEY: Ted?

1 AUDIENCE MEMBER: I assume you're interested in
2 setting the balloons up right at your site?

3 MR. NITSCHKE: Yeah, at the old helipad site?
4 Yeah.

5 AUDIENCE MEMBER: If you're not aware, there are
6 two balloons that go up every day at the Monomoy site.

7 MR. NITSCHKE: Yes.

8 AUDIENCE MEMBER: So it's too far away. They could
9 probably send four up.

10 MR. NITSCHKE: Appreciate that. Unfortunately,
11 it's got to be right at our site. We take measurements
12 of the low part of the atmosphere as well.

13 MR. DELANEY: Okay, thank you very much, everyone.

14 MR. NITSHCKE: Thanks for your time.

15 MR. DELANEY: Thanks for your presentation.

16 Superintendent, would you like to continue? Oh,
17 actually, we're going to do a little --

18 MR. PRICE: We're going to do a little break in
19 order to switch our audience.

20 MR. DELANEY: So a five-minute break for the second
21 game of the double-header.

22 (Short recess was taken.)

23 * * * * *

24 MR. DELANEY: The 280th meeting of the National

1 Seashore Advisory Commission is resumed.

2 And we are in the middle of our superintendent's
3 report or the beginning of our superintendent's report,
4 which for anyone who doesn't have an agenda is a rather
5 long one. And I know our commissioners here are anxious
6 to hear about all the activities going on at the Park
7 from the superintendent, but this is an important issue
8 so we will take some time. I'm going to have to limit
9 -- it's not going to be an endless amount of hours to
10 deal with this. We'll try to keep it concise so that
11 everyone gets heard and we can help.

12 I'll also announce at the beginning, this is an
13 item that was not on our printed agenda in the Federal
14 Register, so the Commission is not in a position or did
15 not position itself to take a vote up or down on this,
16 which is consistent with our overall role, which is to
17 advise the superintendent in the National Park on issues
18 and management issues. So we will work within those
19 constraints, and we'll have a healthy discussion. We
20 always give the superintendent our advice and our
21 comments, but we will probably stop it at that point.

22 Judy?

23 MS. STEPHENSON: Might we take a consensus after we
24 hear it just as we did for the previous one?

1 MR. DELANEY: Even without this being on the agenda
2 as a voting item, we can always take a consensus. If we
3 get to that point, we'll definitely do it.

4 Now, again, for new people, the Commission is made
5 up of people -- well, maybe -- we'll do an introduction
6 just so people know.

7 Edgar?

8 MR. FRANCIS: Butch Francis, Truro.

9 MS. AVELLAR: Mary-Jo Avellar, Provincetown.

10 MS. LYONS: Sheila Lyons, Barnstable County.

11 MS. STEPHENSON: Judy Stephenson, the Governor's
12 representative.

13 MR. HAMMATT: Bill Hammatt, Chatham.

14 MR. WATTS: Peter Watts, Wellfleet.

15 MR. SABIN: Ed Sabin, Eastham.

16 MR. PHILBRICK: Dick Philbrick, Orleans.

17 MR. DELANEY: And I'm Rich Delaney, and I'm
18 appointed by the Secretary of the Department of
19 Interior, Ken Salazar, to chair the Commission.

20 So, Superintendent, back to you to continue with
21 your report.

22 MR. PRICE: Maybe I'll stand to get as much eye
23 contact as I can.

24 MR. DELANEY: Do you want to come up here?

1 MR. PRICE: I'll go right up here.

2 NORTH BEACH COTTAGES/CHATHAM

3 MR. PRICE: So my role as the superintendent is
4 basically to be the principal staff to the Advisory
5 Commission, so when I sit at the table, I'm not a voting
6 Commission member, just so that you're aware.

7 Part of the reason this is not an official agenda
8 item in the National Register is because this all came
9 about in a fairly quick period of time as a result of a
10 field trip our staff made the very beginning of August.
11 The North Beach Island area has been dramatically
12 affected by the tides and by erosion, especially since
13 the breach back in '07. So if you are all aware who
14 have not been down to Chatham recently, basically right
15 off of the town dock, right off of the Lighthouse Beach
16 there's been an awful lot of activity. Back in '07
17 there was a breach that caused certainly a lot of
18 disruption.

19 On the north end of the beach, there were a number
20 of cottages. The National Park Service actually owned
21 two of them, and over time we actually went out and
22 demolished both of those. The one was a result of
23 overwashes. The other was right near the end of the
24 breach, and it was obvious to us that these were in a

1 very precarious situation. The one we actually did a
2 burn, that was the Scott cottage. The other we actually
3 hired a contractor to go in and do the demolition.

4 What's happened south of the breach has actually
5 been a lot of activity of additional erosion, and we
6 have been taking a look at it. When I say we, I'm
7 mostly talking about Mark Adams, who is our GIS
8 specialist, working with Graham Giese, who's the coastal
9 geomorphologist emeritus from Woods Hole currently up at
10 the Center for Coastal Studies and, as a matter of his
11 own personal professional involvement, has been involved
12 with actually this particular section of the barrier
13 beaches in Chatham for over 30 years. So he certainly
14 has a lot of expertise, and he's our -- certainly our
15 go-to person on this.

16 We, frankly, had been hoping several years ago that
17 when that breach happened on the north end that there
18 was a possibility that we might get some stabilization
19 at this area. We had been hoping, even though we
20 thought that we'd get some erosion on the ocean side,
21 that we'd get some accretion on the bay side, and
22 frankly, if that happened, we wouldn't be here today.
23 But basically what we've been observing is that we've
24 had an accelerated amount of erosion on the ocean side,

1 as Mark will tell you, and we've had a scouring on the
2 bay side. So according to Graham Giese and others that
3 have looked at it, what that demonstrates to us is
4 really an exponential change in the formation of this
5 particular parcel.

6 Graham actually did a report a number of years ago
7 that actually indicates back over time, back in the
8 1860s this parcel wasn't even in existence. As part of
9 the transformation of the barrier beach system, these
10 things change over time. Now, according to our human
11 experience, 100 years is a real long time. According to
12 geological formations and barrier beaches, that's a
13 fairly quick period of time. So what we're experiencing
14 here, I think, is just a tremendous transformation.

15 What I would like to do is ask Mark to walk us
16 through the maps and what the lines mean.

17 MR. ADAMS: Thank you, George.

18 I'll just mention first off that we do coastal
19 monitoring as a matter of course for the Seashore, and
20 we have a couple of monitoring programs that predate the
21 formation of the inlet and that we put more intense work
22 into after the inlet formed. We do the high tide shore
23 lines twice a year with GPS, and we also get LiDAR,
24 which is an aerial -- it's flown by an airplane. It's a

1 sensor that gives us elevations all across the beaches
2 and the coastlines throughout the Seashore. So LiDAR is
3 a really excellent source of elevations and shorelines.
4 We also -- in conjunction with the town, we share aerial
5 photographs, and the town has provided spring 2011
6 aerial photographs that also gave us shorelines.

7 And as George mentioned, I just want to show really
8 quickly a couple of pictures from the 1850s from coastal
9 charts. And here's an inlet that formed before 1850 in
10 the same spot. And at that time the island was longer
11 and extended into Monomoy, but the fate of that island
12 from charts later in the 1800s -- this is the sand that
13 composed that island -- migrated in shore, and the
14 island broke apart and became part of the mainland and
15 Monomoy. So that's kind of the cycle that George
16 mentioned of sand movement in this area, this 100-year
17 cycle of the spit growing, breaking down, and becoming
18 part of the mainland, part of the Monomoy Island.

19 And what we have here on the left side is the
20 property map of the island with shorelines from -- we
21 have a shoreline from approximately 1965 based on our
22 deed maps, and then we have a shoreline from 2008 and
23 2011 from GPS and from those aerial photos. And from
24 those shorelines we were able to estimate the erosion

1 rates on the ocean side, which the background erosion
2 rate, as you may know, for the entire coast is about a
3 meter -- about a yard per year, about three feet per
4 year. In that time period since the new inlet in 2007,
5 it's been about 80 feet per year on the ocean side.
6 Let's see. And we also have inland shorelines here
7 showing virtually no change in the inland side of the
8 island in recent years since the inlet formed whereas
9 normally we would see some kind of accretion there.

10 On this side -- it's kind of difficult to see from
11 the back of the room, but we took the LiDAR that I
12 mentioned, and we extracted elevation contours from that
13 LiDAR (indicates), and we were able to estimate a little
14 more about the volume of sand that's in the island and
15 how it's changing. And these darker areas are the high
16 point of the island, so on the ocean side towards the
17 southern end of the island, we have maximum elevations
18 in that coastal dune of up to 15 feet.

19 And these blue areas in the internal part of the
20 island are these areas where we're seeing water
21 impounded where the elevation is really at or below sea
22 level in those inner areas, which are kind of helping
23 the island break up and helping that sand moving. And
24 what happens to the sand as it overwashes particularly

1 the northern part of the island is it becomes part of
2 shoals in Pleasant Bay. The sand doesn't immediately go
3 away, but it does become flat, and it contributes to the
4 subtidal shoals that are part of Pleasant Bay and then
5 eventually become a problem for navigation.

6 I believe that's it.

7 MR. PRICE: Thank you.

8 MR. ADAMS: Thank you.

9 MR. PRICE: So basically we've had a major
10 transformation of this particular part of the barrier
11 beach. We've been taking a look at it over time, but
12 we've had the hope, I think as everyone else has, that,
13 in fact, we would see a change that would indicate that
14 this area was becoming more stable. And, in fact, we
15 found the reverse where it's being changed in a very
16 dramatic way. So based on that information, even though
17 our people have gone out over a period of time, it
18 frankly was this August 1 field trip where our people
19 went out and came back and basically said to me, you
20 know, "We have a situation where at least two out of the
21 five cottages that are run by the National Seashore
22 could actually be demolished this particular coming
23 winter with the winter storms depending on what the
24 storm season is. Obviously if there are no storms at

1 all, maybe there won't be any problems, but if there
2 are, not only do they anticipate a lot more degradation
3 of the sand itself but major, major impact to the
4 structures.

5 So presented with that information, I then had a
6 couple of choices to make. Number one, it seems to me
7 our responsibility with the structures is we obviously
8 have to take some serious positive action as far as
9 notifying the people that actually had the special use
10 permits, giving them enough time to actually vacate
11 their personal property in a safe time during a window
12 of time when the weather would be still positive. And
13 if we were, in fact, going to move ahead with
14 demolition, we had to also do that in the time when we'd
15 be able to do it in a safe manner.

16 Taking a look at the calendar, taking a look at our
17 existing special use permits, basically there was a 30-
18 day requirement for us to notify the holder of these
19 permits that there was going to be a change and, in this
20 case, certainly a termination of the permit. So at the
21 beginning of August, I sent them -- I sent people in
22 writing a notice that basically gave folks until
23 September 15 as the 30-day window of time. My error in
24 that certainly was not providing enough communication

1 ahead of time. People said to me, "Why weren't you
2 talking about this earlier?" Well, I think a lot of us
3 -- certainly I was -- were hoping that we were going to
4 see improved information out there having to do with
5 accretion, for instance, and that's not what we found.
6 Knowing that the hurricane season was coming upon us,
7 knowing that the bad weather was coming upon us, that's
8 when I, working with our regional office, made that
9 decision.

10 Part of the controversy of the decision, this fact
11 that -- you'll notice I said I was told there were two
12 cottages that we believe are the most immediately
13 affected, and the other three we believe have another
14 season or two possibly. But originally as an efficiency
15 of the government, mobilization costs, et cetera, the
16 impact of what we would have to do, that's when we made
17 the decision to move ahead with all five at the same
18 time. Publicly I've talked about the mobilization
19 costs, not wanting to incur those costs over and over
20 again. Also, there is no guarantee that the cottages
21 will last another couple of seasons, although some
22 people disagree with that. And then the third item that
23 I mentioned is that even if they stay, we're concerned
24 about what the island configuration is going to be at

1 that time, and I bring to the example our personal or my
2 personal experience with the Achilles' cottage on the
3 northern part of the bridge where by the time we, again,
4 hoping that it was going to stabilize, hoping that the
5 things would change so that we might be able to leave
6 that cottage there, in fact by the time we were ready to
7 pull the plug on that, the configuration of the sand all
8 around that cottage prohibited Park Service vehicles
9 from even getting near it, even though there was a road
10 access. So that's when we had to bring in a contractor
11 that had track vehicles that would be able to take care
12 of the whole job. So there's a variety of reasons why
13 it certainly didn't make sense to us to allow the other
14 three cottages to remain.

15 One of the things that I said shortly after sending
16 the letter and when I met with the folks in Chatham at a
17 public meeting was that we were going to reconsider the
18 actual termination date of the use and occupancy permit
19 depending on where we were with our ability to actually
20 mobilize, and I would change that date accordingly.
21 Consequently, I had given them a telephone call letting
22 folks know that it was going to be into October, and
23 recently I called again last week and made that date
24 October 21. So that's an item in writing that they'll

1 all be getting.

2 Just to give you a quick synopsis of the cottages
3 we're talking about, so similar to all the other
4 properties within the National Seashore, these cottages
5 were subject to the review that was in the legislation
6 that established the Cape Cod National Seashore. So the
7 folks had to be able to demonstrate that they had an
8 improved property where they owned the structure and the
9 underlying land prior to December 1, 1959. So that's
10 the cutoff date. And for those of you that are in the
11 room that have such a property, you know you have a
12 certificate of suspension of condemnation. For those
13 that were not able to prove that, there were a series of
14 government land people and lawyers that worked with the
15 landowners at the time, and basically all five of these
16 cottages received compensation at the time and then a
17 25-year use and occupancy agreement. The use and
18 occupancy agreements of these five expired between eight
19 and fifteen years ago depending on the deal.

