

TOWN OF BARNSTABLE
SANDY NECK BOARD
1189 Phinney's Lane
Centerville, MA 02632

Tel: 508-790-6272
Fax: 508-790-6275

Sandy Neck Board Meeting
February 13, 2017

Chairman:

Richards French

Vice Chairman:

Thomas O'Neill

Board Members:

William Carey
Nate King
William Monroe
Wendy Paquette
Peter Sampou

Council Liaison:

Phil Wallace
John Flores

A regularly scheduled meeting of the Sandy Neck Board was held on February 13, 2017 in the Selectmen's Conference Room, 367 Main Street, Hyannis, MA. The meeting was called to order at 7:30 pm by Chairman Richard French.

Roll Call:

- Board Members present: Pete Sampou, Tom O'Neill, Bill Monroe, and Wendy Paquette, Bill Carey, Nate King and Rich French.
- Board Members absent: none.
- Staff: Nina Coleman, Sandy Neck Park Manager, and Debbie Lavoie, Secretary.
- Council Liaisons absent: Phil Wallace and John Flores.
- Public: Diane Lomba and Kylie Palomba.

Act on Minutes:

- On a **motion** by Wendy Paquette and seconded by Pete Sampou, the Sandy Neck Board unanimously voted to approve the January 9, 2017 as printed. Nate King and Bill Carey abstained from the vote because they were not present at that meeting.

Correspondence:

- None.

Staff Report:

Nina Coleman addressed the Board:

- The Gatehouse is open by appointment only. Call the gatehouse & leave a message 508-362-8300. The Gatehouse renovation is almost over. Looks really good.
- The most recent storm - there were big winds but it was during low tide and we lost some beach but most of the dune is still fine. It is too early to tell if there is other erosion. Currently the beach is closed.
- No more turtle strandings this year. One snowy owl before the storm – possibly more.
- Renewal application will go out in the mail at the end of February or early March. No changes – all fees remain the same. Property owner permits need to be reviewed as to who has permission to go to the property – changes in ownership.

Old Business:

The Long-term Coastal Resiliency Alternatives Report was discussed.

Pete Sampou addressed the Board:

- Pete Sampou has met with more than half of the Town Councilors. They have been receptive to the information he has provided regarding the “best available science”. He will continue to keep the Board informed of his progress.

New Business:

Sandy Neck Beach Park, Habitat Conservation Permit for Piping Plovers and Least Terns

The following are highlights. The entire presentation is available on line at:

<http://www.townofbarnstable.us/ondemand/video.asp?video=Sandy+Neck+Board+02-13-2017+1H+11+Min%2Ewmv&class=2&year=2017>

Endangered Species Act (ESA)



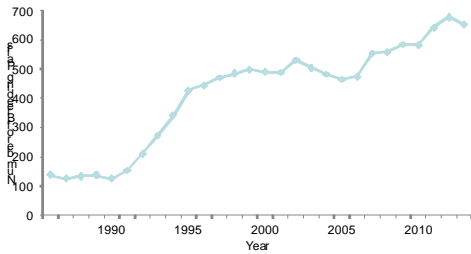
Section 9 of the ESA prohibits the take of any endangered or threatened species of fish or wildlife listed under the ESA. Under the ESA, the term take means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect species listed as endangered or threatened or to attempt to engage in any such conduct. Under Section 10 of the ESA, the FWS may authorize, under certain terms and conditions, any taking otherwise prohibited by Section 9 (a)(1)(B) if such taking is incidental to, and not the purpose of, an otherwise lawful activity.

*Plovers are federally and state listed.

*Terns are state listed.

*Term “take” means to harass, harm, pursue, hunt, shoot, wound, kill, trap, or capture.

Massachusetts Piping Plover Population

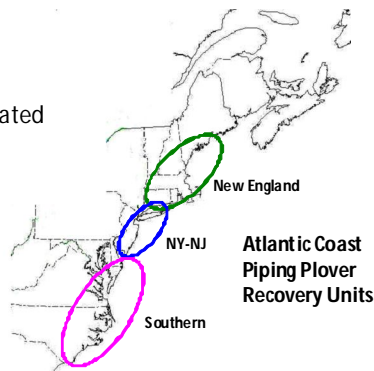


1986 : 125 ➡ Today: 675 Breeding Pairs

* The numbers of pairs has increased in MA.

*At a plateau level but trend is still slightly upward.

- Success not duplicated in other regions
- MA Pop. Exceeds recovery goal



1986 : 125 ➡ Today: 675 Breeding Pairs

*MA has done an amazing job at recovering plovers.

Massachusetts (NHESP) Section 10 Permit

2000: MA tried unsuccessfully to obtain statewide Section 10

2014: stakeholder meetings commenced for MA Section 10

The stakeholder group is comprised of roughly 45 participants from state and federal agencies, environmental groups, beach managers, town leadership, beach landowners, beach users, and other interested parties. Participants represented a variety of interests, including conservation organizations, recreational organizations, and business interests. <http://www.cbuiding.org/project/massachusetts-piping-plover-habitat-conservation-plan>

July 2016: statewide Section 10 approved by Fed. government

<http://www.mass.gov/eea/docs/dfg/nhosp/species-and-conservation/masswildlife-final-piping-plover-hcp.pdf>

*In MA there has been a substantial increase in plover activity and the desire to still use the recreational areas has been affected. Therefore, the federal government has issued a Section 10 Permit for the entire State of Massachusetts.

Section 10 Permit-Goals

Abbreviated list

- No more than 7% of broods/nests exposed to covered activities.
- Exposure to provide greatest recreational benefits.
- Great majority of management follows Guide lines.
- **Mitigation benefits more than offset impacts.**
- Incentives for good management.
- Reduce Conflict.



