

**MINUTES OF THE AUGUST 4, 2014**  
**JOINT MEETING OF THE CHINCOTEAGUE TOWN COUNCIL**  
**AND THE CHINCOTEAGUE TO ASSATEAGUE BEACH ACCESS COMMITTEE**

**Council Members Present:**

John H. Tarr, Mayor  
Ellen W. Richardson, Vice Mayor  
J. Arthur Leonard, Councilman  
Ben Ellis, Councilman  
Gene W. Taylor, Councilman  
James T. Frese, Councilman  
John N. Jester, Jr., Councilman

**Committee Members Present:**

Evelyn Shotwell, Chamber Director  
Donna Mason, Waterside Motor Inn  
Denise Bowden, CVFC

**Committee Members Absent:**

Wanda Thornton, Supervisor  
Kelly Allison, ESVA Tourism

**1. Call to Order**

Mayor Tarr called the joint meeting to order at 5:00 p.m.

Councilman Taylor offered the invocation.

Mayor Tarr led in the Pledge of Allegiance.

**2. Strategy for Community Review and Comment**

- **Rough Draft of the Town Comment Letter and Attachment**
- **Mayor's Letter to Representative Rigell**
- **News Alert News Letter**

Mayor Tarr explained that the meeting was called as the comment period deadline is less than 2 weeks away. He stated that they sent a letter to Congressman Rigell's office with 7 or 8 points. He also stated that they would like to discuss strategy. Mayor Tarr advised that they received a call from Congressman Rigell who was with Rob Catron stating that they reviewed the maps. He added that this brought the Congressman up to speed since they appeared at the Congressional hearing. He informed the Committee that Congressman Rigell is preparing a draft letter. He stated that after the meeting Congressman Rigell was going to reach out to the two Federal Senators to get on board with the same major points. He stated that the Town has reached out to the State of Virginia and Debbie Darden with the National Park Service.

Mayor Tarr stated that he has a meeting with Joe McCauley scheduled for tomorrow morning to see where to go from here. He stated that staff has gone through the Plan and redlined the changes they feel is necessary to the entire CCP. He asked for comments on the draft before it is finalized. He added that Town Planner Neville will explain the redline process.

Town Planner Neville reviewed the letters from the Mayor. He discussed the newsletter which gives the Town ideas and input. He advised that there is a citizen's guide and stated that the only thing that will change the CCP is if there is something specific they don't agree with and providing a reason and background supporting that position. He also stated that there are general points in the newsletter. He feels that the final step should be to provide a page or two of references.

Town Planner Neville stated that the plan is to complete the detailed comments. He reviewed the last section that they need to work on continuing to make suggestions and comments.

Ms. Bowden advised that the Fire Company will definitely write a letter.

Town Planner Neville stated that next week he will have a better rounded draft. He advised that the rough draft has been included in the packet. He reviewed the redlines and corrections. He asked for comments or suggestions.

Mrs. Mason felt that because they all had the same point they were going to be counted as 1 comment. She stated that by sending in something with 50 signatures that it would carry more weight. She added that if thousands of people say they don't like this, it can't be ignored.

Mayor Tarr stated that they have ways of grouping concerns. He also stated that he believes it's a game they play with letters that say the exact same thing.

Mrs. Mason asked how they change this and make them account for each comment.

Mayor Tarr responded that Town Planner Neville and Town Manager Ritter have been reading the manual on how to respond to the need for process in order to get counted. He stated that they have to address the concerns that are included in the letter. He also stated that they are advertising in the papers this week for the need for response. He added that they included the appropriate addresses. He advised of the open house this week to assist the public with their response.

Town Manager Ritter added that the open house will help folks write their response letters. He thanked Vice Mayor Richardson for her help distributing the News Alert newsletters. He stated that it has been put on the website and on Facebook. He added that they are doing an email blast also.

Ms. Bowden asked how they were advertising the open house on Monday.

