

**MINUTES OF THE AUGUST 11, 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:**

Wanda Thornton, Supervisor  
Kelly Allison, ESVA Tourism  
Evelyn Shotwell, Chamber Director  
Donna Mason, Waterside Motor Inn  
Denise Bowden, CVFC

**1. Call to Order**

Mayor Tarr called the joint meeting to order at 9:00 a.m.

Councilman Ellis offered the invocation.

Mayor Tarr led in the Pledge of Allegiance.

**2. Community Review and Comment**

- **Review Draft of the Town Comment Letter and Attachments**
- **News Alert/Petition**

Mayor Tarr thanked everyone for attending. He stated that staff has been refining the changes and working on the chapters that haven't been addressed. He stated that Mr. Catron has made contact with both Senator's offices and expect them to write a letter in response. He asked Town Planner Neville to continue with the strategy.

Town Planner Neville referred to the packet. He stated that the letter has been revised by adding bullets about visitor experience and the public safety issue. He feels it's important to end on the right foot. He emphasized that there are some big issues that need to be worked on such as the vulnerability of Chincoteague and Assateague Islands as a result of their change in management plans. He added that they put in to say that their comments are provided in improving the CCP not to delay its adoption.

Town Planner Neville continued explaining the draft response. He discussed the format, the verbiage, intended message and the visitor study. He stated that they want to base the visitor experience on a study they plan to do 5 years from now. He doesn't feel this will work. He wants today's baseline to be used. He mentioned the format of the redline changes for the improvement of the CCP. He advised that he isn't confident they will use any or all of the redline changes but feels they should offer them. He stated that the big issue is the public safety resiliency. He continued discussing their Management Plan, the Pony Plan, the Park Service Management Plan, the importance of Tom's Cove, the Emergency Plan, the Habitat and Wilderness issue and Mosquito Control.

Town Planner Neville advised that the rest of the packet is the continued work of reading the document. He stated they need to take the rest of the information pulling it down and calling it the rationale explaining why it makes sense. He stated that the petition is included in the packet and has been moving throughout the Town. He feels that this is in support of the Town's standpoint. He added that if there is any input to make the response better to please let him know today.

They discussed including the picture and the rationale to be put with it. There were comments about the beach and the forest impact from the salt water.

Supervisor Thornton suggested looking into the historical value of the Coast Guard Station. She feels it should be on the national registry and would have to be protected. She advised that she contacted her friend in Washington, DC and he is working on it. She feels it is of great historical value. Supervisor Thornton feels they have to be forced to take action there. She stated that they will have to do something to protect it. She advised that Steve Minor is contacting Lynwood Lewis and Rob Bloxom for a meeting with the Secretary of Natural Resources in Virginia. She added that the responses were unacceptable.

Mayor Tarr stated that he hopes and is pretty sure that Senators Kane and Warner will tackle the same issues that they've outlined.

Supervisor Thornton added that this is something that will have to be pushed.

Mayor Tarr stated that they've seen some things in the CCP that needs to be changed and he mentioned the 1997 Wildlife Act. He stated that the people and the beaches aren't included and needs to be included. He stated that it was a general act that didn't take the beaches and people into consideration. He added that we have the only wildlife system that has a natural seashore destination. He stated that Congress will have to go back and review this issue to add an exception. Mayor Tarr stated that he met with Joe McCauley and addressed a few of the issues regarding the assigned area.

Ms. Bowden stated that our beach is in a unique situation being managed by two entities. She doesn't see how you can have a business with two managers wanting to do two different things.

There were further comments.

Supervisor Thornton doesn't feel we're honing in on this enough. She stated that any rational person would realize that 5 miles of beach was set aside for public and now has been whittled away to 1 mile of public beach. She feels that they need to respectfully stand their ground now. She stated that they would like to confiscate it all unless there is legislation creating this section as a National Seashore to be managed by the Park Service. She added that we're going to be in worse shape than we are now. She stated that the legislation that created the National Seashore designated the area. We're going to move out of that area into another without designation except an MOU.

Councilman Jester commented.

Mayor Tarr stated that Town Planner Neville has mentioned the National Seashore in several places in the response.

Supervisor Thornton stated that she thinks congressional people will understand that this is the designation and now it's been confiscated.

Councilman Jester feels that the language is important and to mention “preserving for future generation”.

Mrs. Mason advised that in her letter she began with President Johnson’s quote, “it was maintained primarily for the recreation of our people”.

Supervisor Thornton feels that the entire quote he said should be included in the response.

There were further comments expressing their concerns about being left out of the Plan process and the uncertainty of what will happen in the future by moving the beach.

They discussed the amount of time it would take to incorporate the changes in the Plan.

Mayor Tarr explained that some of the agencies didn’t have any comments. He stated that those who commented did the same thing as the writer of the CCP. He added that they didn’t address economic value to the communities or loss of jobs. He stated that when review that they will realize it hasn’t been done. He also added that they are also planning to send a letter to the state.

Supervisor Thornton stated that Mr. John Ameron has done a lot of research regarding the pony herd. She stated that they can’t prove him wrong. She feels this should be part of the response. She added that Mr. Hinds wouldn’t allow him on site.

Councilman Jester advised that Mr. Hinds told him that the reason they were fighting the herd size was because of the Department of Interior who was supporting the government. He added that this was because Mr. Ameron was testifying as an expert witness on wrecks.