20 Since that time, what my predecessor, Maria, opted
21 to do and myself is we worked with the existing or the
22 pre-existing owner and actually did what we call a use
23 and occupancy permit, which is a year-to-year permit.
24 So that was an option that we had. We offered it to the

1 previous resident for a variety of reasons, determined
2 that was the best use of our ability to maintain those
3 properties. We didn't put them out to bid. We didn't
4 leave them vacant. We didn't turn them into employee
5 housing or any other administrative use we would have
6 been able to do, and obviously we didn't go and demolish
7 them at that time. Those use and occupancy permits we,
8 frankly, thought were actually a positive thing to do.
9 It kept intact the folks that had been there for a
10 while, and they obviously were in the best position to
11 be able to understand how to live out there. What's
12 changed here now is obviously the geography and our take
13 on how we should be responsible managers when it comes
14 to the use of that property.

15 I've got to tell you that this has nothing to do
16 with the emotional attachment people have to the
17 cottages. Certainly the folks that were the previous
18 owners, the folks that have stayed through the use and
19 occupancy and then U&O since then and even I've heard
20 from a number of members of the Chatham community who've
21 never been out there have really gained a lot of
22 cultural satisfaction from seeing them out there, and we
23 understand all that. I think what we're dealing with
24 here is the dynamics of the barrier beach. Obviously

1 all the cottages that were north of the breach either
2 were taken down or they were washed away in storms. We
3 believe that's exactly what's happening with these as
4 well.

5 As we've seen from the documents and science, in
6 the 1860s this patch of land didn't even exist. In 1875
7 what is now the breach was approximately the Chatham
8 Harbor entrance. So we're really experiencing a lot of
9 transition at this particular barrier beach area, and
10 that's what's brought us to this point.

11 So basically the new letters will extend the
12 special use permit period till October 21, and we're in
13 the process of moving forward with our plans on actually
14 at this point doing a full demolition.

15 MR. DELANEY: Okay.

16 MR. PRICE: Okay, I think that's enough, but what I
17 did want to do is I talked to Bill Hammatt ahead of
18 time. I felt that obviously as the representative from
19 the town that he ought to pipe in at this point as part
20 of his report.

21 MR. DELANEY: Okay, thank you, Superintendent, and
22 we will start our commission's discussions with Bill.

23 MR. HAMMATT: Thank you. Thank you, George.

24 With all due respect, George, I disagree with your

1 overall premise.

2 I'd like to read this into the record, if I may.
3 It's in some very general terms. I don't go into any
4 specifics at this point, and then hopefully we can move
5 on to other people and get their input.

6 I have been on the beach --

7 MR. DELANEY: Bill, I promised the people that we
8 would all speak loud -- in fact, this is directed at
9 everybody -- speak loudly as much as you can because
10 there are still some people out in the hallway.

11 AUDIENCE MEMBER: We can hear him.

12 MR. HAMMATT: Do you want me to come up there?

13 MR. DELANEY: Or just stand where you are.

14 MR. HAMMATT: I need glasses so I can get there and
15 then take them off so I can read.

16 (Laughter.)

17 MR. HAMMATT: Oh, well. Love to get old, huh?

18 (Laughter.)

19 MR. HAMMATT: I've been on the beach with a camp
20 since 1976. We have weathered the storms of '78, '87,
21 the No Name Storm, winter storms of most years, and in
22 most years the winds will exceed 70 miles an hour.

23 In the 1991 storm known as the No Name Storm, there
24 were 17 buildings destroyed. Many of these or parts of

1 these were floating in the bay, which is one of the
2 things that was brought up by Superintendent Price and
3 others of their concern at this point. And the town,
4 the owners, the inholders and many others got together,
5 and it was all cleaned up. None of these buildings at
6 that time were on pilings. Nine buildings were rebuilt,
7 all on pilings and, except for one, all were in the
8 south village, which is now the island. Of course, for
9 most of the people in the back of the room, this is all
10 old hat. The one rebuilt camp that was in the north
11 village when the beach washed away was left in the water
12 basically intact. The ocean came under it. It was
13 there, and they took it down at that point.

14 I think we can infer from this that the National
15 Seashore camps left on the island will do the same. No
16 reason to think otherwise. Not only were the camps
17 rebuilt to 100-year flood standards back in 1991 but
18 done so at great expense to all of those people who have
19 used them since that time. They were done at great
20 expense and as a requirement of the National Seashore at
21 the time that said you must comply with the Town of
22 Chatham requirements and the flood hazard requirements
23 at the time. So they were done.

24 Superintendent Price has determined the continued

1 presence of these buildings to constitute an emergency
2 situation and that they need to be removed immediately.
3 There have been two premises stated to justify this
4 alleged need of removal of all the buildings at this
5 time.

6 The first one is economic. It has been stated that
7 there is economy in removing all the camps at once to
8 save on staging costs. None of us have heard any hard
9 facts to confirm that situation. When the camps were
10 removed from the north village in the last few years,
11 each one cost just about the same to remove, and that's
12 true whether it was four or five at the same time or
13 one. Mine cost, when I removed what was left of it,
14 about the same as all the others were when they took
15 four or five at a time, so I have a problem with staging
16 costs without having heard something more concrete.

17 The people that are occupying these dwellings are
18 paying nearly \$8,000 a year. That's a pretty
19 substantial amount of money, and they've been doing it
20 for quite a number of years. A statement from former
21 Superintendent Burke at the time that these were put
22 back out on the use and occupancy was that the Seashore
23 couldn't afford to remove the buildings. I think
24 they've pretty well paid for themselves since then.

1 Admittedly, it goes into the general fund, but they've
2 paid for it and paid well for it. Now when it seems
3 that everyone and every agency is broke, there's
4 suddenly some -- and really nothing has occurred on the
5 island -- there's suddenly enough emergency funds to do
6 a removal. I find that a bit surprising.

7 The environmental issues, the argument from the
8 Seashore is that the camps are in danger of floating in
9 the bay if we have another storm. I suppose that would
10 be true if we have another No Name Storm equivalent to
11 the one in 1991, but because of their construction, I
12 don't think we would see anywhere near the loss that we
13 saw then. I think, in fact, it would be more land-based
14 or mainland-based properties floating in the bay in the
15 event of that kind of a large storm. Few, if any, of
16 those structures in there are not armored against any
17 storms or on pilings, and removal at this time may, in
18 fact -- of the camps may, in fact, cause more
19 environmental damage than what may speculatively be
20 avoided.

21 In this situation, I feel it's an issue that should
22 have been brought before the Advisory Commission.
23 Timing is going to be the reason that it wasn't, but I
24 still think that it is a matter that should have been

1 discussed by the whole Commission and perhaps a
2 subcommittee.

3 I've been on the Commission for 21 years, and this
4 is the first time an issue of this magnitude has not
5 been before the Commission and has been unilaterally
6 decided by the superintendent. In fact, the National
7 Seashore Advisory Dune Shack Subcommittee was formed a
8 number of years ago for the purpose of studying the
9 Provincetown dune shacks, and for the last year or so --
10 and the final draft or final decision has not been quite
11 completed, but there have been hundreds and hundreds and
12 hundreds of man hours spent on determining how it should
13 be handled and what should be done. There has been
14 nothing here. I think it should be done here with the
15 input of the inholders, the members of the Advisory
16 Commission, and the community. This is not -- it's just
17 not of an emergency level requiring the immediate
18 removal of all these five camps.

19 I'm here to represent the will of the Town of
20 Chatham. The Town of Chatham, including the board of
21 selectmen, does not feel this to be of an emergency
22 nature, and neither do I.

23 There are a number of people here that are either
24 inholders or just others who are in agreement with the

1 town's position. They need a chance to express their
2 feelings and recommendations, and you as superintendent
3 and we as commissioners have a need to hear and respond
4 as positively as possible to what they have to say.
5 It's a subject I've lived for the last 35 years, and I
6 probably could go on for hours, but I won't do that. So
7 let's hear from the others, if we will.

8 MR. DELANEY: Thank you, Bill.

9 Before I call on others, I do want to convey to
10 you, fellow Commission, that a request from Larry
11 Spaulding, who is our alternate member from Orleans, to
12 inform you that his law partner, Dewey Landreth, is in
13 the audience and may make a statement, so Larry has
14 excused himself from this meeting. He's recused himself
15 from this meeting. So I just want to make sure you
16 understand that. That's why Larry is not here.

17 Okay, Joanne?

18 MS. AVELLAR: Mary-Jo.

19 MR. DELANEY: Mary-Jo, I'm sorry.

20 MS. AVELLAR: Do I understand that the Seashore
21 owns these buildings?

22 MR. DELANEY: Yes.

23 MR. PRICE: Yes.

24 MS. AVELLAR: But the people that are using them

1 have spent their own money to improve them over the
2 years. So, wow --

3 MR. HAMMATT: If I may, Mary-Jo. When they were
4 destroyed in the No Name Storm of '91, many of them were
5 under a use and occupancy, year-to-year use and
6 occupancy, or the remainder of their long-term use and
7 occupancy at the time. Each of the people who were to
8 use them spent their own money to put in pilings and to
9 reconstruct the buildings in their entirety, so they've
10 had a major expense.

11 MR. DELANEY: Mary-Jo, do you have a question on
12 this, or do you want to wait?

13 MS. AVELLAR: Well, no, I'm just kind of trying to
14 digest that because that to me is putting a whole
15 different perspective on the presentation. I mean, it's
16 almost -- it's kind of mind-boggling to me that we allow
17 people to improve our property and then on the spur of
18 the moment -- I must say I respectfully agree with you,
19 disagree with the superintendent on the urgency of this,
20 that it should have probably been an agenda item -- that
21 after they spent maybe hundreds of thousands of dollars
22 to improve our property, that we're just going to take a
23 bulldozer and knock them down. I'm having a hard time
24 digesting that. That's just off the top --

1 MR. DELANEY: Well, let me just try to help clarify
2 a little bit. You heard the superintendent say these
3 people were compensated for their buildings initially.

4 MS. AVELLAR: I know. I know.

5 MR. DELANEY: They were given some amount of money.
6 We don't know.

7 MS. AVELLAR: What? In 1960?

8 MR. DELANEY: They were then given use of the
9 buildings for another period of time, and then when that
10 expired, they were given annual extensions the last ten
11 or fifteen years.

12 MS. AVELLAR: They pay rent.

13 MR. DELANEY: And at that point they started paying
14 rent. So we don't have the numbers, and that's one of
15 the points Bill just made. We don't have all the costs.
16 We're operating without. We don't have the financial
17 analysis in front of us, but that's the general
18 framework of where the values have been exchanged.

19 So does that help a little bit?

20 MS. AVELLAR: If I could just finish up. That's
21 it.

22 So we compensated them back in 1960, and we've been
23 charging them rent ever since we've had to. And we've
24 allowed them to improve their property, and now without

1 any input from the Commission, we're tending to want to
2 bulldoze them down just in case there's going to be some
3 kind of a storm that might knock them down. That's
4 becoming an issue for me. That's all I have to say.

5 MR. DELANEY: Okay. Well, I'll hear from the other
6 commissioners. We'll come back and identify that point
7 about who pays for the cleanup since they're Park
8 buildings. There are other numbers that have to be
9 equated here.

10 Yes, Sheila?

11 MS. LYONS: I would just like a couple of
12 clarifying points since Mary-Jo just made a blanket
13 statement.

14 They were compensated in 1960. Did they indeed pay
15 a rent from 1968 to 1991? And when they did do their
16 improvements, was there like an idea of an average of
17 what that cost was in 1991 and what has been their rent
18 since then?

19 MR. DELANEY: George?

20 MR. HAMMATT: I'd be happy to respond to that.

21 MS. LYONS: Was that George behind you I was
22 asking? I'm sorry.

23 MR. PRICE: Just a couple of things.

24 MR. HAMMATT: I didn't know he snuck in behind.

1 MR. PRICE: I'm sorry. I was expecting audience
2 comments, and I didn't want to have my back to them.

3 A couple of things. First of all, once a property
4 becomes government property, then obviously there's a
5 lienhold representation as to how that's all going to
6 work out. When you talk about expending money -- for
7 instance, the Modern House we just did in Wellfleet to
8 lease to the Modern Trust. So that trust is investing
9 180 something thousand dollars in that structure, and
10 that lease is going to go for 20 years, and they're
11 paying rent, okay. So that's an example where that
12 party is investing in order to keep that structure up,
13 and they have a 20-year lease, and they're paying rent
14 on top of that.

15 For these structures, just like all the other
16 inholdings in the Seashore at the time, they received
17 some sort of compensation. The compensation varied
18 tremendously from a cash settlement, a cash settlement
19 plus years to or just years. So in this case, the five
20 property owners received compensation at the time and 25
21 years.

22 But during that use and occupancy, Lauren, there
23 was no rent during that period, correct?

24 MS. McKEAN: No, we purchased two of them in '73

1 and up to '79. You were right. Two of them we
2 exchanged tracts, and we gave them a 25-year
3 reservation, and the others were almost 11,000, 12,000,
4 and a \$21,000. So that was at that time for 25 years
5 until after the No Name Storm. Between 1998 and 2004,
6 reservations expired, so they've only been paying since
7 1998.

