

2024 Current Fiscal Year Report: Cape Cod National Seashore Advisory Commission

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1. Department or Agency

Department of the Interior

2. Fiscal Year

2024

3. Committee or Subcommittee

Cape Cod National Seashore Advisory
Commission

3b. GSA

Committee No.

485

4. Is this New Fiscal Year?

No

5. Current Charter

04/26/2023

6. Expected Renewal Date

04/26/2025

7. Expected Term Date

09/26/2029

8a. Was Terminated During Fiscal Year?

No

8b. Specific Termination Authority

P.L. 87-126, as
amended by P.L.
117-328

8c. Actual Term Date

9. Agency Recommendation for Next Fiscal Year

Continue

10a. Legislation Req to Terminate?

Not Applicable

10b. Legislation Pending?

Not Applicable

11. Establishment Authority Statutory (Congress Created)

12. Specific Establishment Authority

P.L. 87-126, as amended
by P.L. 117-328

13. Effective Date

08/07/1961

14. Committee Type

Continuing

14c. Presidential?

No

15. Description of Committee Non Scientific Program Advisory Board

16a. Total Number of Reports

No Reports for
this Fiscal Year

17a. Open

0

17b. Closed

0

17c. Partially Closed

0

Other Activities

0

17d. Total

0

Meetings and Dates

No Meetings

	Current FY	Next FY
18a(1). Personnel Pmts to Non-Federal Members	\$0.00	\$0.00
18a(2). Personnel Pmts to Federal Members	\$0.00	\$0.00
18a(3). Personnel Pmts to Federal Staff	\$0.00	\$0.00
18a(4). Personnel Pmts to Non-Member Consultants	\$0.00	\$0.00
18b(1). Travel and Per Diem to Non-Federal Members	\$0.00	\$0.00
18b(2). Travel and Per Diem to Federal Members	\$0.00	\$0.00
18b(3). Travel and Per Diem to Federal Staff	\$0.00	\$0.00
18b(4). Travel and Per Diem to Non-member Consultants	\$0.00	\$0.00
18c. Other(rents,user charges, graphics, printing, mail, etc.)	\$0.00	\$0.00
18d. Total	\$0.00	\$0.00
19. Federal Staff Support Years (FTE)	0.00	0.00

20a. How does the Committee accomplish its purpose?

This Advisory Commission works through a combination of open discussions at public meetings and subcommittee meetings, and consultations of members with their represented constituencies. Because commission members are not representing the government (with the exception of the Secretary's representative) members of the public sometimes feel more comfortable that their comments are being heard with open minds. Also, Commission members often see issues from disparate viewpoints, which

makes for productive dialogue. An example of work accomplished recently is the finalization of a Preferred Alternative for the Herring Cove North Parking Lot. A parking lot may not seem like it should be a big deal or very controversial, however, the future of this particular lot was so controversial that its discussion was removed from the 1998 GMP (general management plan) process in order to move forward on larger topics. This mile long parking lot is built on a remnant of a 1920's State coastal tour road. An asphalt revetment (acting as a seawall) was installed to protect parking with direct beach access. The parking lot also allowed for year-round viewing of migratory whales and world famous sunsets. Sea level rise since it was constructed; erosion and storm action regularly damaged the revetment and parking lot, demonstrating the fact that a change was needed. Local concern was that the NPS would close the lot and require a remote lot with a shuttle. An Advisory Commission subcommittee was assembled by the Chair and solicited professional input from coastal scientists, town representatives, and state and federal policy experts. Seashore funds supported professional facilitation group (CBI) and professional coastal engineering and NEPA personnel. A Preferred Alternative was derived which is satisfactory to all the stake holders and is responsive to coastal change, sustainability goals, environmental requirements and maintains a remarkable visitor experience. This project will be public discussion at the Advisory Commission until it is constructed, projected 2018. The Commission continues to provide input on important National Seashore issues such as the Shore Bird Management including selective predator management (eliminating crows) to support the success of the listed Piping Plover, bike trail work, Climate

Friendly Parks, and Green initiatives. Commission members have also taken the lead expressing concerns over the re-authorization of the Pilgrim Nuclear Power Plant, Plymouth, MA. This aging plant, with the same design as the Fukushima Plant, Japan, is only 20 miles down-wind across Cape Cod Bay. However, there currently is no requirement for the plant owners to be concerned with evacuation plans or emergency plans for Cape residents or the millions of seasonal visitors. A serious accident will have a direct affect upon the millions of park and Cape visitors as well as the resources within the 44,000 acre National Seashore boundary.

