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CAPE COD  
COMMISSION

## Minutes

### Meeting of Cape Cod Commission

April 10, 2014

The meeting was convened at 3:00 p.m., and the Roll Call was recorded as follows:

Town	Member	Present
Barnstable	Royden Richardson	✓
Bourne	Michael Blanton	Absent
Brewster	Elizabeth Taylor	✓
Chatham	Michael Skelley	✓
Dennis	Richard Roy	Absent
Eastham	Joy Brookshire	Absent
Falmouth	Andrew Putnam	✓
Harwich	Jacqueline Etsten	✓
Mashpee	Ernest Virgilio	✓
Orleans	Len Short	✓
Provincetown	Austin Knight	✓
Sandwich	Harold Mitchell	✓
Truro	Kevin Grunwald	✓
Wellfleet	Roger Putnam	✓
Yarmouth	John McCormack, Jr.	✓
County Commissioner	Mary Pat Flynn	✓
Minority Representative	John Harris	✓
Native American Rep.	Vacant	Vacant
Governor's Appointee	Vacant	Vacant

The meeting of the Cape Cod Commission was called to order on Thursday, April 10, 2014 at 3:00 p.m. in the Innovation Room of the Strategic Information Office, Barnstable, MA. Roll was called and a quorum established.

Chair Jack McCormack welcomed and introduced Michael Skelley the newly appointed Chatham Representative to the Cape Cod Commission.

Mr. Skelley said he has been coming to the Cape since 1976 and relocated permanently in 2008. He described his professional experience and his participation in the many boards and commissions on which he has served. Mr. Skelley said he is happy to have been asked by the Board of Selectmen to be the Chatham Representative and he appreciates the opportunity to learn and participate as a member of the Commission.

## ■ SUMMARY OF ACTIONS TAKEN/VOTES:

### Ocean Management Plan Update

Presentation and update on the Ocean Management Plan by Bruce Carlisle, Director of the Massachusetts Office of Coastal Zone Management.

## ■ EXECUTIVE DIRECTOR'S REPORT

Deputy Director Patty Daley reported on meetings Executive Director Paul Niedzwiecki has attended since the last Commission meeting. Mr. Niedzwiecki has attended several Board of Selectmen meetings including Dennis, Orleans, Sandwich, Harwich, Bourne, Chatham, Brewster and Mashpee as well as a Mashpee Planning Board meeting. He was at the Cape Cod Selectmen and Counselors Association meeting on March 14 discussing wastewater and he will be attending again this Friday for a 208 Commission update. Ms. Daley said the County budget is currently underway and Mr. Niedzwiecki gave an overview and presentation to the Assembly of Delegates on Commission activities. She said he attended Falmouth Town Meeting last night at which their wastewater articles were approved. Mr. Niedzwiecki accompanied Secretary Bialecki of the Executive Office of Energy and Environmental Affairs on his visit to the Hyannis Growth Incentive Zone last week. She said he has been at the Cape Cod Retired Men's Club and he has additional meetings coming up. She said there is a League of Women Voters Wastewater Forum on Saturday at the Harwich Community Center and Erin Perry, Special Projects Coordinator at the Commission, will be presenting at the forum. Ms. Daley said in regard to the 208 process the second set of sub-regional stakeholder meetings is happening. She said the first two sets of meetings have been completed and the third set of meetings will be held in mid-May.

## ■ MINUTES

The minutes of the March 13, 2014 Commission meeting were reviewed. Roger Putnam moved to approve the minutes. John Harris seconded the motion. The motion passed with three abstentions.

## ■ OCEAN MANAGEMENT PLAN UPDATE

Heather McElroy, Natural Resources Specialist at the Commission, said Massachusetts, through the Office of Coastal Zone Management (CZM), is in the process of updating the 2009 Ocean Management Plan (OMP). She said Barnstable County followed the state's promulgation of the OMP in December 2009 with the designation of the Cape Cod Ocean Management Planning District of Critical Planning Concern. She said one of the results of this 18-month county planning process was the adoption of the Cape Cod Ocean Management Plan. She said with these initiatives in mind, the Commission invited CZM's Director Bruce Carlisle to today's meeting to give an overview of the state's work on the update.