8 MS. AVELLAR: I understand that.

9 MR. PRICE: So it was during the reservation period
10 that they opted to spend their own personal money on the
11 structures. After the 25-year use and occupancy was up,
12 again, Maria -- and I agreed with her. I continued it
13 -- offered them the year-to-year special use permit.
14 And you ought to know that technically, administratively
15 that special use permit bridge was only supposed to be
16 for a year or two, but we decided -- local management
17 decided that that was the best way to look after these
18 properties to the long term.

19 So the answer to your question is no, there was not
20 rent received during the 25 years that was part of the
21 compensation, but there has been rent averaging close to
22 \$8,000 a year. That rent dollar amount is based on the
23 10-week summer season that the appraiser gave at the
24 time. We obviously did it year to year simply because

1 it was more practical and made sense for both the
2 occupants and for us.

3 MR. DELANEY: Thank you.

4 MS. LYONS: Thank you.

5 MR. PRICE: And the option would have been for us
6 to put them out for public lease.

7 MR. DELANEY: Thank you.

8 I saw Judy next.

9 MS. STEPHENSON: I guess that was my question. So
10 the 8,000 they paid was making up for what you might
11 have earned as the owner if you had put them out to
12 rent?

13 MR. PRICE: Correct.

14 MR. DELANEY: Other comments? Butch?

15 MR. FRANCIS: With this special use permit, is
16 there any possibility of amending that permit in such a
17 way that the owner of the individual -- I say the owner
18 -- the user of the individual buildings would be liable
19 for whatever happened to those buildings?

20 MR. PRICE: No, the liability of federal property
21 cannot be --

22 MR. DELANEY: Transferred.

23 MR. PRICE: -- transferred.

24 MS. McKEAN: They do have general liability

1 insurance on the structures versus homeowners insurance
2 since they're not homeowners. They do have general
3 liability policies.

4 MR. FRANCIS: And my concern with the liability is
5 in the event that a structure is destroyed, that the
6 user is then responsible for cleaning up the mess.
7 That's what I'm talking about, liability. I'm not
8 talking about, you know, monetary.

9 MR. DELANEY: George, did you want to respond to
10 that or not? No?

11 MR. PRICE: Well, only as the actual landowner, we
12 accept that as our liability. That's our
13 responsibility. I don't have the ability to transfer
14 that to a nongovernment entity.

15 MR. DELANEY: Okay, thanks.

16 Other comments, questions from our commissioners?
17 Judy?

18 MS. STEPHENSON: Is anybody prepared to talk about
19 having these designated as Historic Register?

20 MR. DELANEY: Well, I don't know.

21 Bill, is that something you want to address?

22 MR. HAMMATT: I think you'll hear more about it
23 when you hear from the public.

24 MR. DELANEY: Okay, we may hear a comment about

1 that in a few minutes when I turn to the general public.

2 Okay, I'll let the -- Judy again?

3 MS. STEPHENSON: I'm just going to give a general
4 sense. I just don't get enough -- I don't have enough
5 evidence that it's an emergency, and I'm disappointed
6 that we weren't consulted on it because there's going to
7 be -- there's obviously a lot of strong feeling about
8 it.

9 MR. DELANEY: Okay, all right.

10 Now, we're going to -- if we have no one from the
11 Commission, I'm going to turn to our alternates in the
12 audience, Tom Reinhart, alternate from Wellfleet.

13 MR. REINHART: I guess my problem with this isn't
14 in the -- the rent's in the past. I think there's sort
15 of a sidebar. I think the real issue is, is there
16 really a need to sort of randomly take this action at
17 this time? And my first thought is I would really like
18 to see them actually wash away first before you bulldoze
19 them, but I don't know what the mobilization costs are
20 and I don't know how much more the demolition costs
21 would be if that happened. It seems to me in the
22 interest of sort of goodwill and just -- I don't know --
23 cultural maintenance of the community. That is a little
24 community out there. It's part of the community of

1 Chatham. I would rather see nature run its course than
2 the government come in and knock them over. I just
3 think people would feel a lot better about it. But if
4 it's some prohibitive cost and you could explain that, I
5 think then people might understand a little better, but
6 I don't know what's the difference between mobilization
7 costs by taking, say, two down that are totally
8 threatened right now as opposed to doing four more later
9 or one more when that gets washed away and then the next
10 one.

11 It's really sort of heartbreaking to have this
12 happen in the first place, and to do it by man rather
13 than by nature is sort of exacerbating.

14 MR. DELANEY: I'm not sure if I heard an actual
15 question. It sounds like more of a comment, but was
16 there anything that you needed to respond to in that?

17 MR. REINHART: It's a mobilization question.

18 MR. PRICE: Well, I've got to tell you, I have had
19 people approach me about -- but at a public meeting
20 about let them get washed away. And I guess I
21 understand the emotion of the time right now, but I
22 could have pictured a time where if the Park Service
23 didn't do anything and they washed away, then we'd be
24 liable and hung up to dry because we were irresponsible

1 with our responsibilities and our resources. I mean, to
2 have structures and material and pilings and everything
3 else washing around Pleasant Bay and Chatham Harbor,
4 whether it's public safety, whether it's environmental,
5 I just -- I find it as a manager to be unconscionable
6 knowing what I know. If we didn't know and the breach
7 hadn't happened and there was a horrific storm and they
8 got damaged, we could all understand that, but knowing
9 what we know now, that I've been informed that probably
10 two out of the five are ready to go now and the others
11 are going to go in a season or two, that puts a whole --
12 that puts a whole different light on our management
13 responsibilities for the National Park Service.

14 And I already said -- again, I agree with you.
15 Unfortunately, this is a very quick decision, and it was
16 because of the observations this summer. If we had been
17 aware of it that it was this critical -- if I had really
18 been aware of it and had studied it as we could have
19 earlier, then, yes, it certainly would have been a
20 Commission responsibility.

21 I must admit -- Bill made the comment about all the
22 extra time spent on the shacks in Provincetown. Well,
23 there are a couple of fundamental differences there.
24 Number one, that is a National Historic District

1 eligible property, and that area is accreting. So we're
2 not talking about imminent demise because of weather
3 action up there. A lot of the sand from the face of
4 Cape Cod is migrating north and migrating further south,
5 so we're in a different position.

6 MR. SABIN: And, Judy, this is the first meeting
7 we've had since the summertime.

8 MS. STEPHENSON: Yes, I understand that, but we
9 sometimes have had an emergency meeting in July. I
10 remember a year ago we did. The topic escapes me,
11 but...

12 MR. DELANEY: Okay, I saw Mary-Jo and then Sheila.

13 MS. AVELLAR: My only question was, if we went out
14 there on August 1 -- today's September 12 -- what kind
15 of lead time do we need to put our agendas in the
16 Federal Register?

17 MR. PRICE: Two months.

18 MR. DELANEY: Two months.

19 Sheila?

20 MS. LYONS: And I guess mine isn't really a
21 question, but I just want to sort of state the
22 appreciation I have of the situation. If the
23 superintendent is receiving information that there is
24 danger and he has a choice to make, do you allow them to

1 stand and let them be washed away or you be proactive?
2 And the unfortunate thing is that there are people's
3 hearts and memories and their lives are all attached to
4 that. So if this was just a building like an office
5 building out there, nobody would have that much sweat
6 over it. And the fact is if you don't do something and
7 people happen to be in it and a storm hits suddenly or
8 something happens unexpected, people are injured or
9 people are injured in saving those people, or there's a
10 cost, then you're really in trouble, and if you don't do
11 -- if you do do it and they all sort of stay intact for
12 about eight years as opposed to three, you're also going
13 to hear it. So I don't appreciate -- I mean, I don't
14 envy your position. I only appreciate it, and I think
15 that -- I just want to say that I'm sure that this is
16 not an easy decision. This is not really a policy.
17 It's really a gamble, and one way or the other it's not
18 going to come out good.

19 MR. DELANEY: Thank you.

20 I saw Bill and then Judy and then Dick.

21 MR. HAMMATT: In responding to George and also to
22 Sheila, there are an awful lot of ifs. We've had ifs
23 for years down there. If there's another storm. If
24 something gets damaged. If there's someone in there.

1 That's not something that's new. That could have
2 happened thirty years ago, twenty years ago, ten years
3 ago. In fact, it did happen twenty years ago when 17
4 buildings were lost out there. If we had had another
5 storm right after that, all the rest of the buildings
6 would have been lost out there, but that's working a
7 little too far on ifs and possibilities and maybes and
8 this could happen. We all know this could happen. We
9 all know that the island is deteriorating. It is going
10 to go away sometime. We don't know when.

11 George with his scientific background and as
12 superintendent is doing what he feels is right at this
13 point, but again, I respectfully disagree with him. And
14 I feel very seriously that it should be a matter either
15 before the Commission or before a subcommittee. I don't
16 think it reaches the level of emergency that requires
17 them to be torn down at this point.

18 MR. DELANEY: Just if I could just interject a
19 comment on the ifs. I mean, this committee has talked a
20 lot in the past about urging the superintendent to use
21 the best scientific information available to make
22 management decisions. And I know there are ifs.
23 Anything could happen today or tomorrow, but based on
24 the science that's been done with the coastal

1 geologists, it is pretty clear it's a trend of the
2 changes that are happening out there. So it's not just
3 a big gamble and a big if. It's basing everything, this
4 management position, on the best available information,
5 and I think it's pretty solid information. But that's
6 -- you know, even with that solid information, it still
7 could go the other way one day and come back the next.

8 MS. LYONS: Right.

9 MR. DELANEY: Judy?

10 MS. STEPHENSON: I think I understood you saying
11 that you had demolished some on prior occasions, and I
12 wondered what the cost would be for that, what you're
13 projecting the cost for these five cottages or two
14 cottages versus three. And about picking up all of the
15 remnants of these buildings in the bay, have you any
16 money associated with that cost to give to us?

17 MR. PRICE: We're still in the process of actually
18 coming up with our cost estimates. What's different
19 about these demolitions versus the previous ones, the
20 previous ones we still had road access or sand road
21 access. So you could actually -- for the very first
22 cottage that we had the fire, the Scott cottage, we were
23 able to bring Park vehicles down, a fire crew. We got
24 the appropriate permits, and they burned it and cleaned

1 up the debris right on site. The second one, the
2 contractor did the same thing, came in via the road
3 access. They had to bring in track vehicles in order to
4 do the demolition. What we have here now is basically
5 we had to bring out barges, so we had to bring out
6 barges and containers and track vehicles. So it's a
7 whole different level of configuration.

8 I think the other thing that's different between
9 these cottages and the other two we demolished is that
10 basically there were no occupants in those at the time.
11 One person who had use and occupancy of the one cottage
12 opted not to renew, and the other one had been vacant
13 for a while, and we were using it for environmental
14 educational reasons. So obviously there was no
15 emotional attachment immediate with occupants of those
16 structures as we have with these. So that's the
17 difference.

18 I also want to, again, bring up the topic, faced
19 with this decision in the beginning of August is that I
20 basically had to take a look at the timeline, and the
21 timeline being that hurricane season was upon us. And
22 even without hurricanes, at least the damage that we've
23 had here at the Seashore since I've been here is
24 generally the nor'easters that certainly begin after the

1 1st of January. We also get into other weather
2 conditions. We get into the cold factor and everything
3 else. So in order to give the appropriate legal notice
4 of 30 days -- I'm not even sure it's legal technically,
5 but the 30 days as in the SUP -- and allow time for
6 people to remove their material and allow time for our
7 crews or contractors to go out there safely and do this,
8 we basically have a window of time we believe from
9 September 15 to January 1.

10 MS. STEPHENSON: Do you think that there's still a
11 window of time from your now October 21 date until
12 January 1?

13 MR. PRICE: To do the demolition?

14 MS. STEPHENSON: Yes.

15 MR. PRICE: To bring a crew out there, we believe
16 it will take at least a week or so to actually do the
17 job.

18 MS. STEPHENSON: I guess I would have thought that
19 the hurricane season would have been over by October 21,
20 and so you'd miss that whole window. Why not let them
21 go a little longer?

22 MR. PRICE: Because we're getting into the
23 nor'easters after that, which actually has given us more
24 damages.

1 MR. DELANEY: Okay, thank you.

2 Dick?

3 MR. PHILBRICK: I was impressed by the comment it
4 being a proper end to a dune shack or one of these
5 shacks to have it taken by the sea and floated away. I
6 was thinking there's been a suggestion that there may be
7 a parallel between these shacks and the dune shacks,
8 which is very different at the moment because there has
9 been a formal acceptance of the dune shacks at least by
10 the Park and the historic value we're saving. And it
11 was specifically considered in our meetings -- I had
12 chairmanship of the Dune Shack Committee for 18 years, I
13 think. When we were considering how do we behave about
14 various outcomes, a dune shack being swallowed up by a
15 migrating dune or movement or by the sea, moving
16 shoreline, or a windstorm or whatever, and our answer in
17 that case was to believe the right way to preserve the
18 historic value of the dune shacks was to allow these
19 natural things to take place, which was sort of saying
20 that a dune shack deserves the right (inaudible),
21 something like what happened to (inaudible). And
22 without judging whether there was a proper parallel
23 between the two, simply saying to my example (inaudible)
24 none of these facts that we're talking about in Chatham

1 (inaudible). And we did watch that coming across the
2 marsh, and we did feel that that was something
3 respectful of the process.