Supervisor Thornton believes it would be extremely hard to disprove the documentation that Mr. Ameron has.

Mayor Tarr stated that they only addressed shipwrecks in general. He feels that they should address all natural and cultural things. He mentioned the graveyards and other things not spelled out in the CCP.

They discussed shipwrecks in the CCP and their disregard of the historical items and documentation.

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

Mayor Tarr asked for public comments.

Mr. Rosenberger asked about the position of the state of Virginia.

Supervisor Thornton advised that they have followed the same line as Fish & Wildlife.

Mayor Tarr stated that the different agencies responded from Virginia from their expertise. He added that the local officials Delegate Bloxom and Senator Lewis are going to respond in the Town’s favor. He also stated that Congressman Rigel’s office and two Senators from Virginia are going to address the issues that the Town has on the table

Someone commented on the overpopulation of mosquitos at the northern beach.

Mayor Tarr advised that this is one of the Town's 8 major points. He then mentioned a compatibility study of mosquito control another wildlife refuge conducted.

Supervisor Thornton asked if the maps have been shown regarding the change in the hook. She expressed the significance.

Town Planner Neville advised that they referred to the westward moving and narrowing of the beach as erosion. He stated that they lost 7 acres but gained 600 acres at the hook. He advised that the gain in acreage hasn't been included in the CCP. He stated that they haven't expressed the concern of the change in the widening of the inlet but will.

Supervisor Thornton commented on the widening of the inlet and because of the dredging along with the Fish & Wildlife letting everything go. She talked with the Army Corps of Engineers about a study. She fears that the south end of Chincoteague will go in a big storm. She plans to give the County a map with the sequence.

Someone asked how these things are going to be done when the deadline is the 15<sup>th</sup>.

Supervisor Thornton advised that the responses have to be in by the 15<sup>th</sup>. She added that once they start on EIS it will take 2-3 years to do this.

She then asked about the dunes as she hasn't seen any. She was advised that she would have to go north to see the dunes. She was also told that they (Fish & Wildlife) planned to level the dunes to give more beach.

Vice Mayor Richardson stated that this is why the Town needs the citizens to write and send letters telling them how you feel.

Another speaker advised there has been a study by the Army Corps of Engineers in Hampton. She stated that Senator Kane is working on a bill to address sea level rise to protect the military institute in Hampton Roads. She feels like the CCP is outdated that they are talking about sea level and our barrier island. She added that there hasn't been a study.

Mayor Tarr and Supervisor Thornton advised that this is what the Town is asking for.

Councilman Taylor stated that when they move the beach North the beach experience goes down the Transient Occupancy Taxes will decrease and the County will increase Property Taxes to make up the short fall. He feels the government is henpecking us. He stated that in 10-12 years the businesses will be ok, but years from now the businesses will suffer.

Someone asked where the rest of the Town people are. She feels they should be here.

Councilman Leonard and Supervisor Thornton advised that they are working but are writing letters.

There was discussion regarding the reasons the Town is supporting an enhancement of Alternative A.

Ms. Bowden stated that she feels that the very last thing written in the letter should be that the Town can't support anything but an enhanced Alternative A.

Mayor Tarr advised that that is what they have done.

There was further discussion about the enhancements to Alternative A. They talked about taking this further if necessary.

Mayor Tarr stated that the Town has asked to leave and maintain the beach where it is until everything has gone through.

Supervisor Thornton stated that a lot of the problems are in the body of the document that will have a very negative impact on Chincoteague. She commented on the proposed marine sanctuary and how devastating this would be to the seafood industry.

Mrs. Mason asked if there has been any information of the money generated from Tom's Cove.

Town Planner Neville advised that the information is lumped together.

Supervisor Thornton stated they could get it.

Mayor Tarr interjected that this needs to be done.

Councilman Taylor stated that Town Planner Neville has done a great job. He stated that Fish & Wildlife are calling the south end restricted. He added that the document states that the refuge will allow or make an artificial breach.

Mayor Tarr advised that this was discussed with Mr. McCauley also. He stated that there is no breach policy in this document. He added that Mr. McCauley stated that in the GMP it will address this and it won't be in the Town's favor.

Supervisor Thornton stated that the State has to step up to the plate for Chincoteague. She added that they have done this for Tangier.

Mayor Tarr stated that as they move forward, Town Planner Neville will finalize the Town's response. He stated that the Town will respond to the State Representatives this week. He added that the VMRC's response was not strong. He advised that there will also be an opinion from the States Commonwealth's Attorney.

There was further discussion of the documents sent to our state representatives.

Town Planner Neville doesn't believe that the Federal Government is exempt from the state's requirements. He advised that the letter will be finished Wednesday evening to give everyone a last look by Thursday so it can be emailed Thursday afternoon.

Mayor Tarr stated that after the 15<sup>th</sup>, it will take the Wildlife Refuge 2-3 months to review the comments. He stated that they will then marry it into one document. He advised that he asked that the Town and County be included in that process between now and the final document. He also added that the Town has requested to meet with Ms. Webber to discuss the document as she is the ultimate person to sign-off. He mentioned the new Refuge Manager coming on and hopes he will have a different view of things.

Vice Mayor Richardson advised that she will pick up the surveys Thursday.

**Adjourn**

Vice Mayor Richardson motioned, seconded by Councilman Leonard to adjourn. Unanimously approved.

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John H. Tarr, Mayor

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Robert G. Ritter, Jr., Town Manager