Bruce Carlisle, Director of CZM, provided a PowerPoint slide presentation on ocean planning in Massachusetts. Mr. Carlisle said the OMP Task Force was comprised of many agencies and the Massachusetts OMP is the result of the Massachusetts Oceans Act of 2008. He said on May 29, 2008 Governor Patrick signed the Oceans Act into law. He said the Act directed the Secretary of Energy and Environmental Affairs to develop an integrated OMP by December 31, 2009 that included 15 directives and the creation of formal advisory groups—the Ocean Advisory Commission and Science Advisory Council—to establish an ocean planning area. He said the 18-

month planning process involved four major stages: goals and strategies; data acquisition and development; siting and compatibility assessment; and plan development. He said the planning process also included stakeholder and public engagement. He said the final plan was promulgated in December 2009 with Volume I (Management and Administration) and Volume II (Baseline Assessment and Science Framework). He said the plan requires review once every five years. Mr. Carlisle discussed the plan review process for Phases 1, 2, and 3; outlined the review report; highlighted the plan review findings/outcomes; scope for plan amendment; and the plan update. He said the Coastal Erosion Special Commission will hold a series of regional workshops in the May timeframe. He said the OMP is available online at: [www.mass.gov/eea/agencies/czm/program-areas/ocean-management/](http://www.mass.gov/eea/agencies/czm/program-areas/ocean-management/)

Elizabeth Taylor asked if the Coastal Erosion Commission was part of the coastal resilience grant program. She asked if green infrastructure grants were due at the end of the month.

Bruce Carlisle said it's not; it's a special commission. He said green infrastructures are due at that time.

Elizabeth Taylor inquired about flexibility after the final report and asked how quickly CZM could react to changes. She said in regard to Finback Whales and other whales that arrive early how quickly does the information get disseminated.

Bruce Carlisle said they are doing a five-year amendment and bring along new data at the same time as an amendment. He said it will involve public engagement and a public process and they will be looking to collective partners. He said in regard to whales last year timing was different. He said the best they can do is to integrate data the best way they can. He said they would be looking at the last 10-15 years.

Austin Knight asked about climate change and how it affects fish species. He said climate change affects both land and sea. He said what we do as a society also creates change.

Bruce Carlisle said they welcome those types of discussions. He said paying attention and investing in the science is critical.

John Harris asked if there were critical triggers that would show us what is happening. He said consolidating triggers would help us to understand why things are happening.

Bruce Carlisle said they look to scientists and individuals paying attention to this to say there is a pattern. He said by working with partners they benefit from their expertise.

Ernest Virgilio asked if CZM is the agency that looks at the process for an energy wind farm. He asked what agency makes the final decision.

Bruce Carlisle said they would look at the cable; he said they have the ability to do that. He said CZM is here on behalf of the Secretary. He said they are leading it but it's shared by other agencies. He said developers would need to go through MEPA and other types of review.

Roger Putnam talked about erosion on Cape Cod and questioned whether this is worth spending the time and money on.

Bruce Carlisle said they track the best available science on sea level rise. He said planning an uncertain world is tough. He said they have to start integrating information with planning now and they need to include climate mitigation planning as well.

Chair Jack McCormack inquired about commercial traffic in regard to cargo and tug and tow and asked if the ferry service would come under cargo. He inquired about recreational fishing and boating and asked if regattas would come under recreational boating.

Bruce Carlisle said, yes, ferry service would come under cargo. He said in regard to regattas that would come under recreational boating. He said they tried to integrate user driven data sets with survey sets.

Chair Jack McCormack said Yarmouth is in initial talks with Cape Wind regarding cables going through Yarmouth and asked is CZM had any involvement with that.

Bruce Carlisle said Cape Wind has been permitted so CZM is done. He said if there are any changes in that they would most likely have to go through a Notice of Project Change.

Elizabeth Taylor said by the time Cape Wind is installed technology has changed. She asked if the state would look at new technology since Cape Wind was permitted with old technology.

Bruce Carlisle said there are certain industry standards. He said that would be left to Cape Wind as the project review is being developed. He said Cape Wind will use the best technology; they will want to deliver the best possible technology.

Elizabeth Taylor inquired about a grant for removal of jetties and asked if the state was considering funding for jetty removal.

Bruce Carlisle said he would say no but the question about private versus public is a tricky one. He said they do need to think about private owners. He said he would take that back to CZM.

#### ■ OTHER BUSINESS

Chair Jack McCormack said any members interested in becoming an officer for the one-year term beginning July 1, 2014 should contact the nominating committee directly. He said there are openings on the Commission's Planning Committee if any members are interested. He said members are always welcome to sit in on any of the Standing Committee meetings as well.

Len Short acknowledged Andrea Adams, Senior Regulatory Planner at the Commission, who recently accepted a position off Cape. Andrew Putnam said he has a card for Ms. Adams that he will pass around to Commission members to sign.

Patty Daley said Ms. Adams has accepted a position as a Senior Planner for the Town of Watertown.

A motion was made to adjourn at 4:40 p.m. The motion was seconded and voted unanimously.

Respectfully submitted,

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Andrew Putnam, Secretary

#### **List of Documents Presented at the April 10, 2014 Commission Meeting**

- Minutes of March 13, 2014 Commission meeting.
- Handout material: April 10, 2014 Commission meeting agenda.
- Materials presented: PowerPoint slide presentation "Ocean Planning in Massachusetts Update for Cape Cod Commission" prepared by Bruce Carlisle, Director of the Massachusetts Office of Coastal Zone Management.