4 MR. DELANEY: I think Thoreau and Beston might
5 agree with your poetic vision, but the superintendent,
6 unfortunately, has to deal with other modern day things
7 like liability and costs and environmental impacts and
8 statements, so I think I -- Butch?

9 MR. FRANCIS: My understanding is that the shacks
10 are not occupied on a year-round basis. Is that
11 correct? That they're only occupied seasonally?

12 MR. PRICE: It's up to the tenant. They have the
13 permit for the full year.

14 MR. FRANCIS: So theoretically somebody could go
15 out there in January and --

16 MR. HAMMATT: And they do.

17 MR. DELANEY: Other comments or questions from the
18 commissioners?

19 (No response.)

20 MR. DELANEY: Okay, I'm going to then turn -- oh,
21 Bill Clark?

22 MR. CLARK: Just wondering when the occupants
23 invested their money in the structures, were they aware
24 there was no appeal process? No legal appeal process?

1 I mean, this is the appeal process, I assume right here,
2 what we're doing.

3 MS. McKEAN: There was no building permit process
4 with the National Seashore.

5 MR. CLARK: After they invested their money, were
6 they aware there was no appeal of decisions that were
7 being made about their investments?

8 MS. McKEAN: Their reservations of use and
9 occupancy expired in 1996 -- 1998, 2000, or 2004, so
10 they knew they were building for that time period and
11 that time period only. They didn't know if there would
12 be a future.

13 MR. CLARK: If they wanted to, let's say, on their
14 own dime dredge and add sand to protect their
15 structures, could they do that under the regulations?

16 MR. PRICE: They certainly wouldn't be able to do
17 it on Park Service property.

18 MR. CLARK: They couldn't?

19 MR. PRICE: And I doubt that CZM or the town
20 environmental people would allow that to happen as a
21 permanent process.

22 MR. CLARK: They wouldn't allow it so they could
23 nourish their beaches?

24 MR. PRICE: Well, we don't -- as a matter of

1 policy, don't nourish our beaches. What we're seeing
2 now is the natural process of the transition of the
3 barrier beach. And if you spoke to any coastal
4 geologist, they'd probably turn white if you brought up
5 that suggestion because of the negative impacts that
6 come along with it.

7 MR. CLARK: To nourish beaches?

8 MR. PRICE: Yes.

9 MR. CLARK: A lot of towns nourish their beaches.

10 MR. PRICE: That's not universally accepted by the
11 scientific community, and it can have detrimental
12 effects.

13 MR. DELANEY: Okay, thank you, Bill.

14 In order to keep this moving along, I'm now going
15 to -- I'll come back to the commissioners at some point,
16 but I will open up the public comment period. The way
17 I'd like to manage this is identify yourself, name and
18 affiliation of some sort, and try to restrict your
19 comments to about three minutes initially so we can get
20 through all comments. And if someone's already made a
21 similar statement, reference that or ditto it, and then
22 if there's enough time, we can come back again.

23 So the public comment period is now open on this
24 particular topic of the Superintendent's Report.

1 Yes, sir, in the back?

2 AUDIENCE MEMBER (ROBERT CROWELL): My name is
3 Robert Crowell, and I have had a camp -- my family's had
4 a camp on North Beach since 1960. And Bill stated very
5 well about the details of the engineered foundation, but
6 I would just like to point out in the last four months I
7 have gained 60 feet of flat high berm beach and above
8 mean high water. The channel has moved north. The
9 erosion has slowed or even stopped. I think that this
10 kind of helps dispel the idea that this is an emergency
11 that requires drastic action. And I'd like to circulate
12 this picture showing 60 feet from the front of the
13 steps.

14 MS. STEPHENSON: Do you have one from before?

15 AUDIENCE MEMBER (MR. CROWELL): I have a similar
16 one. It's not quite the same angle.

17 MR. DELANEY: At some point I think we're going to
18 ask our coastal geologist maybe to incorporate that
19 information and react to it if they have a chance to,
20 but thank you for that.

21 In the back of the room against the wall.

22 AUDIENCE MEMBER (SEAN SUMMERS): Thank you. My
23 name is Sean Summers. I'm a selectman in Chatham.

24 First of all, just to make a general point, as a

1 lot of towns do, we have our bickering and arguments.
2 There is virtually universal support and, quite frankly,
3 anger specifically regarding the process. We weren't
4 notified. We weren't included. We feel like we should
5 have been. There is certainly significant cultural
6 significance to those camps. We disagree with the
7 superintendent. We have experiences. We believe that
8 they are eligible for an historic designation.

9 I would like to make a couple of points regarding
10 the substance that's been spoken about in terms of the
11 science. We've had a lot of discussion in Chatham about
12 the science. The superintendent mentioned one very
13 famous one who happened to predict that our new break
14 would close on itself. It did not. It is now a very
15 large, as everybody knows, navigable waterway. Frankly,
16 although there are and has been I believe acknowledged
17 that there are patterns, the science for this kind of
18 stuff is certainly not -- I don't even consider it
19 science. It's looking at pictures and saying, "Well,
20 this happened in the past. It probably will happen in
21 the future."

22 The superintendent made some general comments
23 regarding the reasoning for this decision and why it was
24 happening now. First of all, the stated fact of

1 emergency. I don't know many of us in town who consider
2 a camp getting knocked over by the water an emergency.
3 Frankly, it's happened many times in the past. The cost
4 is virtually insignificant to clean up because what
5 happens is everybody chips in and goes cleans up. If we
6 see there's going to be an emergency, camp falls in the
7 water, people get together. We pick up the flotsam.
8 We're used to it. It's happened. We don't get it.

9 The economic argument was a big part of what we
10 heard a few weeks ago. What was also acknowledged that
11 we talked about was there really wasn't an understanding
12 -- again, back to process -- about the reconstruction of
13 these camps. Some of these camps are -- they're all
14 built on pilings 20 feet in the sand. They're not going
15 anywhere. And I understand and appreciate the desire to
16 be fiscally responsible to go out there all at once and
17 take the camps down and save money, but I've got to tell
18 you, some of those camps I think without question are
19 going to be there for a lot longer than a season. And
20 if you add up 8,000 bucks per existing camp that's going
21 to last maybe -- if you just figure they're going to
22 last three seasons, it's going to way cover your cost to
23 go out there a second time. So the economic argument
24 doesn't make any sense.

1 I think that's generally what I have to say. I
2 think that the process really needs to be rethought. I
3 would like this board to at least consider some of these
4 construction issues, consider some of these cultural,
5 historic, environmental issues. We'd like to talk about
6 it. We'd like a seat at the table and to put our heads
7 together, but I don't think it's any great horrible
8 thing if in the interim a camp was partially damaged or
9 fell in while we were trying to make a decision. But I
10 think to make this decision without the inclusion of the
11 public, without considering the construction issues,
12 without considering the flawed argument of the economics
13 is just not fair to the general public. And we as a
14 community, as a nation own those camps and are invested
15 in them, and we would like to see a little more
16 discussion.

17 MR. DELANEY: Okay, thank you very much.

18 Next comment? Right here in the white, please?

19 AUDIENCE MEMBER (DONNA LUMPKIN): We're one of the
20 lessees.

21 MR. DELANEY: I'm sorry. Could you start again and
22 say your name louder.

23 AUDIENCE MEMBER (MS. LUMPKIN): Donna Lumpkin. I'm
24 on the North Beach Advisory Committee, and I'm also one

1 of the lessees.

2 I've been asked to talk a little about the history.
3 Hunting and fishing camps began in the 1800s. First
4 they used them to store their property. And then they
5 added on, and they became places to stay. There was no
6 buying land. They were quitclaim deeds.

7 In our particular case, the original camp was built
8 in 1932. It was built for -- many of you know Joe
9 Nickerson from Chatham. He and his father built it for
10 his sister who was marrying one of the men at Old Harbor
11 Lifesaving Station, which was next door. They used it.
12 Other Coast Guard men used it. After that there were a
13 couple that I don't know. Dave Ryder bought the camp,
14 and starting in the 1950s, we started renting from them.
15 In 1959 before the deadline, we actually purchased the
16 deed, and it was to have forever.

17 It has been changed many times as far as adding
18 onto, moved, et cetera, but the use of it really never
19 has been. We did have to move onto Seashore property.
20 Actually, it was part of Old Harbor Station property,
21 which became Seashore property when Old Harbor Station
22 was taken down. How many people are there even in
23 Chatham that know that Old Harbor Station was there
24 during its active years? It's like it's disappeared.

1 It's part of Provincetown now. There's a lot of history
2 there.

3 I'd like to answer a couple of questions that
4 you've raised. The camp committees have had total
5 responsibility for the camps in their environment.
6 We've obtained all the permits, paid for the building of
7 the camp, totally furnished them, and have been paying
8 yearly rent since we've been on a special use permit.
9 We do all of the upkeep, pay for comprehensive liability
10 insurance, including an umbrella or excess liability
11 policy, which covers both us and the Cape Cod National
12 Seashore. We pay the Town of Chatham real estate taxes.
13 We have all planted beach grass and Rosa rugosa which
14 have caught sand and helped hold it. As a result of
15 budgetary constraints, neither the Cape Cod National
16 Seashore nor the police have had a presence on the
17 island. The camp community has been the prime protector
18 of the beach. We have been the people helping boaters
19 when they get in trouble, providing necessary beach
20 cleanup. Our presence has provided protection to the
21 beach, the boaters, the plovers, and the wildlife.

22 I have two other things I'd like to bring up. On
23 the National Park Web site, Department of the Interior,
24 the National Park goal is to help communities preserve

1 their own history and landscapes. Chatham has not been
2 consulted in this. There is also the fact that the
3 buildings do not have to be 50 years old. Many were
4 neither built to last that long or subject to certain
5 circumstances that destroyed the integrity before 50
6 years. They are relatively young survivors that can be
7 viewed as exceptional in the historic sense.

8 I am very worried about what's going to happen to
9 the environment if the Seashore goes ahead with the
10 demolition. We have a lot of beach grass built up
11 around our camp. We have a dune growing. It's growing
12 on the ocean side. It's growing on the bay side. When
13 you burn or bring equipment over there, you're going to
14 destroy all that protection that there is. It's not
15 only for us. It's for the private property owners next
16 to us, and it's for the Cape Cod Chatham mainland.

17 There are private property owners who are right
18 smack in the middle of the five camps. They have not
19 been consulted. They're abutters. Two are on one side.
20 Three are on the other side. Whatever damage the
21 Seashore does to the property in this case is certainly
22 going to hurt them, and I can't believe it's not going
23 to hurt the Chatham mainland, which is a big issue.

24 MR. DELANEY: Thank you.

1 AUDIENCE MEMBER (MS. LUMPKIN): Thank you very
2 much.

3 MR. DELANEY: Thank you.

4 Other comments? The person sitting there, please?

5 AUDIENCE MEMBER (BOB LONG): I'm Bob Long. I'm the
6 chairman of the Chatham North Beach Advisory Committee,
7 and I'm also a family member of a private property, camp
8 owner on North Beach Island.

9 Just a question since Donna brought up some of the
10 environmental things for Mr. Price. Did you complete an
11 environmental assessment prior to making your decision
12 or as part of your decision-making process?

13 MR. PRICE: Why don't you make your statement.

14 MR. DELANEY: Yeah, I'll handle the questions.

15 AUDIENCE MEMBER (MR. LONG): Okay, well, that's the
16 first question, and I guess then the follow-up is, if
17 not, did you complete the document required explaining
18 why you feel that this action qualifies for a
19 categorical exclusion from NEPA, from the National
20 Environmental Protection Act?

21 MR. DELANEY: Thank you for that comment.

22 George, do you want to answer that, please, or
23 respond to that?

24 MR. PRICE: We're still in the process of an

1 environmental compliance. The notification for 30 days
2 and the impact of what we believe to be very real and
3 significant, weather situation and the calendar, caused
4 us to move ahead at this point at this pace. So we're
5 still in the process of finishing our compliance
6 (inaudible).

7 MR. DELANEY: Thank you.

8 AUDIENCE MEMBER (MR. LONG): Follow-up?

9 MR. DELANEY: Let me just move on unless it's very
10 specific to clarify what you just said.

11 AUDIENCE MEMBER (MR. LONG): No, it's a separate
12 issue.

13 MR. DELANEY: Okay, thank you. Let me just get
14 some other people in the mix then.

15 (No response.)

16 MR. DELANEY: Okay, seeing no other hands, I'll
17 come back to the new comment.

18 Okay, identify yourself.

19 AUDIENCE MEMBER (DONALD GOULD): My name is Donald
20 Gould. I am a private camp owner. My concern is
21 heavily on the environmental side. I also would like to
22 state categorically that I agree with all of my
23 neighbors. I stand behind them 100 percent even though
24 I'm a private camp owner.

1 My concern environmentally is that last year I
2 moved my own camp by hand back 50 feet to save it from
3 the inside just to make sure that it was going to be
4 safe. I followed all the rules. I listened to the
5 town. The town spoke very clearly that they wanted me
6 to be very careful about the way I treated the property,
7 and I did exactly that. Therefore, it was done by hand,
8 jacked up by hand, put on rollers and rolled back by
9 hand hardly ever stepping outside the footprint of the
10 property that we were covering.

11 So my major concern is that now that I have paid
12 attention to the rules, the federal government gets to
13 come in with a private contractor and pluck up these
14 other camps around me; one immediately to the west, one
15 immediately to the north. And most concerning is that
16 they will have a private contractor, and we all know
17 what wonderful benefits we reap from low bid. So what
18 are those people going to do to the beach that I have
19 worked so hard to take care of?