Town Manager Ritter stated that the advertisement for the Open house will be in the Beacon on Thursday, the Post on Friday and the Eastern Shore News on Saturday for Monday's.

Chamber Director Shotwell stated that they will put it on the Chamber's website also.

There was brief discussion.

Mayor Tarr interjected that they are also reaching out to the Maryland Congress and AIS fishing group.

Councilman Jester feels that they have done a great job with this. He also mentioned the dunes and the 1962 storm.

Town Planner Neville stated that the Fish & Wildlife staff looked at the Census data in reference to the population on April 1<sup>st</sup> which doesn't count for the summer population. He also stated that it misses the point because the money comes in from Philadelphia, Washington and other areas. He feels it's unfortunate that they are comparing Chincoteague residents and Accomack County residents to Virginia's residents.

There was discussion about another survey.

Town Planner Neville advised that the survey they conducted 2 years ago was effective. He stated that they tried to draft one about a month ago but couldn't decide on the questions. He doesn't feel it will have the same affect.

Mayor Tarr feels there's not enough time. He stated that they want to stay where they are with better resiliency and giving the Park Service better control.

Town Manager Ritter added that other than recreational experience they are also looking at public safety. He feels this is critical for any land elevation height and for any alternative.

Mayor Tarr stated that safety is the one thing Congressman Rigell is willing to champion wholeheartedly.

Town Planner Neville referred to the Beach Access News. He suggested that at the meeting with Mr. McCauley tomorrow they discuss the agreed changes and the key concern, which is public safety.

Councilman Taylor commented.

Councilman Jester feels they don't regard the beach as a resource.

Town Planner Neville stated that it starts with the simple things and the other thousand pages build on this. He talked about the Fish & Wildlife Service's strategy of limiting public access.

Councilman Jester feels that the language of "preserving for the future" is critical.

Town Planner Neville suggested starting comments understanding that there are rules to follow.

Ms. Bowden asked what happens after the comment period is over. She asked if they review the comments and then review the CCP again.

Mayor Tarr stated that they take all the comments and address them. He also stated that they either keep their preferred Alternative B or they marry some of the Alternatives together to come out with a final CCP. He added that it will go out to the public again with a 30 day review period unless a legal challenge is filed. He hopes to meet with Mr. McCauley after the comment period is over to work out some of the issues.

There were further comments about the person making the decision who hasn't been to the island.

Mayor Tarr stated that the local Fish & Wildlife staff has had an awakening since July 4<sup>th</sup> weekend. He advised of a meeting of the federal agencies that was called by Congressman Rigell's aide tomorrow. He added that this meeting will be held at Wallops at an undisclosed place to discuss beach resiliency. He also stated that Chincoteague, Assateague and the parking lots are all going to be discussed.

Ms. Bowden stated that they have invested a lot of money into Wallops. She added that the southern part of Assateague helps that too.

Mayor Tarr advised that it was stated in the letter to Congressman Rigell that our barrier island helps protect NASA, the Navy and the Virginia's Space Port Authority's infrastructure at Wallops Island.

There were a few comments regarding support and partnership with the government and the public.

Mayor Tarr stated that in comparison from the current CCP to the draft CCP there are some good changes. He discussed some of those changes. He added that they have won on some issues and lost on others.

Ms. Bowden commented on the amount of time they've been working on this issue.

Mayor Tarr mentioned the MOU. He advised that it is good for 5 years which was signed in 2012. He also stated that they have an annual Operating Plan that is adopted every year. He asked how they can do a CCP for 15 years when everything will change in 5-7 years.

Town Planner Neville reviewed the public exhibits. He discussed the picture of the beach. He asked how the new north beach would have enough room for all the people that come on the 4<sup>th</sup> of July.

There was further discussion about the changes over the years. They also talked about the tour of the north beach.

Mrs. Mason read a comment from Ms. Barbara Meredith's letter, "The solution to loss beach on Assateague is not as simple as presented in Plan B. Creating an entirely new and huge human footprint to move the recreational area would be environmentally and physically irresponsible."

