

Natural Resource Advisory Board
Draft Minutes
July 8, 2003, 7 PM
Town Hall Hearing Room

Attending: Doug Franklin, Chair, Lezli Rowell, committee secretary and John Riehl.
Absent: Glenn Shields.

The meeting was called to order at 7:10 pm, noting the purpose, as posted, is for the board to review a draft letter prepared by the Chair as response to the BOS inquiry of 6/23/03. It was noted that Glenn Shields had been made aware of this meeting, and that nothing is know about his participation.

Contents of the advisory board's file deemed outdated were discarded, such as the multiple requests from an administrative secretary to the prior chair seeking a submission for the Annual Town Report (the file did not contain a draft submission, nor did the board ever endorse one).

Doug reported that an article in a local publication prompted a call from the Town Administrator regarding his memo of 6/13/03. Tim Smith stated no preference for a State-certified Harbor Plan and that he would not thwart initiative of the board to proceed under its 1987 charge, but wished for requests of information from the Harbormaster to come through his office. John found the reasoning to be beaucroatic, while Lezli observed the defensiveness surprising as the Harbormaster seems to speak direct at Selectmen's meetings and will be addressing the Non-Residents' Taxpayers Association. Doug found it surprising that the issue had been newsworthy, and felt concerned about the perception created by the article. Lezli felt that the TA's interpretation of the 1987 charge was based on the emphasis on *Town officials as directed by the Town Administrator* while the board's interpretation placed emphasis on *to be assisted by the Harbormaster, Shellfish warden and Health / Conservation Agent* - in other words, the memo splits hairs. John had agreed with Doug's preference to handle the request for substantive information in following up on the Harbormasters' comments as an informal, friendly approach, but following the memo's directive it may be that a formal approach is the way to go. Doug questioned whether to take that action upon the draft letter yet - to which Lezli stated preference for getting the answers timely from the public claims made. Doug thought that in the absence of continued claims of the Marina uses and structures being denied permitting due to agency demands for a State-certified plan, the letter may have "done the job".

Doug introduced the draft letter prepared for the Board of Selectmen in response to the advisory board's direction given at the July 1, 2003 meeting. John suggested "de-coupling" the issues of local and State-certified approaches to Harbor planning, and Lezli advised against opening non-specific comment periods without

a draft or chapter to comment upon. Doug said this was in deference to a comment made by Ken Kimball of the Personnel board that any "process" comment period had been suggested. Lezli recalled that it had been Mr. Kimball who advocated originally that Staff / Harbor Planning Group dilute the 1987 Town Meeting charge for the NRAB. She did not feel it productive to accommodate such a vague request of one individual but wishes to see each area of content, as updated, sent out to as many boards, committees, departments or other interest groups as possible to receive specific input. Doug recalled the format proposed in July, 2002 workshheet (prepared by Lezli) as doing precisely that, and wished to review it, with some updates, at the next meeting. Doug commented that if the push for State-certification persists, the existing, updated plan or relevant parts of it could be sent out. John suggested the approach of asking the Marina Advisory Committee / Harbormasters' Department to map out the areas they are interested in pursuing through a State plan, make their case for that method and have the NRAB review the proposal to make recommendation to the BOS. Doug pointed out that the board's charge is broader than just the interest of the commercial Marina and it seems the advocates of State process are locked into a small piece of the picture. John wondered why the impetus when the ACEC designation moratorium on new or expanded Waterways permitting should not affect the Town Marina or plans to reconfigure the amenities. Lezli referred to a map and the excluded areas as she understood them from the designation filing language as well as a site inspection with Jim Mahala of DEP, Resource Protection, and felt certain that any Marina proposal for the Town's structures and uses should be permissible through the Chapter 91 Program. It was perhaps avoiding the advisory board's review for a spectrum of natural resource interests that she felt drives the issue.

Doug commented that the board can just delve into the chapters beginning with the next meeting, and Lezli hoped to then nail down chapter assignments and specific requests of staff support per chapter. She suggested John Riehl consider the Harbor and Estuarine Water Quality chapter (II) and support of the Conservation Agent be requested and that she would like to be tasked the Shoreline Land Uses chapter (IV) with the support of the Planning Board.

Returning to amendments of the draft letter, Doug felt that an open-ended comment period could be a safe offering, and that receiving "strong letters" may affect strategy. He had deleted the clause suggesting the expiration of the Harbor Planning Group in September, 2003 feeling that it was unnecessary to express. John agreed with only addressing the NRAB's intentions, leaving any comment regarding State-certification process or the HPG out of this correspondence, and agreed with Lezli's earlier point that there will be plenty of comment periods along the way. He suggested waiting for the Marina issues to arise as necessary to the update of those chapters. It was agreed that the Chair is authorized to sign the letter, when adopted, on the behalf of this

quorum. It was questioned whether a 'carbon copy' list was needed. John asked what became of letters to the BOS? Lezli answered that they are available to the full board in their correspondence file, noted by the clerk on a 'Correspondence Report' at every BOS meeting, and thus available to the public per request. Whether it will be discussed during correspondence or not depends on the pleasure of the Board, or whether an audience inquiry prompts it. It is not known if the issue of Harbor Planning is slated as an agenda item for an upcoming BOS meeting. Rather than an extensive cc list, Doug will drop off copies to the Administrator and Ass't. TA's offices, as John felt the distribution should be limited. Doug felt it would be up to the TA to decide to share it with department heads.

With the amendments made, Lezli moved to authorize the Chair, Doug Franklin, to execute, sign and deliver the adopted letter from the NRAB to the Board of Selectmen. John seconded. Voted 3-0.

Doug agreed to post the August 5, 2003 meeting. Among items discarded from the NRAB file, John agreed to take the 3/02 - 3/03 monthly Reports of resigned Shellfish Constable Bill Walton to review. Doug announced having encumbered \$250 of the prior years unexpended appropriation to look into preserving the archives of the Mass MiniBays Wellfleet Harbor Project data. Doug mentioned that Melissa Lowe of Audubon plans to organize walks to familiarize participants with ACEC resources and issues to coincide with interest generated around the Oyster Festival and the fall Harbor Conference. John commented that John Portnoy of CCNS and the executive director of WBWS / Audubon, Bob Prescott, are good organizers for such events.

John asked about the agenda for the next meeting. Doug suggested using the prior years worksheet with some updating to begin a work plan. John to address the whole process of updating the Harbor Plan as the only agenda item. Lezli agreed, provided no new or pertinent information came up in the interim. John moved adjournment at 8 PM. Lezli seconded. Voted 3-0.

Respectfully submitted,

Lezli Rowell