20 And last but not least, all of the camps around me,
21 whether they own or they rent, the tenants have never
22 acted like tenants. They act like owners. They are
23 stewards of the property, the beach, everything out
24 there, and any landlord should be proud to have a tenant

1 like that.

2 MR. DELANEY: Okay, thank you for your comments.

3 Yes, over here, please.

4 AUDIENCE MEMBER (GLORIA FREEMAN): I'm Gloria
5 Freeman, a Chatham citizen. I just have a question, if
6 that's allowed.

7 MR. DELANEY: Yes, please. Direct it through me as
8 the chair, please.

9 AUDIENCE MEMBER (MS. FREEMAN): I'd like to know if
10 he could tell us what he has done regarding the Section
11 106 requirements of the National Historic Preservation
12 Act of 1966.

13 MR. DELANEY: Okay, thank you.

14 George, would you like to respond to that?

15 MR. PRICE: Two things. One, we consulted with our
16 -- we have a number of 106 advisors, historic
17 architects, ethnography people, et cetera. And we had
18 actually reviewed a number of these cottages several
19 years ago and submitted to Mass. Historic if there was a
20 determination if these would turn out to be considered
21 historic or not, and the answer was no. As a result of
22 this action -- and there are two of the cottages that
23 were not seen at that time because they were not over to
24 us yet so occupancy wasn't in place -- we believe

1 they're in the same -- same category. So our people
2 have all determined that we do not consider them to be
3 historic properties, and we are filing with Mass.
4 Historic, and we'll be consulting with the National
5 Register folks in Washington.

6 MR. DELANEY: Okay, thank you.

7 A new speaker? Yes, ma'am, identify yourself,
8 please.

9 AUDIENCE MEMBER (ELLEN O'CONNELL): My name is
10 Ellen O'Connell, camp owner.

11 MR. DELANEY: I'm sorry. Could you say that again?
12 We couldn't hear it.

13 AUDIENCE MEMBER (MS. O'CONNELL): Ellen O'Connell,
14 camp owner.

15 MR. DELANEY: Thank you.

16 AUDIENCE MEMBER (MS. O'CONNELL): (Inaudible) got
17 time on National Historic Places? You have given them a
18 deadline of October 21?

19 MR. PRICE: Yes.

20 AUDIENCE MEMBER (MS. O'CONNELL): Will that study
21 be concluded whether they are historical places within
22 your timeline?

23 MR. PRICE: A couple of things on that. So our
24 submittal goes to Mass. Historic, and if Mass. Historic

1 concurs, then that's it. If Mass. Historic does not
2 concur and the state would decide that the Park Service
3 should consider these historic, then it would be
4 appealed to Washington. Mass. Historic has a 30-day
5 window of time to take a look at our application. So
6 the answer is yes, our application would be -- 30 days
7 we'd be finished by then.

8 AUDIENCE MEMBER (MS. O'CONNELL): What about the
9 town itself?

10 MR. PRICE: Pardon?

11 AUDIENCE MEMBER (MS. O'CONNELL): What about the
12 Town of Chatham itself declaring it?

13 MR. PRICE: Well, the town is a -- will be a --

14 MS. MOYNIHAN: Consultant.

15 MR. PRICE: -- consulting party, but it's actually
16 the state that comes up with the determination.

17 AUDIENCE MEMBER (MS. O'CONNELL): So it would be
18 within that timeline. If it is not within that
19 timeline, would that timeline be exceeded?

20 MR. PRICE: It's within that timeline.

21 AUDIENCE MEMBER (MS. O'CONNELL): But if it's not
22 within that timeline, could that timeline be exceeded?

23 MR. DELANEY: Okay, thanks. We have to keep this
24 moving and keep it question/answer. I don't see it --

1 okay, yes sir?

2 AUDIENCE MEMBER (DUANE LANDRETH): Duane Landreth.
3 I represent three of the camp owners; the Lumpkins,
4 Crowells, and the Carrolls. Mr. Carroll is yet to make
5 a statement.

6 My research with regard to Section 106 indicates
7 that the agency official who is the lead with regard to
8 that, which in this case would be the superintendent,
9 has an affirmative obligation to reach out and with
10 consulting parties -- those people who are going to be
11 consulting parties -- and consult with them before
12 there's any filing with the state here. The town and
13 the town's resources haven't been consulted at all with
14 regard to historic value in this.

15 On the 26th of August, I wrote a letter to the
16 superintendent recommending that he commence a formal
17 Section 106 process, and I sent him what I felt were
18 short-term permanent resources from a self-published
19 book a few years ago in 2004 about the camp culture. I
20 did not receive the courtesy of a reply with respect to
21 that at this point. I personally have spoken with a
22 member of the Advisory Council of Historic Preservation,
23 and they've indicated to me that they intend to write a
24 letter to the superintendent recommending that National

1 Historic Preservation be engaged, the Section 106.

2 The problem with what's gone on here is those
3 people who would have the most knowledge about the
4 historic value of this as we stand here in this room
5 have not been consulted. There is something wrong with
6 this picture, ladies and gentlemen.

7 MR. DELANEY: Thank you.

8 One more comment? Yes, ma'am?

9 AUDIENCE MEMBER (FLORENCE SELDIN): My name is
10 Florence Seldin, and I'm the chairman of the board of
11 selectmen in Chatham. I want to make a couple of
12 comments.

13 The board of selectmen voted to send a letter to
14 the State Historic Preservation Officer asking if the
15 language was getting planned to ask for a determination
16 of eligibility for placement on the National Historic
17 Register of these structures. So that's one action.
18 We've also asked our historic commission to consider
19 this and do the same, which then would trigger the 106
20 process.

21 I also have in my hand -- and I don't know if
22 you've seen this -- a letter that was sent to Mr. Price,
23 and it was copied to the members of the Chatham Board of
24 Selectmen. Maybe you've seen it all (inaudible).

1 MR. DELANEY: We have copies.

2 AUDIENCE MEMBER (MS. SELDIN): Okay. And I think
3 there are several important issues that were raised in
4 this letter that we need to look at. One deals with the
5 Endangered Species Act. Another one deals with the
6 whole 106 process and general management plan for these
7 dunes -- for these shacks, which does not seem to be
8 forthcoming. It appears as if the -- from the letter
9 the National Park Service has foreclosed upon the
10 Massachusetts Historical Commission's ability to
11 effectively comment on the proposed undertaking. We've
12 also requested the documentation. When Mr. Price --
13 Superintendent Price was in Chatham a couple of weeks
14 ago, he said that they had gone through this process,
15 and we've asked for documentation to see what
16 documentation had been used. We just sent a letter, so
17 we haven't received a (inaudible).

18 One of the things that concerns us in Chatham and
19 concerns the board of selectmen in the town is the
20 failure of communication. I think that Superintendent
21 Price has indicated that that was an error, but I think
22 it's clearly an error that can be rectified by going
23 forward, not doing this immediately. There are options
24 and consulting with people that are involved before

1 these are demolished.

2 Thank you.

3 MR. DELANEY: Okay, thanks.

4 Just a couple more comments, and I'd like to come
5 back -- you haven't spoken before, have you?

6 AUDIENCE MEMBER (ROGER CARROLL): My name is Roger
7 Carroll. I'm also leasing from the National Park
8 Service, and our camp is situated in a section north of
9 Chatham. And it's surrounded by wetlands, and it is not
10 in any way threatened by either the bay or the ocean.
11 We are 355 -- 385 feet from the bay and 885 feet from
12 the ocean at high tide. However, moving our camp on the
13 beach can hurt our neighbor, which is Mr. Gould who just
14 spoke. So I don't need to go on about him.

15 The removal of our camp by the National Park
16 Service would undoubtedly affect their camp and impact
17 the safety and security. Furthermore, our camp's
18 destruction will also cause serious damage to the core
19 of the beach as well as cause a hole in the area that is
20 currently elevated safe and surrounded by vegetation.
21 We believe that if the National Park Service brings
22 track machines out over the wetland area in which our
23 camp is situated, this vegetation and the wildlife that
24 inhabits it will be destroyed. The destruction of this

1 camp and its surroundings would deeply compromise the
2 integrity of this fragile barrier beach, something in
3 which the local regulatory boards and town officials
4 should take note. We also believe by leaving these
5 camps for a few more years there will be far less damage
6 to vegetation and the camps would be easier to access as
7 they would be closer to the edge of the bay and would be
8 easier to extract without harming any of the vegetation.

9 The issue here is not about a landlord and lessee
10 but about the lack of recognition by the National Park
11 Service of this community and its culture, its history
12 and landscape, which has been part of this town for 50
13 to 60 years. Balancing the needs of the National Park
14 Service and the feeling of responsibility of their
15 community is part of that challenge. Both groups do not
16 want to see camp debris in the bay, but we feel that the
17 situation is not nearly as dire as the Seashore presents
18 it.

19 As mentioned above, we've always done our best as a
20 community to maintain the stability of the beach
21 situation to the best of our ability. Given the
22 opportunity to extend our leases, we would be willing to
23 take responsibility for the well-being of the camps. In
24 the unlikely or catastrophic event that a camp does go

1 into the bay, we would clean up the debris. The
2 financial incentive here for the Seashore is obvious and
3 their willingness to work with camp owners would provide
4 a very positive precedent for the future.

5 According to National Park Service mapping charts,
6 our camp looks to be the last camp standing on the
7 island. Considering our simple wish to work with the
8 Seashore to come up with a solution that provides us
9 with more time to enjoy this place while still ensuring
10 the safety of both the bay from debris and the beach
11 from unnecessary damage, rushing into snap decisions may
12 endanger unwanted consequences down the line while
13 generating significant ill will in the present. A
14 smarter solution here is one of compromise and
15 reflection.

16 Thank you.

17 MR. DELANEY: Thank you.

18 Now, I'm going to turn this back into our
19 discussion at the table. And again, we have another
20 long agenda that's part of the Superintendent's Report,
21 so I'd like to try to be concise, and I will attempt
22 maybe, if I can, to structure our discussion so we can
23 maybe get to at least some consensus position, as Judy
24 asked earlier.

1 So for example, I think we start at the top and
2 think about this as a policy issue, and then the next
3 level of discussion would be, is it a management issue
4 that we want to tackle or is it a process issue? If we
5 think about it at the top as a policy issue, we can say
6 we recommend to the superintendent that it is the policy
7 -- we recommend a policy of proactive activities to deal
8 with this issue, or we can say it's not necessary.
9 We'll be reactive, a reactive policy, let nature take
10 its course and let the consequences fall where they may.
11 That would end our discussion pretty much. But if we
12 want to encourage the superintendent to be a proactive
13 manager in this particular case, then we have to move
14 down to the next level of thinking and say, well, do we
15 want to get involved in the management details or just
16 that type of stuff, or do we just want to offer some
17 guiding principles that we could advise him on as he
18 gets further down the road with this management
19 decision?

20 If we decide we want to get into the management --
21 if we just say guidance, we could probably end the
22 discussion here. If we say, "We think you should get
23 back and revisit the management details and we want to
24 be involved in it," then we've got to think about a

1 process. How are we going to be involved in it? Do we
2 want to set up a subcommittee like with the dune shacks
3 and go through all that and you guys would have to be
4 part of that in conjunction with other outside members
5 potentially?

6 So I don't know if that helps your thinking. I've
7 got a sense just to go back up to the top of that
8 pyramid (inaudible), pyramid I'm talking about. I think
9 most of us, except for one or two comments about the
10 poetic let nature take its course approach, realize it's
11 better to advise and support the superintendent in being
12 somewhat proactive.

13 Is there a consensus around that?

14 MS. AVELLAR: No.

15 MS. STEPHENSON: No.

16 MR. FRANCIS: No.

17 MR. DELANEY: Okay, all right.

18 MS. AVELLAR: Certainly not. Not at all.

19 MR. DELANEY: All right, I'm trying to get there.

20 Okay. Let's discuss. Let's start at the top. Do we
21 want to -- how about if I -- did I frame the discussion
22 okay, though? I'll take other -- let me go back and --
23 I'll go back and just take general comments.

24 Butch?

1 MR. FRANCIS: Very quick statement. We have to
2 remember we are an advisory commission.

3 MR. DELANEY: I agree.

4 MR. FRANCIS: We are not a management commission.
5 It is not our position. It's not our job to manage. We
6 are only here to advise.

7 MR. DELANEY: That's understood.

8 MR. FRANCIS: Okay. So the idea of going into a
9 management thing, your second or third tier down, I
10 don't think is open for discussion.

11 MR. DELANEY: Let me clarify that. That would only
12 be to advise on management, not to manage.

13 Mary-Jo?

14 MS. AVELLAR: Well, I was going to say I'm not
15 interested in micromanaging, but I have to say that I
16 don't think that this process has gone along the proper
17 lines. I think it's precipitous. I didn't even realize
18 there were private property owners abutting these
19 Seashore properties, and I think that issues have been
20 raised that could cause potential damage to these
21 private properties if we went in with heavy equipment
22 and just bulldozed down these shacks that belong to us.