20b. How does the Committee balance its membership?

Membership is composed of one member from each of the six towns within the Seashore, two from the Commonwealth of Massachusetts, one from Barnstable County, and one member appointed at the discretion of the Secretary of the Interior. The most recent round of replacement nominations includes alternates for many of the represented bodies. Since many of the members are working people, having alternates makes a quorum at any given meeting more likely.

20c. How frequent and relevant are the Committee Meetings?

The goal of the Commission is to meet every other month outside of the summer months. The interests of respective constituencies are well represented and their relevance in promoting good relations within the Seashore and the community cannot be overstated. Continuation of the Commission is considered a key administrative tool as Cape Cod National Seashore is located within six already-established towns. This

Commission is extremely relevant.

20d. Why can't the advice or information this committee provides be obtained elsewhere?

As described in P.L. 87-126, the purpose of the Commission is to consult with the Secretary of the Interior, or the Secretary's designee, with respect to matters relating to the development of the Cape Cod National Seashore, and with respect to carrying out the provisions of the Act establishing the Seashore. Additionally, the advice of the Commission shall be sought before the issuance of permits for industrial or commercial use of property within the Seashore, and before the establishment of any public use area for recreational activity within the Seashore, and any proposed action which would create a substantive change in natural conditions or in existing structures within the Seashore. The purpose and need have not changed.

20e. Why is it necessary to close and/or partially closed committee meetings?

All meetings are open.

21. Remarks

(1) EXPECTED CHARTER RENEWAL DATE -- The FACA section 14(b) biennial rechartering requirement has been waived for this committee pursuant to P.L. 102-525, Oct. 26, 1992. (2) RE MEMBERSHIP -- In accordance with P.L. 102-525 and the Commission's charter, members may continue to serve after the expiration of their terms until successors are appointed. Note that all meetings have a simple information component consisting of the superintendent's report in which more or less detailed updates are given by park staff on matters in which the represented bodies have had or do have an interest. Even absent a

formal agenda action item, this steady and reliable exchange of information is very helpful to the overall transparency of park management decisions. All meetings are open to the public and the media. Commission was extended by Title VII, Subtitle E, Section 7402 of Public Law 111-11, March 30, 2009; the commission's new termination date was September 26, 2018. The Commission was reestablished by Division DD, Title VI, Subtitle B, section 613 of Public Law 117-328, the Consolidated Appropriations Act, 2023. The committee's new termination date is September 26, 2029.

Designated Federal Officer

Jennifer Flynn Superintendent, Cape Cod National Seashore

Committee Members	Start	End	Occupation	Member Designation
Areson, Susan	09/20/2023	09/20/2025	Retired	Representative Member
Avellar, Mary Jo	09/20/2023	09/20/2025	Resident	Representative Member
Crary, David	09/20/2023	09/20/2025	Resident	Representative Member
Delaney, Richard	09/20/2023	09/20/2025	Founder and Executive Director, Cape Cod Climate Change Collaborative	Special Government Employee (SGE) Member
Dougherty, Thomas	09/20/2023	09/20/2025	Resident	Representative Member
Green, Lilli-Ann	09/20/2023	09/20/2025	Resident	Representative Member
Lyons, Sheila	09/20/2023	09/20/2025	Resident	Representative Member
Spaulding, Lawrence	09/20/2023	09/20/2025	Retired	Representative Member

Number of Committee Members Listed: 8

Narrative Description

The Commission serves as a link between Cape Cod National Seashore, six Lower Cape towns, Barnstable County, and the Commonwealth of Massachusetts on issues of mutual interest. In

many cases, park goals on such matters as ground water utilization and protection, wetland restoration, T & E species protection, and protection, off-road vehicle use, and visitor services cannot be accomplished without cooperation among multiple parties. At Commission meetings many such issues are explored. Unlike operational meetings, the FACA designation of the Commission allows for substantive discussion on policy issues, which are critical to the accomplishment of park goals.

What are the most significant program outcomes associated with this committee?