*The goals are for the entire State of MA – not just Sandy Neck.

*Every beach in the State could be included but each beach has different wants and needs.

*Very important – the mitigation benefits must more than offset the impact. Net gain to the population.

Certificate of Inclusion (COI) Sandy Neck Beach

1. Habitat Conservation Plan (HCP)
2. Site Specific Impact Avoidance and Minimization Plan (IAMP)
3. Mitigation Plan
4. MA Endangered Species Act permit (CMP) application fee (\$900)

Sandy Neck has submitted a COI along with an amendment request. We anticipate inclusion into the program by the 2017 summer season.

*The COI was submitted. It includes plovers and terns.

*Nina Coleman wrote this lengthy document.

Sandy Neck HCP-Goals

- Greatly reduce the probability of a complete ORV beach closure due to nesting endangered shorebirds.
- Reduce late season ORV beach congestion by offering limited escorts past late nesting tern chicks.
- Demonstrate to the Sandy Neck ORV beach patrons that the town is working to improve ORV access during the endangered shorebird nesting period.
- Accomplish the above tasks while still protecting endangered nesting shorebirds.



*Looked at trends when determining goals because it is hard to determine what will happen in any season.

*Goal to reduce the probability of complete beach closure while still protecting birds.



MASSACHUSETTS PIPING PLOVER HABITAT CONSERVATION PLAN
 CERTIFICATE OF INCLUSION REQUEST 2016
 SANDY NECK BEACH PARK
 BARNSTABLE MASSACHUSETTS

Prepared for submission to:
 Natural Heritage & Endangered Species Program
 Massachusetts Division of Fish & Wildlife
 1 Rabbit Hill Road
 Westborough, MA 01581

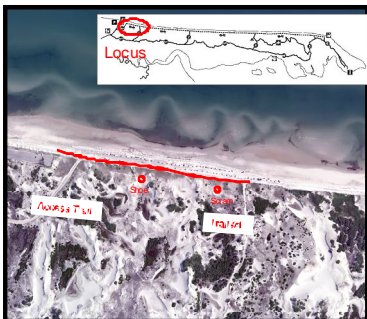
Prepared by:
 Nina Z. Coleman, Sandy Neck Park Manager
 Marine and Environmental Affairs Division
 Town of Barnstable
 1189 Phinney's Lane
 Centerville, MA 02632

April 2016
 Amended: January 2017

*Submitted April 2016. Amended January 2017.

Geographical Location-Plovers

Designated "Recreation Zone"



*Designated recreational zones from the corner of the parking lot to trail one and includes two areas ("shoo" and "scram") behind the primary dune which historically have had plover nests. Plenty of other area is available for nesting.

*Area must be under two acres.

Requested Activities-Plovers

Reduced Buffer Zone

Ability to reduce the area of symbolically fenced nesting habitat within the Recreation Zone.

Nesting Deterrents:

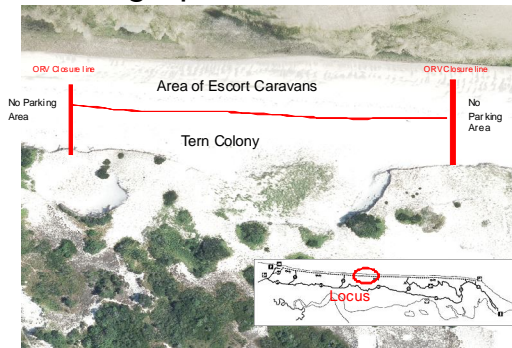
Opportunity to deter one breeding pair from nesting within the Recreation Zone.



*Hope to reduce the symbolic fencing to make it “unattractive” and include “nest deterrents” so birds will not want to nest there.

*Perhaps put down plywood so birds can not scrape in that area and will move on because it will be undesirable.

Geographical Location-Tern



*Late season (Mid-August – Labor Day) there is an area with terns and requesting that this be an area where we can escort recreational vehicles.

Requested Activities-Terns

Escorting past unfledged Least Tern chicks

- 15 chicks or less
- Camper and chase vehicles only (2017)
- Escorts Thursdays, Fridays, Saturdays, Sundays and Mondays
- Escorts only three times a day (both on and off) <3 hours exposure time
- Four Sandy Neck field staff members needed per escort
- ORV permit revocation for escort violations



*This is for campers and chase vehicles only. Not for day trippers – yet.

Mitigation Requirements

Mitigation Fee (placed in escrow account)	\$5,800
Increase in Seasonal Staff	\$9,000
Total Cost of HCP	\$14,800



*Money is placed into an escrow account for plover management.

*Get money back if do not have a take. But remember a “take” means to harass, harm, pursue, hunt, shoot, wound, kill, trap, or capture and that will probably happen. But, well worth the money!

*Request for one additional staff member.

Questions

Email dated 2/2/17

Hi Nina,
 I wanted to let you know that your COI application for Sandy Neck has been posted for public comment! The comment period ends on February 24th.
 Please let me know if you have any questions.
 Best,
 Patricia Leveseur
 Piping Plover HCP Implementation Assistance
 Natural Heritage & Endangered Species Program
 Massachusetts Division of Fisheries and Wildlife
 1 Rabbit Hill Road, Westborough MA 01581
 p: (508) 389-6382 c: (508) 527-1164



*This email states the application has been submitted and now on the way to receiving permit.

*Public outreach to campers when they get permits and they will have to sign documents that they understand the ramifications.

New Business:

- none

Matters not reasonably anticipated by the Chair:

- none

Public Comment:

- none

Adjournment:

- There being no further business, the meeting adjourned at 8:41 pm.

Respectfully submitted,

Debbie Lavoie, Secretary