23 So I think that there are a lot of other issues
24 here that need to be explored, and, you know, coming

1 from Provincetown and having seen what people in the
2 dune shacks, even though this is a different situation,
3 went through in order to preserve their ability to be
4 able to use these dune shacks, maybe I'm a little more
5 supersensitive than maybe other people. But sometimes
6 when we hear what we don't see (inaudible) in the
7 Seashore, and the Superintendent said, "Well, we don't
8 repair those. If it happens, it happens. We just don't
9 go in." But I recall when the Seashore decided they
10 were tired of moving dune sand across Route 6 and
11 pushing it back up, so they planted the dunes, and now
12 we don't have high dunes in Provincetown. And the last
13 ride I took my father before he died was along Route 6
14 going towards Herring Cove Beach, and he looked at me,
15 and he said, "There are no more high dunes," and that
16 was because they went in there and they planted beach
17 grass all over the place. And now the dunes don't shift
18 across Route 6. So the Seashore does selectively choose
19 things to repair or not repair, depending on how it fits
20 whatever their management scheme du jour is. It wasn't
21 under Superintendent Price. It was under somebody else.

22 So I think -- I like the poetic. I liked Tom's
23 comment a lot, and I think that these people have
24 invested a lot of time and energy and have agreed to

1 conform to the regimen that allows them to continue to
2 be out there. And I think that we need to sit back and
3 take a look, and if nature takes its course, nature
4 takes its course, but I think that Bill and Florence and
5 the other selectmen here and the owners or the residents
6 have made their case that this is a precipitous
7 decision.

8 MR. DELANEY: Okay, all right.

9 Other comments from commissioners? Yes, Sheila?

10 MS. LYONS: I just want to say -- and, you know,
11 I'm not coming down one side or the other on this. I
12 appreciate the poetic too, but I appreciate that poetic
13 if I'm thinking of a real shack with not much in it, is
14 probably not hooked up to electricity or oil tanks and
15 has, you know, items in it that are environmentally
16 hazardous. These things can be -- too often we see
17 houses just dump into the sea and all of those things go
18 with it. It's not just, you know, wood and its nails
19 that will break down in time and just get beat up in the
20 ocean. There are things that are going to be
21 permanently there, and we all know that we've got more
22 than our share in the oceans from everything that's
23 happened catastrophically in the last few years.

24 I think maybe the process could have been better,

1 and I think George has stated that. I think that the
2 sudden decision -- and I understand where he's coming
3 from. He's talking -- he's coming from a safety point
4 of view and for the safety of people as well as the
5 environment, and I believe it's people first before it's
6 even the environment. And I appreciate that. I do
7 think that maybe it's shocking, but it's not something
8 that's probably not at the back of the minds of everyone
9 who occupies these, whether they own them or lease them,
10 you know, that it's a matter of time. So whether the
11 time is chosen to be now or it's chosen by nature,
12 that's something that's part of the process question
13 that needs to be talked about. And I think that
14 everybody wants the same things. It's not a happy
15 situation no matter what.

16 MR. DELANEY: It's not funny.

17 Judy?

18 MS. STEPHENSON: I think our role here is to
19 represent all the people in the communities that are on
20 the Cape and for me in the Commonwealth. And I think we
21 haven't had a chance to hear everything that everyone
22 has said, that there's just so many issues that don't
23 have enough evidence for me, and I would like to be able
24 to give more time for them to present their case, to

1 have more evidence from you, and I just am opposed to
2 taking any of this action today or by October 21.

3 MR. DELANEY: Other members of the Commission?
4 Bill?

5 MR. HAMMATT: I think your statement about
6 proactive management is very premature at this point to
7 support this specifically. I think that this matter
8 should come again before the Commission as an agenda
9 item that we can vote on or act on, create a
10 subcommittee or not create a subcommittee, vote for or
11 against perhaps. But as Judith just said, we need more
12 information.

13 I don't dispute what George's scientists say, and
14 he may well be correct, but there could very possibly be
15 a science that says just the opposite. And I don't know
16 if it will be just the opposite but certainly have
17 something counter to what has been presented. I don't
18 think anything's in black and white.

19 Sheila's comments, I really don't think Sheila
20 knows what's in the camps, what they consist of, you
21 know, talking about oil tanks and electricity. None of
22 them have either.

23 MS. LYONS: Then I stand corrected. I'm looking at
24 --

1 MR. HAMMATT: I think the buildings are much
2 simpler and more (inaudible) than what she's -- or
3 whatever perhaps (inaudible). But this is, again, part
4 of an education process that I think the members of the
5 Commission need to know.

6 MR. DELANEY: Peter?

7 MR. WATTS: I keep envisioning three camps floating
8 in the bay and what damage a floating house could have
9 on the other existing houses. They could create damage
10 themselves. I mean, we've all seen storms. I took down
11 a house on the dunes because it was going to fall into
12 the ocean, and two years later the land did disappear.
13 But I had ten acres of land, and I could move it back.
14 This situation isn't the equivalent at all, but I do
15 know that when you live in harm's way, you have to take
16 risk.

17 MR. DELANEY: Okay, thank you.

18 Ed?

19 MR. SABIN: I wish I could speak as eloquently as
20 Sheila did because I agree with her. If this were the
21 outermost house, it would be one thing. It's not.
22 Maybe they're not as elaborate as we think they were or
23 are.

24 MS. LYONS: Right.

1 MR. SABIN: Maybe there are more like that. I
2 don't know. But if it were the outermost house, I don't
3 think that would have been a big, big deal when it got
4 washed away as it did. How the other little camps out
5 there got washed away (inaudible).

6 MS. STEPHENSON: What do you think Sheila's
7 position was?

8 MR. SABIN: I get the feeling that --

9 MS. STEPHENSON: I wasn't sure I heard.

10 MR. SABIN: -- she's not in complete disagreement
11 with the superintendent. I'm not in complete
12 disagreement with the superintendent either.

13 MS. LYONS: I'm not in complete disagreement with
14 the superintendent. I'm not in complete agreement with
15 the way it's been ruled out. I do think that there is
16 information, and I think there's discussion, and I think
17 there's some needed digesting of this either decision or
18 near decision. However, I agree with you. I did have a
19 feeling that they were much more permanently in the
20 ground with permanent infrastructure, and if they're
21 not, they're not. But it still --

22 MR. SABIN: I just don't think they're a simple
23 little -- little outermost house clinging to the
24 (inaudible).

1 MS. LYONS: Yeah, that (inaudible).

2 MR. DELANEY: Okay, thanks.

3 MS. STEPHENSON: But we need to know.

4 MS. LYONS: Right.

5 MR. DELANEY: A comment, Dick?

6 MR. PHILBRICK: I'm torn as well. Thinking back to
7 a time that this advisory commission was asked to advise
8 -- and incidentally, we advise the Secretary of the
9 Interior. That's what the legislation says. But we
10 were asked to advise on the dune shacks. It took seven
11 months of meetings before we really gained an
12 understanding of where (inaudible) or were not. So I
13 don't think -- I have a feeling it would be too hasty,
14 maybe the whole situation (inaudible). I don't know,
15 but it's too hasty to ask this group to get a sense --
16 sense of approval.

17 MR. DELANEY: Yeah, we're having a tough time. Let
18 me just try for -- let me try thinking about this with
19 my chairman's hat off for a minute.

20 I'm looking for comparables because that's always
21 constructive, and I'm not fully aware of all the
22 details, but I know we've had other structures on cliffs
23 that were eroding in other towns along Cape Cod, some of
24 them even in -- many of them -- let's just take that

1 aside -- in other parts of Massachusetts, maybe even in
2 other parts of Chatham that are not in the National
3 Park. I wonder what the selectmen would do if your
4 building inspector came and said, "This house is in
5 imminent danger of falling down onto a public beach or
6 to the environment" -- forget any environment -- and it
7 will be potentially a safety issue, a public nuisance
8 issue, a cost issue for someone, maybe the town later, a
9 liability issue, would the selectmen sit by and let it
10 happen or would you condemn that building and ask the
11 owner to move it or do something with it? I'll turn it
12 back to -- maybe it's not a fair question to blindside
13 you guys.

14 AUDIENCE MEMBER (MR. SUMMERS): No, it's perfectly
15 fair because we had a breaking barrier beach and we had
16 houses fall on the mainland. They were real houses with
17 electricity and (inaudible), unlike these camps which
18 are very primitive. And frankly, that situation had
19 happened, and we would recommend it, but you know what?
20 These houses were feet away from falling in, and it was
21 quite obvious that it was time. It is very apparent
22 that it is not time for many of these structures that
23 you're talking about, and I would encourage the
24 committee members to take a look because really it's a

1 common sense matter, frankly. If you look at some of
2 the issues that I raise in terms of the many different
3 aspects of environment, economic, and safety. Again, if
4 you look at the new construction, how they're built,
5 it's not going to happen.

6 MR. DELANEY: But when it was only two feet away,
7 you did take action?

8 AUDIENCE MEMBER (MR. SUMMERS): We did. It made
9 sense.

10 MR. DELANEY: So maybe that's a little bit
11 constructive because at least two of these structures
12 are maybe not feet away, but they're a lot closer than
13 the other three. I think that may be -- maybe, maybe
14 not helpful for us to think about, other comparables.

15 I'm coming back around the table one more time.
16 Butch?

17 MR. FRANCIS: Going on this comparables, you know,
18 working down that avenue, I don't see that any of these
19 buildings are comparable to the situation where they had
20 buildings in Chatham hanging over the cliff.

21 MR. DELANEY: Okay.

22 MR. FRANCIS: They're not in that danger yet.

23 MR. DELANEY: Okay. I think there are two that are
24 -- maybe I'll ask Mark to give us some numbers.

1 MR. ADAMS: I'm sorry. I can't off the top of my
2 head give you the exact setbacks for each building, but
3 aside from the observed erosion rate over the last three
4 years of 80 feet per year, there is the issue of
5 elevation. And this time of year we see the sand moving
6 around quite a bit from storm to storm and from tide to
7 tide. So we may see a lot of temporary fluctuations in
8 the width of the beach, but we don't see any gains in
9 elevation up there. And, you know, the time when the
10 erosion will really take place is coming during the
11 winter. But the real issue there is where is the
12 extreme high tide, and it really is feet away from some
13 of the northern even if there is a wide beach in front
14 of it.

15 MR. DELANEY: Thank you. That's helpful.

16 Continue around the room. Is there anyone who
17 wants to make a second round of comments? Sheila?

18 MS. LYONS: I just wanted to say that since I've
19 been in the position that I'm in, I have come to learn
20 that there is nothing wrong with taking a deep breath
21 once in a while and taking a pause and maybe
22 reconsidering and bringing all of the information
23 together. It's only going to do you well in the long
24 run because everyone feels as though their voice has

1 been heard, and if that process plays out in the end, at
2 least everybody would feel as though the case has been
3 made, all the facts are on the table and people are
4 basing their decisions and their knowledge on the fact
5 as opposed to their emotional tie or their emotional
6 fear or even with the -- it says that there's indication
7 that there could be harm. And even we can maybe take a
8 breath and pray that that doesn't happen until some --
9 and there's a little bit of time (inaudible). So I have
10 come to find that that is a wise thing to do in moments
11 like this, and I would just sort of support any effort
12 to go through a little bit more of a process with these.

13 MR. DELANEY: Okay, Judy?

14 MS. STEPHENSON: I'd like to make a proposal to
15 that, which is what Bill was suggesting, which is to put
16 it on our agenda, put it in the Federal Register and
17 have it voted on, giving enough time in two months to
18 have everybody present the evidence that I feel that I
19 need and the other people speaking about. Can we do
20 that?

21 MR. DELANEY: Well, we can put an item on the
22 agenda. I'm trying to figure out what the question
23 would be that we would vote on. That's why I tried to
24 structure this conversation so we could sort of

1 crystallize what the question is. (Inaudible) to do
2 something.

3 MS. STEPHENSON: I'm going to have to leave, I'm
4 sad to stay.

5 MR. DELANEY: Excuse me?

6 MS. STEPHENSON: I have to leave. I have to leave
7 now, so I don't know how I get my vote represented here
8 without my presence.

9 MR. SABIN: Our meeting is in two months. George's
10 decision is in one month.

11 MR. DELANEY: Okay, so let me ask George to comment
12 so far on some of this.

13 MR. PRICE: I'm also trying to think about how we
14 could do this. We have the ability as a commission to
15 have forums or subcommittee meetings outside of the
16 Federal Register. However, as the chairman rightfully
17 said, it's not as if you'd be able to take an official
18 vote without it being in the Register. But something
19 that could be done in a month's time, if you chose,
20 would be to have an informational meeting that we could
21 actually orchestrate and have an agenda-driven
22 presentation of the facts, et cetera. The problem with
23 the Federal Register is two months. Normally our next
24 meeting would be in November anyway, and again, in order

1 for people to actually know what they're supposed to
2 know to get the material out or for us to be able to
3 safely activate any sort of crews this season, which we
4 believe is basically now, it really -- the next meeting
5 doesn't really work.

6 I understand what you're saying about taking a
7 breath, but I was wondering if a proposal of, quote, an
8 official advertised informational meeting sponsored by
9 the Commission would be a possibility.

10 MR. DELANEY: And try to make that fit into the
11 possible proposed time frame that you have should still
12 --

13 MR. PRICE: We could do that in a month, which
14 would give enough time I think for community
15 representatives and for Commission people to tee up
16 their questions and for us to elaborate on the data a
17 little bit more. So again, it would be a conversational
18 meeting.

19 MS. STEPHENSON: But can we also request a vote on
20 the Register? I mean, an official vote after we -- if
21 we fit this in in October, we can still request to have
22 a vote?

23 MR. PRICE: Yes.

24 MS. STEPHENSON: I mean, I know it's a nonbinding

1 vote on your decision.

2 MR. PRICE: Well, it's a clear statement from the
3 Commission to give me advice. So it's still advisory,
4 as Butch says, but we'd be able to come up with the
5 sense of the group in that interim meeting perhaps.