Checked if
Applies

- | | |
|---|-------------------------------------|
| Improvements to health or safety | <input type="checkbox"/> |
| Trust in government | <input checked="" type="checkbox"/> |
| Major policy changes | <input type="checkbox"/> |
| Advance in scientific research | <input type="checkbox"/> |
| Effective grant making | <input checked="" type="checkbox"/> |
| Improved service delivery | <input type="checkbox"/> |
| Increased customer satisfaction | <input checked="" type="checkbox"/> |
| Implementation of laws or regulatory requirements | <input checked="" type="checkbox"/> |
| Other | <input type="checkbox"/> |

Outcome Comments

Not Applicable

What are the cost savings associated with this committee?

Checked if Applies

- | | |
|----------------------------|-------------------------------------|
| None | <input type="checkbox"/> |
| Unable to Determine | <input checked="" type="checkbox"/> |
| Under \$100,000 | <input type="checkbox"/> |
| \$100,000 - \$500,000 | <input type="checkbox"/> |
| \$500,001 - \$1,000,000 | <input type="checkbox"/> |
| \$1,000,001 - \$5,000,000 | <input type="checkbox"/> |
| \$5,000,001 - \$10,000,000 | <input type="checkbox"/> |
| Over \$10,000,000 | <input type="checkbox"/> |
| Cost Savings Other | <input type="checkbox"/> |

Cost Savings Comments

NA

What is the approximate Number of recommendations produced by this committee for the life of the committee?

14

Number of Recommendations Comments

No recommendations were made in FY 23. The Commission was re-established on April 26, 2023 and new members were appointed on September 20, 2023 but no meetings occurred during the Fiscal Year.

What is the approximate Percentage of these recommendations that have been or will be Fully implemented by the agency?

90%

% of Recommendations Fully Implemented Comments

The vast majority of recommendations are implemented as received. Typically, the Commission is thoughtful in considering agency policy constraints and funding limitations prior to formalizing its recommendations and gives only advice that the park can legally or practically follow.

What is the approximate Percentage of these recommendations that have been or will be Partially implemented by the agency?

10%

% of Recommendations Partially Implemented Comments

A small percentage of recommendations are modified by the agency prior to implementation. This occurs rarely and usually only when new information that the Commission did not have the opportunity to consider comes to the agency's attention. Even in such limited cases, when some details may change after the recommendation has been made; the Commission recommendation plays a significant factor in the final outcome.

Does the agency provide the committee with feedback regarding actions taken to implement recommendations or advice offered?

Yes ☒ No ☐ Not Applicable ☐

Agency Feedback Comments

The superintendent reports on all actions of interest to the Commission in oral reports at each commission meeting. The superintendent or his assistant also utilizes e-mail for update information between meetings. This includes matters on which the Commission has rendered advice.

What other actions has the agency taken as a result of the committee's advice or recommendation?

Checked if Applies

Reorganized Priorities	<input checked="" type="checkbox"/>
Reallocated resources	<input checked="" type="checkbox"/>
Issued new regulation	<input checked="" type="checkbox"/>
Proposed legislation	<input type="checkbox"/>
Approved grants or other payments	<input type="checkbox"/>
Other	<input checked="" type="checkbox"/>

Action Comments

Based on commission advice, the park has continued to issue Commercial Certificates of Suspension from Condemnation to certain pre-existing businesses located in the park and revised its process for distributing off-road vehicle permits to the public, to much positive feedback.

Is the Committee engaged in the review of applications for grants?

Yes

What is the estimated Number of grants reviewed for approval 0

What is the estimated Number of grants recommended for approval 0

What is the estimated Dollar Value of grants recommended for approval \$0

Grant Review Comments

The Commission did not meet in FY 23.

How is access provided to the information for the Committee's documentation?

Checked if Applies

Contact DFO	<input checked="" type="checkbox"/>
Online Agency Web Site	<input checked="" type="checkbox"/>
Online Committee Web Site	<input checked="" type="checkbox"/>
Online GSA FACA Web Site	<input checked="" type="checkbox"/>

Publications



Other



Access Comments

The park has a link on its website for access to basic information about the Commission, its membership, and its role. Minutes of meeting can be obtained by accessing through the seashore's WEB site at <http://www.nps.gov/caco/parkmgmt/advisory-commission.htm>. Minutes are uploaded once they are approved by the Commission.