Mayor Tarr stated that the Congressman has concerns about this also. He added that one of the Congressman's main issues is that it will take a lot to move the beach along with the federal funding which isn't there to do a job of this magnitude.

Mrs. Mason stated that Mr. McCauley advised that they plan to use the money from Hurricane Sandy funds and they are rushing to get the money before it's gone.

Town Planner Neville continued to review the exhibits. He advised that he isn't confident that the Fish & Wildlife Service is the right federal agency to lead the charge in designing this National Seashore facility for the future. He feels that the National Park Service understands more about this. He stated that what is written in the CCP is that they have assigned primary federal responsibility to the National Park Service within the assigned area. He added that the problem is that they haven't told anyone where the assigned area is. He also stated that the bigger assigned area the more involvement from the Park Service.

There were comments of the potential disasters, such as saltwater flooding by creating and moving to the north beach and the future of the Herb Bateman Center.

Town Planner Neville feels that this is a valid concern and should be included.

They discussed how the Fish & Wildlife is picking and choosing wildlife to manage and control.

Town Planner Neville mentioned the Park Service's plan to preserve parking. He stated that he pushes the National Geographic article that explains the transition that happens with barrier islands'

roll over and the natural processes. He explained that the argument is sustaining the condition of the dunes over the years. He feels they have the opportunity to make the point. He further expressed his concerns.

There were brief comments.

Town Planner Neville continued to explain other concerns regarding Tom's Cove, the potential breaches and over wash. He showed the FEMA maps of flood elevations. He asked if anyone had other images or studies.

### **3. Discussion and Comments**

Mayor Tarr opened the floor for public comments.

Mr. Rosenberger stated that there is a moral and ethical responsibility that the government has to exercise for our country. He added that this is the safety of our people and the people come first.

Mayor Tarr stated that this is common law that can't be dropped.

Mr. Rosenberger feels it may reach a point that we may have to exercise the legal methodology.

Ms. Bowden asked how prepared the Town is to take this further.

Mayor Tarr stated that this is going to be up to the support from Congress and what the final document looks like when it comes out.

Mrs. Mason asked how they could justify the cost of this verses the benefits.

Mr. Johnson stated that there has been some incredible work done by staff to solidify the case. He is unsure if it is unprecedented in relief to the responses. He advised that he has the impression that this is more solid than they usually have to deal with.

Mayor Tarr agreed and stated that he feels the Congressional hearing helped.

Another speaker stated that she read online that officials have decided to work together regarding the rising sea levels in the Norfolk area. She feels this may help.

Someone asked about the financial aspect and fees.

Mayor Tarr advised they can track the money from the entrance fees and passes.

Someone stated that they should go back to their mission statement.

Ms. Bowden asked about the letter to Senator Warner.

Mayor Tarr reminded that this is only a draft for Congressman Rigell's staff.

There were a few comments.

Mayor Tarr advised of the next joint Town Council and Beach Access Committee Meeting scheduled for Monday at 9:00 a.m. He also stated that there will be an open house Monday, from 8:00 a.m. – 5:00 p.m. He added that if they find a better way to respond they will certainly take that

route. He urged Council and the Committee to review the documents on how the Town is responding.

Town Manager Ritter asked for responses to be submitted by Thursday so they can include them in Friday's document for review at the meeting on Monday.

Town Planner Neville advise that Accomack County is working on their letter this week and if there are any larger issues that should be addressed please pass those through Steve Minor. He mentioned that one of the County's big issues is whether the land acquisition program is going to take more than 50% of the county's taxable status. He added that if this is the case, the Town would be indirectly hit as they would be looking for additional revenue.

**Adjourn**

Councilman Leonard motioned, seconded by Councilman Jester to adjourn. Unanimously approved.

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John H. Tarr, Mayor

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Robert G. Ritter, Jr., Town Manager