6 MR. DELANEY: So we're zeroing in on kind of a
7 possible action item here.

8 Okay, just two more comments, people. Judy, hold
9 on for a few minutes so we can get this done.

10 Butch?

11 MR. FRANCIS: We have a precedent for doing that
12 sort of thing when we had the ORV Committee, the
13 subcommittee meeting, and we had the (inaudible) meeting
14 down at the Race Point Visitors Center where the public
15 was invited to come in, and we went through all of the
16 comments that they had to make and from that were able
17 to come up with a consensus that we were able to use to
18 advise the superintendent.

19 MR. PHILBRICK: But it took months and months.

20 MR. FRANCIS: No, it didn't take months and months
21 for these meetings. We called them within a month. I
22 think we had two or three of them. And there's no
23 reason why something of this sort couldn't be done. I
24 would suggest doing it at the Salt Pond Visitors Center

1 as opposed to here and just look around a bit. And I
2 would suggest doing it before the middle of October.

3 MR. DELANEY: Okay, three more comments, and then
4 I'm going to make a motion.

5 Sheila?

6 MS. LYONS: I agree.

7 MR. DELANEY: Mary-Jo?

8 MS. AVELLAR: No.

9 MR. DELANEY: Judy?

10 MS. STEPHENSON: No.

11 MR. DELANEY: I think the sense of this group is
12 that there are enough issues and enough concerns among
13 us and from the citizens that we represent and we've
14 heard that we need to revisit this issue in a little bit
15 more -- quite a bit more detail perhaps in order to be
16 better informed and positioned to advise the
17 superintendent on what to do next. You've heard him put
18 -- say he thought he was acting as a prudent manager by
19 taking some proactive steps. You also heard him say
20 that maybe there's a better process that could have been
21 done but time was difficult and was of the essence. We
22 are feeling the same issues ourselves right now, so
23 perhaps the idea of a slight timeout, a few weeks where
24 some of these issues could be investigated further, what

1 is the likelihood of a Section 106 designation, what
2 does the science look like in a little bit more detail,
3 how do the five houses relate to each other and relate
4 to private property houses within the complex.

5 I think if we had a chance to air those out --

6 MS. LYONS: Also, the costs of the two houses as
7 opposed to the five houses all at once, if there's a
8 difference in that. If there are two that are in
9 imminent danger, what are those two and what's making
10 those different than the other three houses, that type
11 of information.

12 MR. DELANEY: Yeah, could there be a phased --
13 could there be a phased implementation of this. There
14 are enough issues --

15 MS. LYONS: That's what I'm saying. Those are all
16 questions that could be addressed in a public hearing.

17 MS. STEPHENSON: We don't (inaudible).

18 MS. LYONS: Well, I'm not saying that.

19 MR. DELANEY: I think this hearing would be hosted
20 by us. We could host it as we've done in the past, but
21 it could be cosponsored by the board of selectmen, if
22 you would like to, in the spirit of being together, if
23 we can. Well, actually, we've got Bill representing the
24 board, so that base is covered, but certainly you can

1 make statements through Bill. And we'd try to do it
2 with a pre-- -- with an agenda that would be announced
3 in advance so any interested citizen can come and listen
4 to us. We'll do it in a place that's convenient for
5 everybody.

6 MR. SABIN: How soon?

7 MR. DELANEY: Well, we'd have to do it within the
8 next 30 days.

9 So that's the sort of gist I think I heard us in.

10 MS. AVELLAR: Yes.

11 MR. DELANEY: And if that seems to be a consensus
12 with the Commission, let's just focus a little bit more
13 on that.

14 Bill, what do you think of that concept?

15 MR. HAMMATT: I think it's a good start. I'd also
16 like to see it on our next agenda.

17 MR. DELANEY: Okay, we can add that certainly.
18 Based on what we learn at the information meeting, we
19 can always put it on the agenda.

20 MR. HAMMATT: Wherever it goes, if it's on the
21 agenda, then we can discuss it.

22 MR. DELANEY: Then we have a place for it. Is that
23 part of the consensus?

24 MS. STEPHENSON: Yes.

1 MR. DELANEY: So how this actually gets managed and
2 put together, do I have a couple of people who would
3 like to volunteer for an informal ad hoc subcommittee to
4 help me in this group? Bill and Judy and Mary-Jo, okay.

5 MS. LYONS: And I'll go too.

6 MR. DELANEY: All right, and Sheila. All right, so
7 we've got a group to help develop the agenda, help the
8 superintendent find a place and go forward.

9 MR. SABIN: Probably the biggest spot's in here,
10 right?

11 MR. DELANEY: Yeah.

12 MR. SABIN: Like maybe the Visitors Center.

13 MR. DELANEY: Yeah.

14 MR. FRANCIS: And maybe at a different time of day.

15 MS. LYONS: Yeah, in the evening so there will be
16 more people.

17 MR. DELANEY: So we would seek input from the
18 selectmen through Bill on when, what time of day, and
19 where that might make more sense to get the maximum.

20 And, Mark, did you have a comment on something?

21 MR. ADAMS: No, no.

22 MR. DELANEY: So if that is the sense of the
23 committee, that there will be an informational hearing,
24 there's a subcommittee, an ad hoc committee or a

1 committee of this commission that includes Sheila, Judy,
2 Mary-Jo, and Bill to help structure the agenda, help
3 select a time and place, and that informational meeting
4 will address issues that we have in the notes. I won't
5 repeat them all, but certainly issues have been raised
6 today. And that will inform us hopefully in a better
7 way to be able to advise the superintendent at the
8 conclusion of that or at a subsequent federally
9 registered Advisory Commission meeting where we can
10 vote.

11 How many people think that's the consensus? Shake
12 or say yes.

13 Anyone object?

14 (No response.)

15 MR. DELANEY: Anyone abstain?

16 (No response.)

17 MR. DELANEY: Okay, a little bit of progress.

18 MR. PHILBRICK: When do we have the next meeting of
19 this --

20 MR. DELANEY: Two months from now.

21 MS. LYONS: This would be later on in October,
22 (inaudible).

23 AUDIENCE MEMBER: Can I ask a question?

24 MR. DELANEY: We have a big, long agenda to get on

1 to.

2 AUDIENCE MEMBER: I understand that.

3 MR. DELANEY: I've given everybody a chance to
4 speak, so I think what I'd like to --

5 AUDIENCE MEMBER: Do we have an unofficial
6 extension that we don't have to have everything out by
7 the 21st?

8 MR. DELANEY: I think that will be something that
9 we didn't discuss here, and I think that's going to be a
10 call the superintendent is going to make after having
11 heard all of this. In fact, if he hears his advisory
12 committee say we want to have another meeting to develop
13 information --

14 AUDIENCE MEMBER: I understand that, but that
15 meeting is going to be a little late.

16 MR. DELANEY: I think, again, just to keep the
17 dialogue and the communications going, your board of
18 selectmen have appointed Bill Hammatt. Any of those
19 suggestions should go to them and through Bill to us,
20 and we'll be happy to keep that avenue wide open.

21 All right, so thank you.

22 George, can we move now to your Superintendent's
23 Report?

24 If people are going to excuse themselves at this

1 point, I'll give the -- you're welcome to stay if you'd
2 like to.

3 Let's take a two-minute break and stretch our legs
4 and come back. Meeting in recess for two minutes.

5 (Short recess was taken.)

6 * * * * *

7 MR. DELANEY: Okay, we're ready to reconvene.

8 So moving right along, the superintendent still has
9 a very lengthy report. However, many of the items could
10 be quick, that could be either dealt with quickly or
11 moved to another item -- another meeting. And there is
12 a PowerPoint presentation that he wanted to show us
13 about the tremendous success of all the 50th anniversary
14 meetings. Ed alluded to one earlier in conjunction with
15 your Windmill Weekend, but, boy, it's been a fantastic
16 set of activities, great visibility, very creative, and
17 they're still going on with the reunion of the Park
18 employees this coming weekend. So I think, if nothing
19 else --

20 MR. FRANCIS: Can we put that off until the
21 November meeting?

22 MR. DELANEY: Well, that's what I was just going to
23 say.

24 MR. FRANCIS: There will be other things that will

1 --

2 MS. AVELLAR: Then all the activities will have
3 happened.

4 MR. DELANEY: I don't want to rush it because it is
5 worthy of us taking note and appreciating it. So my
6 suggestion -- thank you, Butch -- is going to be that we
7 just postpone that PowerPoint until the next meeting.

8 MR. PRICE: I'd like to introduce the famous, the
9 one and only Molly Williams, who is the event ranger who
10 is going to present the PowerPoint, and her appointment
11 actually ends the end of this month unless we have a
12 special meeting of the Advisory Commission.

13 MR. DELANEY: Let the record show that Molly was
14 able to organize probably many events in a short period
15 of time as anybody. It was just really well done.
16 Every event was well-organized and well-advertised and
17 creative and thought out.

18 Thank you, Molly, for doing that. I want the
19 record to show that.

20 (Applause.)

21 MR. DELANEY: I may have a job for you at the
22 Center for Coastal Studies, if you're looking for one.

23 MR. PRICE: I may take you up on that. Let me tell
24 you, we could have that be a shared position.

1 MR. DELANEY: Okay. So here's what I'd like to do.
2 I'd like to also recognize at this time Stefanie Coxe,
3 who is Congressman Keating's representative. She's
4 asked for a little bit of time on the agenda, and while
5 we're dealing with somewhat controversial issues,
6 there's one on that I think needs some more elucidation
7 and explanation so we can get it underway.

8 Stefanie, would you like to just make a statement?

9 MS. COXE: Sure, thanks.

10 MR. DELANEY: This item is not on the agenda, by
11 the way.

12 MS. COXE: Yes, it's not on the agenda, but I just
13 asked for some time just to clarify because I know that
14 there's been some concern about a piece of legislation
15 that's been introduced in Congress. It's H.R.1505,
16 which is the National Security and Federal Lands
17 Protection Act.

18 Basically this legislation was filed by a rep from
19 Utah, and the intent of it is to target areas of border
20 security, particularly in the southwestern parts of the
21 state (sic). Basically it's national parks that border
22 countries where there are porous borders. And because
23 the National Seashore qualifies as a national park, the
24 concern is that Homeland Security would be taking over

1 control of the National Seashore. That's not the intent
2 of the bill. Let me say that first. The intent of the
3 bill is to deal with border security first.

4 But the second point I wanted to make is that this
5 bill is not at all expected to survive the legislative
6 process. It hasn't begun markups. It probably is not
7 going to go anywhere out of committee. The Congressman
8 and -- first just staff in our office has been
9 monitoring it since the Congressman first learned of it,
10 and he himself is speaking with members of the committee
11 on it just to, you know, get confirmation that this bill
12 is not going to be seeing the light of day out of
13 committee.

14 The final thing I just want to mention is that, you
15 know, should on some off chance this legislation gain
16 any traction, the Congressman would work vehemently to
17 ensure that the National Seashore is not part of any
18 such change in jurisdiction, that it would be exempted
19 from this legislation. So I hope that that clarifies
20 the Congressman's position on this legislation and the
21 likelihood of the impact to be felt locally, that this
22 is one of thousands of bills filed every year. It's not
23 likely to gain any traction, but if it did, we would
24 certainly be making sure that it would not have any of

1 the effects that people here locally are concerned
2 about.

3 MR. DELANEY: Thank you, and I expect part of this
4 piece, now that it's been flagged, you and your office
5 will give this close scrutiny and watch it very
6 carefully just should it gain traction.

7 MS. COXE: Yes, and we were already doing that
8 before.

9 MR. DELANEY: Okay, thank you.

10 Mary-Jo?

11 MS. AVELLAR: Just a comment since I wrote the
12 letter. Based on the remarks that the Congressman made
13 to the *Banner*, I was told by someone in the Quincy
14 office that the Congressman is unequivocally opposed to
15 this legislation. That's not what I'm hearing here
16 today. I think that we're fortunate that nothing
17 happened on the 9/11 anniversary, but the fact remains
18 that it's almost like famous last words, you know, well,
19 this bill is not going to see the light of day. Well,
20 if anything happened on the 9/11 anniversary, I think
21 this bill would basically really just be seeing the
22 light of day, and how would Representative Keating keep
23 the National Seashore, the Cape Cod National Seashore
24 out? Exclude the Seashore from this?

1 I hope there's going to be a statement made that he
2 is opposed to this bill because Mike -- I think his name
3 is Chapman. Is that his name?

4 MS. COXE: Jackman.

5 MS. AVELLAR: -- Jackman in the Quincy office
6 called me on the phone and told me he is unequivocally
7 opposed to the bill.

8 Representative Keating sits on the Homeland
9 Security Committee and I believe the gentleman who filed
10 the legislation. I know we're not allowed to take a
11 position, but I'm making my position on this bill as
12 Provincetown's representative, and I've gotten a lot of
13 positive feedback. I don't want to see a radar tower at
14 Long Point. I don't want to see fences and things of
15 that nature in my backyard. I think that if people are
16 opposed to Cape Light and the wind turbines and
17 Nantucket Sound, what we can see out of Long Point and
18 in the Seashore beaches would be infinitely more
19 unpleasant.

20 So I'm hoping that he is going to make a statement
21 based on the remarks that have been made to me from the
22 Quincy office. And that's all I have to say. I'm
23 worried that he's not on the Natural Resources
24 Committee, as his predecessors were, and that he is on

1 Homeland Security Committee. And so that's what raised
2 the red flag for me on this particular piece of
3 legislation.

4 MS. COXE: First, may I have an opportunity to
5 follow-up?

6 MR. DELANEY: Stefanie, yeah, please.

7 MS. COXE: So I heard a couple of things there, and
8 we thank you for keeping vigilant and keeping an eye out
9 on these things. It is important to hear from
10 constituents about these concerns. Again, our office
11 was already monitoring this bill and had already applied
12 to it as something to keep an eye on, but again, doing
13 what the DC staff does best, you know, assessing the
14 likelihood of passage of the bill, we feel safe in
15 saying that the National Seashore is not in danger of
16 being taken over by the Department of Homeland Security.
17 That said, should this bill begin to gain any kind of
18 traction, the Congressman would work to exclude the
19 National Seashore on Cape Cod. I can say that
20 unequivocally.

21 The other thing was mentioned a statement. I do
22 believe that we are planning on doing something with the
23 *Banner* with an op ed at that time, but it's not
24 completely finished up at this time.

1 MR. DELANEY: Okay, good, thank you, Stefanie.

2 All right, moving back to the Superintendent's
3 Report, George, would you just highlight the two or
4 three things that are most timely for us?

5 MR. PRICE: Sure.

6 UPDATE ON DUNE SHACKS

7 MR. PRICE: I just want to quickly let you know the
8 dune shacks, we're still analyzing our responses to all
9 public comments that came off of the EA. We're also
10 waiting for additional comment from Mass. Historic
11 Office that Sue sent in, and they're supposed to give us
12 a sign-off. And also I personally will be attending a
13 briefing at Mass. Historic this Wednesday where the
14 actual final nomination for the National Register piece
15 will be vetted.

16 (Mary-Jo Avellar leaves the room.)

17 MR. PRICE: The Historic District was declared
18 National Register eligible back in the '80s, and we've
19 been treating it as an historic listing ever since.
20 This listing is a new application that was put in
21 (inaudible).

22 HERRING RIVER WETLAND RESTORATION

23 MR. PRICE: Herring River Wetland Restoration, you
24 may have done some reading in some of the articles about

1 some meetings that our committee has been having,
2 including a value analysis, to try to take a look at
3 some of the decision-making points that are coming up
4 into the future that I'd like to be taking a look at.
5 I'll be having a meeting with the members of the board
6 of selectmen and the town manager again to just continue
7 that dialogue. So it's not like there's decision-making
8 points now, but there are things outside of the
9 committee now that they have to take a closer look at.

10 FLEXIBLE SHOREBIRD MANAGEMENT

11 MR. PRICE: Our staff is still analyzing our
12 responses to our scoping meeting for the EA for the
13 shorebird management plan. We had public meetings back
14 in the spring. We received a lot of comments. The
15 comment period closed. And we're taking a look at
16 those, and we're continuing to discuss that.

17 HERRING COVE BATHHOUSE PROJECT

18 MR. PRICE: The Herring Cove Bathhouse project has
19 been moving along. Our people, Kathy Tevyaw
20 specifically, had a meeting in Denver, and we got a
21 sign-off from our Design Advisory Board to be able to
22 proceed with that, which was great.

23 LAND PROTECTION

24 MR. PRICE: On the Land Protection, the Biddle

1 property, we had a field trip this morning. A number of
2 commissioners and guests came to see the ten acres, and
3 I think they came away as excited as I did about that
4 particular parcel. We're working with the Trust for
5 Public Lands on a public event on September 29. You all
6 will be invited. That will in essence be a Trust for
7 Public Lands event, so they're actually hosting this.
8 And basically it's a thank you to the Biddles, Mrs.
9 Biddle and her two sons, for working with them on
10 constructing a very positive deal that was favorable to
11 the government. It was a fee transaction from the
12 government to the Biddle family, but it took a
13 substantial donation and voluntary-type activities in
14 lieu of additional financing.

15 What else?

16 OLD HARBOR UPDATE

17 MR. PRICE: Old Harbor. You all are invited on
18 this coming Sunday, September 18, to the Old Harbor
19 dedication. The Friends of Cape Cod National Seashore
20 have been raising funds for the furnishings. The
21 National Park Service did the exterior work. We're
22 having an event that's actually -- the admiral of the
23 First District, the Coast Guard District will be in
24 attendance as well as State Senator Wolf and State Rep.

1 Peake, so we're really looking for a nice event on that
2 particular day.

3 ADVISORY COMMISSION APPOINTMENTS

4 MR. PRICE: On the Advisory Commission
5 appointments, as I mentioned last spring, I sent
6 correspondence out to each of your designated
7 organizations representing the representatives on the
8 Advisory Commission if your appointment was expired
9 and gave them the information of what had to happen.
10 We've heard back from some but not all of the offices.
11 I've heard verbally from a couple of them that said
12 they're ready to send their packages, but they actually
13 haven't put them in the mail yet. Once I receive the
14 packages, I forward them down to Washington to go
15 through that vetting process, and then eventually
16 there's a designation made by the Secretary of the
17 Interior. That's the appointing authority for this
18 commission.

19 You all in your current position as either voting
20 member or voting alternate continue until replaced, so
21 that's actually in the charter of this commission. It's
22 not the bylaw. It's the charter that's been signed off
23 by the Department of the Interior. So I realize some
24 people have decided they're ready to check off now, and

1 it's certainly your prerogative. And we know it's going
2 to take a while before the Secretary's nominations come
3 through, but that's where we stand right now.

4 MR. SABIN: The fact that Don and I have heard from
5 the town administrator that our names have gone in, does
6 that take care of us?

7 MR. PRICE: In your case, yes.

8 MR. SABIN: Don, too?

9 MR. PRICE: Yes. The packages that I have on hand
10 are from Provincetown, Eastham, Barnstable County. In
11 that case, it was renominated Bill Clark as the
12 alternate. I've heard verbally from Chatham, the
13 Commonwealth of Massachusetts, and Truro. At this point
14 I have not heard from Wellfleet, Orleans, and those are
15 the only outstanding.

16 MR. WATTS: That's very strange because I thought
17 that (inaudible).

18 MR. PRICE: Erin, we don't have anything in writing
19 from Wellfleet, do we?

20 MS. DER-McLEOD: No.

21 MR. DELANEY: Okay, thanks, George. Anything else
22 from your report?

23 MR. PRICE: I think that's it. Again, I do want to
24 talk about the 50th anniversary. Not only was it an

1 extraordinary event and we were fortunate enough to be
2 able to have Molly join us as the event ranger for this
3 time, but the events were really something, including up
4 through this weekend. We have a science forum on
5 Saturday. We had eight scientists that have been
6 involved in the National Seashore since the beginning.
7 In fact, one of them is a coastal geomorphologist from
8 UMass-Amherst, Paul Goffin (phonetic), who was the first
9 scientist we had working on the coast, volunteer to come
10 this afternoon if we wanted his expertise. But it was
11 really a remarkable day, and we had a reception
12 afterwards.

13 Yesterday our crew had an entry in the windmill,
14 Eastham windmill parade. Coming up next week, part of
15 that weekend we're having an alumni weekend for former
16 employees as well as the Old Harbor event. And then the
17 Biddle property at the end of the month, so there are
18 still continuing activities.

19 MR. SABIN: Sorry to hear that you've planned this
20 open house at the Biddle property the same day that you
21 planned volunteer recognition time, which involves about
22 60 or 70 volunteers which won't be able to go to the
23 other event. You've got them both on the same day,
24 sadly.

1 MR. PRICE: Thursday.

2 MS. LYONS: Thursday.

3 MR. SABIN: Yeah, but there are two events the same
4 day.

5 MR. PRICE: Are they at the same time, Molly?

6 MS. WILLIAMS: I don't know. I didn't know that
7 there was --

8 MS. LYONS: Could you give us the times?

9 MS. WILLIAMS: I don't have the times for the
10 Biddle.

11 MR. PRICE: The Biddle property event is at 12:30.
12 And again, that event, as I mentioned, is primarily a
13 Trust for Public Lands event because they were the ones
14 that actually set up the arrangement.

15 MR. SABIN: The same time as the volunteers group?

16 AUDIENCE MEMBER: That's Thursday, and it's 8 to
17 4:30.

18 MR. DELANEY: Okay, thank you.

19 Let me just get through the rest of this quickly.

20 OLD BUSINESS

21 MR. DELANEY: Old Business?

22 (No response.)

23 NEW BUSINESS

24 MR. DELANEY: New Business?

1 (No response.)

2 **DATE AND AGENDA FOR NEXT MEETING**

3 MR. DELANEY: Date and agenda for next meeting,
4 which will be November --

5 MR. SABIN: There are two meetings, I guess we
6 have.

7 MR. DELANEY: Well, let's get this one settled
8 first, which would be typically the second week in
9 November.

10 MR. PRICE: Typically it would be the 14th at this
11 point.

12 MR. DELANEY: Is that okay with everybody? No
13 major objections?

14 (No response.)

15 MR. DELANEY: Okay, let's target that.

16 MR. SABIN: November 14?

17 MR. DELANEY: November 14.

18 And I know about a couple of agenda items. Unless
19 there's a pressing other one or two right now, let's not
20 go through that exercise. There's plenty to pick up on
21 the rollover from this meeting. And we'll have a 50th
22 anniversary presentation, and we'll probably revisit the
23 Chatham North Beach issue. So we've got a good agenda
24 already.

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PUBLIC COMMENT

MR. DELANEY: I've already had the public comment period once, but, Kaimi, would you like to comment on anything or anyone else in the public?

AUDIENCE MEMBER (KAIMI LUM): Not off the top of my head.

MR. DELANEY: The public comment period still is there on the agenda should anyone else like to offer a comment on anything.

(No response.)

MR. DELANEY: Okay, and then before we get to adjournment -- oh, public comment.

MR. REINHART: Yeah, two things. I want to compliment Superintendent Price on his role in celebrating the 50th anniversary of the Seashore. He's done a good job with that.

I'm really glad you're the superintendent here in this time.

MR. PRICE: Thank you.

MR. REINHART: And I'd also like to say -- I didn't get a chance to say it earlier -- that I feel when I came here 40 years ago, there was a lot of resentment of the federal government for taking all the property that they took and it was still there. And I think over the

1 years we all feel incredibly fortunate that that
2 actually happened. And I think there was a real
3 antagonism that went on for many years between the towns
4 and the federal government, probably misplaced. And now
5 one of the reasons why I'm involved in this is because I
6 feel that it's become more of a partnership, and we're
7 sort of in this together if we're going to preserve this
8 beautiful property.

9 And I just feel that in this instance that we
10 heard earlier that one of our partners are the Chatham
11 people, and they're saying, "Wait a minute. This
12 doesn't feel right," and I think it really would behoove
13 us to really respect that feeling and really honor it
14 and really hear them out because we don't want to go
15 back to this thing where people feel like they're not
16 being represented.

17 MR. DELANEY: Good comments. Thank you. There's a
18 lot of agreement with that.

19 Okay, one other item of business is the scheduling
20 of this informational meeting, which would be if we go
21 about one month out, I'm looking at the middle -- like
22 October 11, 12, or 13, those days. Does anyone see a
23 major conflict with that? Those days?

24 MS. LYONS: No.

1 MR. FRANCIS: Are they going to be in the evening?

2 MR. DELANEY: I think it probably is going to head

3 --

4 MS. LYONS: Towards the evening. I was going to
5 say we're going to be consulting with maybe the
6 selectmen, so we should say to them what days -- you
7 know, these are three days.

8 MR. HAMMATT: Chatham selectmen meet on Tuesdays.

9 MR. DELANEY: So maybe it's Wednesday evening or
10 Thursday evening of that week.

11 MS. LYONS: Yes, but we have to be in contact with
12 them and ask them what's good for them and where do they
13 want to have it.

14 MR. DELANEY: George?

15 MR. PRICE: Obviously Chatham is one of the six
16 towns, so there's no reason why it couldn't have the
17 meeting at their town hall annex, which is brand new,
18 which is where we had --

19 MS. LYONS: Same as the selectmen.

20 MR. HAMMATT: It's a good room, yeah.

21 MR. PRICE: It's the same meeting as the selectmen.
22 There's plenty of room, handicapped accessible, and
23 there's a nice place to present. So we would certainly
24 have no objection because the Park staff will be the

1 smallest contingent to travel. They'll be the largest
2 group. It's obviously up to you all. Our other
3 facility is the Salt Pond Visitors Center, which is a
4 public venue.

5 MR. FRANCIS: I think it would be a good PR move to
6 have it in Chatham.

7 MS. LYONS: Me too.

8 MR. DELANEY: Bill, you're a member of the
9 subcommittee, so would you convey that to the selectmen
10 that we're suggesting the October 12 or 13 to avoid
11 their Tuesday meeting as potential dates and see how
12 that fits with them in Chatham.

13 And lastly, Peter just asked me to announce -- and
14 I'm sorry to have to announce this -- that this will be
15 his last meeting.

16 MS. STEPHENSON: Why?

17 MR. DELANEY: He's been with us for eight or nine
18 years now, and he's going to step down.

19 And we will miss your insightful comments and your
20 wisdom greatly. Appreciate all the reasoned guidance
21 you've given us for some difficult issues over the last
22 eight or nine years. So I want to thank on behalf of
23 the Park and the Advisory Commission -- thank you very
24 much for great service.

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(No response.)
MR. DELANEY: It carries unanimously.
Thank you, everybody.
(Whereupon, at 3:56 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 135 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, September 12, 2011, commencing at 1:06 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 28th day of October, 2011.

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